Capacity Building for Security Sector Reform in Kosovo[1]

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1. Executive Summary

This paper evaluates the international community's approaches to capacity building of the security sector in Kosovo from NATO's intervention in 1999 to the present day. Analysing a period of almost two decades, therefore, this paper provides insights on how the approach to capacity building has evolved through four phases of security sector reform, reflecting corresponding changes in the political context over the same period. In the first phase (*stablisation and demobilisation*, 1999–2004), the security agencies were initially established to demobilise former combatants and to partially address the security vacuum that international actors could not fill alone. In the second phase (*security sector development and institution-building*, 2004–08), the focus of capacity-building activities was on building institutions to take charge of the management of security agencies, thus facilitating the gradual transfer of governance responsibilities to local provincial government. In the third phase (*state-building*, 2008–12), international actors who supported supervised independence handed over full responsibility for the execution of security and justice to the unilaterally proclaimed independent state of Kosovo, and therefore much of the capacity-building agenda was transformed into the mentoring and advising of local authorities. The fourth and most recent phase of capacity-building activities by the international community (*EU-mediated integration of minorities and the EU accession process*, 2012–present), has been marked by the EU's leading role in the mediation process of the Belgrade–Pristina dialogue. This dialogue aims to achieve the normalisation of relations between Kosovo and Serbia, and to initiate Kosovo's association process towards EU membership. This has led to a shift of focus towards capacity building designed to integrate parallel security and justice structures run by the Kosovo Serbian minority, which is concentrated in the north of Kosovo, and has been (self) excluded from the Kosovo system until recently.

2. Findings

1. **Integrated executive missions provide advantages for the effective division of labour and the coordination of capacity building for security sector reform (SSR), but limit the potential of local ownership.** The efforts of the international community were better coordinated in the initial two phases of SSR due to the pillar structure of the executive UN mission, which integrated major intergovernmental actors (the OSCE, the EU and NATO-led Kosovo Force, KFOR) and more clearly delineated the division of labour between them. However, capacity building at that point did not necessarily lead to coherent models being transferred to local authorities, given that much of the work was implemented by member states' contingents or senior representatives in international governmental organisations, who in turn imposed their respective national models.

2. **The limited involvement of local actors in security governance during the stabilisation and demobilisation phase prevents the development of local ownership, although equally it reduces the potential for local actors' armed wings to spoil the fragile security governance architecture run by internationals.** Once the short-term perspective of capacity building deployed during the stabilisation phase is replaced with the longer-term perspective of capacity building for peacebuilding, the desired model of statehood in which the security sector is going to be positioned becomes more important.

3. **Security sector development/reform is an intrinsically political process linked to the understanding/desirability of statehood by all sides in a conflict** (in this case, this includes Kosovo Albanians and Kosovo Serbs, as well as Kosovo and Serbia themselves), in addition to the attitudes of key international actors active in the context. **The lack of a joint political vision by the international community diminishes the coherence and effectiveness of their approach to local political actors and security sector reform.** The case of Kosovo demonstrates that the international community's effectiveness in capacity building of the security sector has been less coherent due to the polarisation between those who recognise Kosovo's unilaterally proclaimed independence (the US, UK and all but five EU member states) and non-recognisers or status-neutral actors (Russia, the UN, OSCE and some member states of the EU and NATO). The differences between the various approaches to Kosovo's statehood were evidenced by the correspondingly variegated

choices of institutional recipients and thematic foci of capacity-building initiatives by international actors. The differences in approaches correspond closely to the camps in which recognisers, non-recognisers and status-neutral capacity builders are situated. This leads to unequal development among the various individual institutions within the security sector. It also results in the unsuccessful development of capacity building in areas challenging politically sensitive issues, such as prosecuting war criminals and organised criminals, or confronting different perceptions of the legitimacy of international actors between local Albanian and Serbian communities.

4. **The international community in Kosovo has disproportionally invested more in building the capacities of security institutions than it has in building justice and oversight institutions.** This has included building from scratch – and later strengthening – the capacities of law enforcement and other public safety institutions to deliver security. In terms of capacity-building assistance provided to individual security institutions, the Kosovo Police, as the oldest of these institutions has received the most attention overall, while the justice sector became the foremost receiver of assistance and capacity building after Kosovo's proclamation of independence. Supporting the capacity building of law enforcement agencies and the judiciary seems to be more acceptable among both recognisers and non-recognisers, as it is justified as promoting human security, which is status-neutral. Only those in the international community who recognise Kosovo are willing to support efforts to build the capacity of institutional actors linked to national security. This is true both for institutions with a formal mandate to deal with the risks to national security (such as the Kosovo Intelligence Agency), and for the light defence force (the Kosovo Security Force (KSF), which is perceived as the symbolic guarantor of statehood backed by potential armed force).

5. **The idea that building capacity in Kosovo institutions is a politically neutral activity was not shared by Serbs from the north of Kosovo, who boycotted all Kosovo security institutions and many of their international sponsors.** This was the case until 2013 when the EU-mediated Brussels Agreement between Belgrade and Pristina was brokered, providing for the integration of Serbian parallel structures into the Kosovo system. Prior to this agreement, most of the capacity building in Kosovo was focused within the Albanian-dominated areas in central, southern, western and eastern Kosovo.

6. **The effectiveness of capacity building is linked to several active international actors, their support for certain institutions, and the consistency and coordination of approaches they have developed.** The most effective case of capacity building was arguably the development of Kosovo Customs. This was due to the consistency of international assistance: it was only supervised by one international actor – the UK – for almost two decades. The thematic areas of security sector reform that have been most crowded by donors have been first, the rule of law, and second, certain areas of policing – community safety, intelligence-led policing and more recently, countering violent extremism (CVE). Yet, **there is a perception that many of these over-crowded areas of capacity building are approached with a view to identifying and managing potential threats to EU member states and the US, but not necessarily those to Kosovo's local population.** This is evident in the possible over-prioritisation of capacity building for CVE and sophisticated methods of tackling organised crime (such as intelligence-led policing) over investments in infrastructure for day-to-day/neighbourhood policing. A major concern among both Kosovo Albanians and Kosovo Serbs is that the international community has overlooked local demands for the accountability of political leaders for the sake of their participation in, and enforcement of, interethnic deals. Last but not least, the lack of adequate backing for local ownership of reforms (and therefore their sustainability) is evident from insufficient support for local problem identification, project development and evaluation.

3. Recommendations

1. **Long-term commitments of resources are required when the international community decides to intervene in a country and commence building a new security sector from scratch.** Executive missions and capacity building need to be more effectively linked to ensure smooth transitions between international organisations and within the same mission (in this case, between the UN and EU and within the EU Rule of Law Mission in Kosovo (EULEX), between its executive and capacity-building mandates).

2. **Integrated executive missions are an effective mechanism through which to coordinate international assistance for capacity building, but these missions' mandates must be limited and must have clear exit strategies from their inception in order not to hinder local ownership.** Executive missions require clear benchmarks to guide local actors towards progress and to avoid situations where mission creep occurs stemming from the lack of a clear exit strategy.

3. **Consistency across the EU's civilian tools for capacity building (diplomacy, development, security and so on) is vital**, especially in sectors where the EU is a lead international provider of capacity building (such as policing and the rule of law).

4. **International organisations and actors with high profiles should 'lend' their reputation to their partners** so to effectively develop the capacities of local actors during peacebuilding.

5. **Local ownership, understood as negotiating with the political actor that has the most power to destabilise the situation or to maintain the status quo (veto players), may strengthen the political power structure present at the end of conflict.** This, in turn, risks allowing those powerful actors to capture the state and the nascent institutions whose capacity is being built. Therefore, it is crucial that, from the beginning of an intervention, sufficient attention is paid to capacity building for the democratic oversight of the security sector. International actors should also focus on linking capacity-building programmes that share the common goals of investigation and prosecution for serious crimes, such as war crimes, organised crime and corruption.

4. Introduction

This paper evaluates the international community's approaches to building the capacity of the security sector in Kosovo from NATO's intervention in 1999 to the present day. Kosovo has been a major recipient of international assistance, including in capacity building of its security sector. Prior to the conflict in Ukraine, Kosovo was per capita one of the lead recipients of direct security provision from international actors and of development assistance from European actors. Besides Bosnia and Herzegovina, Kosovo has been the subject of the longest engagement through the EU's Common Security and Defence Policy (CSDP) in crisis management and peacebuilding in Europe, which since 2012 has overlapped with the EU's enlargement agenda.[2] Kosovo is the only country in which the EU has an executive justice mission that has also been tasked with capacity building of local law enforcement agencies and the judiciary, with the aim of assisting them to work independently in sensitive areas (tackling organised crime, corruption and war crimes). In this context, with many different forms of engagement occurring in concert, this paper evaluates the coherence and interactions between EU international operations and executive missions in the field on the one hand, and capacity building among local actors on the other.

The analysis presented in this paper is based on a review of previous research[3] and more than 40 interviews carried out with national and international stakeholders between January and April 2017 as part of the EU-CIVCAP project. The study maps key phases of capacity building of the security sector in Kosovo, and the corresponding approaches of the international community to support and encourage this. This study also analyses achievements in this area to date. The empirical material for this study is broadly divided into three key themes: (1) the context of security sector development, (2) applying the concept of capacity building, and (3) the effectiveness of capacity building.

The paper begins with an analysis of the context in which security sector development and reform have taken place in Kosovo over the past two decades. In section 5, key phases of the development of Kosovo's security sector from 1999 to 2017 are presented. Each of the main phases will be analysed, which will also entail the mapping of key international

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[2] In March 2012, the European Commission launched a feasibility study on the prospects of a Stabilisation and Association Agreement, the first step towards the formal arrangement of association with the EU. The Agreement was signed in October 2015.

[3] The most comprehensive analysis of the Kosovo security sector is by Qehaja (2017), while research by the Kosovar Centre for Security Studies has provided most of the empirical material on developments in the security sector in Kosovo since 2008.

actors. The paper will draw out the logic of security sector development and highlight the Kosovo security and justice institutions that have been prioritised for capacity-building assistance. This element of the analysis will conclude with a summarisation of the current division of labour among key international actors providing capacity building in Kosovo. Section 6 will analyse the concept of capacity-building support provided for the development and reform of security institutions in Kosovo. This section will include an analysis of the different types of capacity-building activities applied to the context and the shifts in the overall capacity-building approach (from the stabilisation of a post-conflict state during the initial stages of engagement, to the preparation of that state for accession to the EU more recently). Section 7 will analyse the capacity-building record so far, providing a deeper analysis of the effectiveness and coherence of the international community's various interventions, as well as evaluating the extent to which capacity-building activities contributed to local ownership and legitimacy among local actors, and to overall sustainability of the reforms in this notoriously sensitive area of governance.

5. The context of security sector development/reform

To facilitate an analysis of the effectiveness of capacity building in Kosovo's security institutions, one needs to understand how, over time, the goals of the capacity-building agenda have evolved as the political context has changed. For this reason, this paper maps key international providers of capacity building and the logic of their engagement. This mapping also reveals where their efforts to develop security institutions and programmes are concentrated in each phase. The periodisation deployed by this paper is based on an earlier analysis of the context developed by Florian Qehaja and Mentor Vrajolli (2011).[4] This paper updates this framework to take account of subsequent periods after the end of supervised independence in 2012 and following the 2013 normalisation of Belgrade–Pristina relations. The periodisation presented below should be understood as an analytical tool that does not fully mirror reality in the field, as some of the trends identified in earlier phases were maintained in successive phases. The main phases are named after the international community's approach to Kosovo's security governance, which evidently changed significantly over time: (1) stabilisation and demobilisation, (2) security sector development (institution building), (3) state building (supervised independence), and (4) EU-mediated integration of minorities and the EU accession process.

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[4] Note that the periodisation presented in this paper differs slightly from the one earlier developed by Qehaja and Vrajolli (2011), as the present framework focuses on categorising the various logics within international assistance that are applied to the security sector in Kosovo (including capacity building).

Table 1: Overview of key periods and paradigms of SSR in Kosovo

Name	Period	Target security and justice institutions for capacity building	Dominant/lead international actors (providers of capacity building)	Key local actors
1. Stabilisation and demobilisation	1999–2004	Kosovo Police Service; Kosovo Protection Corps; Kosovo Customs.	Mission led by the UN Interim Administration Mission in Kosovo, which included the UN, OSCE and NATO.	Albanian political parties and their paramilitary wings.
2. Security sector development (institution building)	2004–2008	Ministries of interior and justice.		
3. State building (supervised independence)	2008–2012	All traditional security institutions with the most focus on the police, judiciary and customs; Transformation of the Kosovo Protection Corps into the KSF.	'Recognisers' of unilaterally proclaimed independence (including the US and UK); EU; Status-neutral actors: the OSCE, UN Development Programme, etc.	Central Kosovo authorities based in Pristina and Kosovo Serbs from central Kosovo.
4. EU-mediated integration of minorities and the EU accession process	2012– present	Integration of parallel Serbian security and justice structures from the north of Kosovo into the Kosovo system; Institutions in charge of fighting organised crime.	EU (European External Action Service, EU Office in Pristina, EU Special Representative and EULEX); US.	Central Kosovo authorities; Serbian political elites in Belgrade and local Serbian representatives from north Kosovo.

Name	Period	Target security and justice institutions for capacity building	Dominant/lead international actors (providers of capacity building)	Key local actors
		KSF transformation in line with NATO standards.		

Source: Qehaja and Vrajolli (2011).

The **first phase** of security sector development **(1999–2004)** is best described as the **stabilisation and demobilisation** phase. It started immediately after NATO's intervention in the then Federal Republic of Yugoslavia and the withdrawal of Serbian security forces in June 1999, which left Kosovo in a security vacuum.[5] This vacuum was only partially filled by the UN Security Council (UNSC) Resolution 1244/99 (UN 1999), which authorised the international community to intervene and subsequently 'to establish a security presence, demilitarise Kosovo Liberation Army (KLA)[6] and facilitate the return of refugees' (UN, no date). The resolution also established the UN Interim Administration Mission in Kosovo (UNMiK), with a mandate to perform all aspects of civilian administration, establish democratic institutions and create the basis for resolving the quandary of Kosovo's status (UN, no date). The UNSC Resolution 1244/99 established the four-pillar structure of governance, which tasked the agencies as follows: (1) the UN High Commissioner for Refugees (UNHCR) with leading humanitarian assistance, (2) the UN with civil administration, (3) the OSCE with democratisation and institution building and (4) the EU with reconstruction and economic development. After the return of the majority of ethnic Albanian refugees in 2000, the first pillar was transformed into a rule of law pillar under the UN (UNMiK, 2003). The same resolution mandated NATO to establish peace support operations through its Kosovo Force (KFOR), to deter the potential of renewed hostilities, to establish a secure environment and ensure public safety and order, to demilitarise the KLA and to support international humanitarian efforts (NATO, no date). KFOR was also in charge of the implementation of the Military-Technical Agreement between NATO and the Federal Republic of Yugoslavia (the ceasefire agreement). Besides international organisations, the major actors in Kosovo's security sector development have been

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[5] For an overview of political developments and conflict in Kosovo, see Judah (2000) and Ker-Lindsay (2009).

[6] The KLA is the paramilitary wing of one of Kosovo's Albanian political parties – the Democratic Party of Kosovo (Albanian abbreviation: PDK), led by Hashim Thaçi, the current president of Kosovo.

individual states – in particular, the US and several EU member states (France, Germany, Italy and the UK), as well as some non-EU members (Norway, Switzerland and Turkey).

In **the first phase (1999–2004)**, international actors filled the security vacuum through the direct provision of security – for both military (through NATO-led KFOR) and public security and safety (under the UN police, judiciary and customs). During this period, the initial security sector institutions were developed from scratch – the Kosovo Police Service and Kosovo Protection Corps – and therefore it is more appropriate to refer to *security sector development* than reform. This development was completed according to the design provided by international actors, almost without any formal decision-making or oversight given to local political elites. The Police Service was developed by UNMiK and the OSCE (OSCE, no date). The two international organisations jointly carried out the selection of potential candidates among former KLA combatants, former police officers who worked during the Yugoslav time and new recruits. The OSCE oversaw provision of training at the Police Training Centre in Vucitrn, while UNMiK supervised field training in police stations commanded by UN police staff from various countries.[7] UNMiK and KFOR were tasked with creating the organisation for civil emergency management – the Kosovo Protection Corps[8] – which would mainly employ former ethnic Albanian combatants. The major logic behind the development of the initial security institutions under the command of the international community was demobilisation, disarmament and reintegration of former KLA paramilitaries. This is the reason why, early on, UNMiK adopted a regulation that allowed for establishing private security companies that would employ a surplus of then-unemployed KLA veterans, but without permission to carry weapons (Emini and Vrajolli, 2015: 61). There was no parliamentary oversight of security institutions in this phase, as 'Provisional Institutions of Local Self-Government had no executive or oversight competencies over KPC [Kosovo Protection Corps] and KPS [Kosovo Police Service] and the judiciary' (Qehaja and Vrajolli, 2011: 11). Based on the evidence available, it seems that integrated executive missions such as UNMiK coordinated a four-pillar structure, providing advantages for effective division of labour and coordination of capacity building of SSR, but limiting the potential for local ownership.

Besides the new institutions built from scratch, the parallel security structures functioned as well. In Albanian-dominated areas, two intelligence services affiliated with political

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[7] Interview 1.

[8] The Kosovo Protection Corps could not perform any defence, law enforcement, riot control or other internal security tasks; its activities were limited to civilian emergency tasks, such as disaster response, search and rescue, demining and so on. For more details, see Scahill (2000).

parties operated – the Kosovo Intelligence Service (*Shërbimi Informativ i Kosovës*, ShIK), affiliated with the Democratic Party of Kosovo (*Partia Demokratike e Kosovës,* PDK), and the Institute for Strategic Research and Public Opinion, associated with the Democratic League of Kosovo (*Lidhja Demokratike e Kosovës*, LDK) (Qehaja, 2012; Qehaja and Vrajolli, 2011: 21). ShIK was allegedly involved in the ethnic cleansing of the remaining Serbs in towns with an Albanian majority, as well as persecuting ethnic Albanians considered disloyal to the cause of independence or who might have been competitors of the new political and security elite (Borger, 2014). In municipalities where Serbs were the majority, especially in north Kosovo where these settlements were territorially concentrated, the structures of the Serbian Ministry of Interior and public administration and intelligence agencies, as well as the judicial system, remain functioning (ICG, 2004: 4).

The second phase **(2004–08)** could be called the **security sector development** phase, as it saw a gradual transfer of competencies from the international community to the Provisional Institutions of Self-Government, including for the management of security agencies. This phase was initiated after the riots of March 2004, during which the massive displacement of Serbs, along with the destruction of their property and Serbian Orthodox Church monasteries and churches, ended with the unilateral proclamation of independence in 2008. This occurred in line with the Internal Security Sector Review launched at the end of 2005, which had been officially requested by the government of Kosovo and was managed by the UN Development Programme (UNDP). The holistic review of security architecture and threat assessment performed through public consultation[9] ended in the transfer of competencies by providing local authorities with civilian management over security institutions. The Ministry of Interior and the Ministry of Justice were created in 2006, as well as the first parliamentary committees in charge of overseeing nascent security institutions (the Committee for Oversight of Emergency Preparedness and the Committee on Security, which oversaw the Kosovo Police Service and other security institutions). In this phase, most competencies for managing the Kosovo Police Service were handed over to the local authorities, except the command by the UNMiK police commissioner. During this period, the EU slowly started playing a more important political role in the anticipation of Kosovo's status settlement, as it was set to oversee this agreement.[10] In addition, a CSDP mission was conceived with a mandate related to the rule of law.

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[9] For lessons learned, see Bleasa and Qehaja (2013) and ISSAT (no date).

[10] Fore an overview of mission planning, see Council of the European Union (2007).

The third phase (2008–10), which can be referred to as the **state building** or **supervised independence** stage, was initiated at the point of the proclamation of independence on 17 February 2008 and lasted until the end of supervised independence in 2012 – the beginning of the formalised EU association process. The independence was initially supervised by the International Civilian Office as an EU–US office and its mandate lasted until 2012.[11] The transfer of competencies for security governance was carried out in line with the constitution based on the so-called Ahtisaari Plan (formally, the Comprehensive Proposal for the Kosovo Status Settlement), (Ahtisaari, 2007). The 2008 Constitution of Kosovo envisages the development of fully functional public safety, security, justice, intelligence, civil emergency sector and border control institutions under the auspices of the Kosovo authorities. For the first time, an official intelligence service, the Kosovo Intelligence Agency, and security service, the Kosovo Security Force, were established. The Ahtisaari Plan also envisaged the disbandment of the Kosovo Protection Corps, which was perceived as being overburdened with the KLA-style of management (Qehaja and Vrajolli, 2011: 25–26). This situation led to the creation of a new, lightly-armed paramilitary security actor, the KSF, in line with NATO standards. Its mission is to conduct crisis response operations in Kosovo and abroad, undertake civilian protection operations within Kosovo and provide assistance to civilian authorities in cases of natural disasters and other emergencies (Ministry for the Kosovo Security Forces, no date). Kosovo's constitution also contains special safeguard mechanisms for the protection of ethnic minority rights, especially those of Serbs (for example, quotas for the representation of minorities in all public administration bodies, including security institutions, as well as a veto power over transformation of the KSF into the Kosovo Armed Forces).

In a nutshell, during this third phase of security sector development, all competencies except the prosecution of war crimes were handed over to Kosovo authorities. War crime investigations remained a reserved domain of the newly-established CSDP mission, EULEX, due to the distrust of internationals and the unwillingness of local political elites to prosecute those within its own ranks who were suspected of crimes. New responsibilities also included that of the government of Kosovo to develop its own strategic documents – for example, the first national security strategy was developed in 2010, followed by the Kosovo security sector review in 2012–14. The reason this phase is labelled the state-building phase is because many of the countries that had recognised Kosovo's independence during previous phases now worked to support it to become a

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[11] For a comprehensive report on the work of the International Civilian Office in Kosovo, refer to ICO (2012).

fully-fledged state that would be accepted into international organisations.[12] This meant that the international community was no longer to be in the driving seat, and that it should have moved to use capacity building to support local political elites to develop and manage Kosovo's security. However, this was not really what happened in practice. Instead, during this phase, the international community started paying more attention to the issues of the rule of law and focused its capacity-building activities on strengthening Kosovo's nascent justice system and its cooperation with law enforcement bodies. This was also the phase in which security sector reform was used not only in line with the paradigm of stabilisation of the situation within Kosovo and between Kosovo its neighbours (primarily Serbia), but also to potentially integrate it into the Euro-Atlantic community in line with EU and NATO norms. The EU became the major actor among the intergovernmental actors, although the US remains the most politically salient. During this period, the EU worked regularly in the parts of Kosovo run by ethnic Albanians, and while the EU was present in the north of Kosovo, where ethnic Serbs are the majority, it was not able to complete much work there.

The **current, fourth phase (from 2010)** is marked by the **EU-mediated integration of minorities and the EU accession process** (Brussels Dialogue), which has led to several agreements[13] related to security governance: the establishment of integrated border management, as well as the integration of Serbian security and justice structures that have operated in northern Kosovo into the government of Kosovo's institutional setup.[14] This is also the phase in which the EU's largest operation (EULEX) under the Common Foreign and Security Policy (CFSP) has become operational in Kosovo (EULEX, no date a), with an executive mandate to prosecute and judge sensitive cases of war crimes, organised crime and severe corruption, as well as a capacity-building mandate in the area of justice and law enforcement. This capacity-building phase can be referred to as **mediated integration**. Besides the Brussels Dialogue-related support, much emphasis has been given to alignment with EU standards since Kosovo started negotiating the Stabilisation and Association Agreement at the beginning of 2012. That same year, EULEX was significantly downsized in staff and restructured, although its mandate remained unchanged until 2014, when it stopped taking new cases.

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[12] See for example the mission statement on the website of the UK Embassy to Pristina, available at https://www.gov.uk/government/world/kosovo, accessed 7 February 2017.

[13] For an overview, see Serbia–Kosovo negotiations, available at http://www.balkaninsight.com/en/page/serbia-kosovo-relations-negotiations.

[14] Concerning the integration of Serbian police officers into the Kosovo Police, see Bjeloš and Elek (2014); on the integration of civilian protection units, see Stakić and Bjeloš (2015).

Based on the abovementioned mapping of key phases of security sector development and reform, it can be concluded that the international community has demonstrated a long-term commitment to the capacity building of Kosovo's security institutions. One interlocutor treats work in the Western Balkans as 'a marathon rather than a sprint. The changes are made incrementally and the impact is only visible after a number of years.'[15] Still, the international community has not always shared the same political vision for Kosovo's political status and its security sector, which in turn has influenced differences in the various capacity-building approaches tested, as will be demonstrated in the next section.

5.1 Current division of labour among international actors

For the purposes of this section, the international community can be divided into those who have recognised the unilaterally declared independence of Kosovo and those who have not.

Since UNMiK handed executive functions over to the government of Kosovo in 2008, the former has focused predominantly on capacity building within and monitoring of the situation for reporting back to the UNSC. UNMiK, however, has lost its credibility and legitimacy among ethnic Albanians as it has been associated with the running of the country as a protectorate[16] and its strong emphasis on status neutrality.[17] Besides UNMiK, there are many UN agencies, funds, programmes and affiliates active in Kosovo, such as the UNHCR, the United Nations Children's Fund (UNICEF) and – most importantly for security sector reform – the UN Development Programme. The UNDP has been active in support for democratic governance and peacebuilding, including support for the rule of law initiatives, the control of small arms and light weapons and setting up municipal safety councils in several municipalities.[18]

Other UN agencies and the OSCE seem to be more acceptable partners from the perspective of Kosovo's authorities, because they never had an executive function, and

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[15] Interview 2.

[16] Interview 3.

[17] Interview 4.

[18] See the overview of ongoing and past projects under Democratic Governance and Peacebuilding, available at http://www.ks.undp.org/content/kosovo/en/home/operations/projects/democratic_governance.html, accessed 4 April 2017.

have only provided more detached assistance.[19] The OSCE Mission in Kosovo (OMiK) was, until the conflict in the Ukraine, the largest OSCE mission of all.[20] It has been a major provider of capacity building in terms of police reform, including establishing and/or supporting police education, community safety, the rule of law and human rights. In the last phase, it has been asked by the EU to support the implementation of the Brussels Dialogue by delivering training for civil protection units run by local Serbs in northern Kosovo during their integration into Kosovo's system;[21] a similar programme is planned for the incorporation of the Serbian judiciary in northern Kosovo into Kosovo's structure.[22]

NATO and the EU have remained active with executive mandates while concurrently expanding their capacity-building activities. KFOR is still the only military force with a mandate to act in Kosovo, and is also in charge of acting as the third respondent in cases of civil emergencies, including major riots like those in March 2004. KFOR has gradually handed over border control to Kosovo's authorities. Furthermore, NATO oversees the institution building of the KSF through NATO's Advisory Liaison Team, which is situated within the headquarters of the Ministry for Kosovo Security Forces, and has an advisory role in the capacity building of the KSF in line with NATO standards.[23]

Currently, the EU is present as the mediator of the dialogue between Belgrade and Pristina on the normalisation of relations, but also as the biggest provider of development assistance in Kosovo, out of which the most significant contribution is to the rule of law sector. Through its mission (EULEX) under the CFSP, the EU is also active in executive and capacity-building roles in Kosovo. The dialogue with Belgrade is facilitated by the European External Action Service (EEAS) through the direct involvement of the High Representative of the EU.[24] This dialogue is supported by the EU Special Representative in Kosovo, who also heads the EU Office. Therefore, the EU Office is engaged in Kosovo both politically and financially. Its major task is programming funding through the Instrument for Pre-accession Assistance (IPA) in Kosovo, including that for the rule of law and public administration reform. Since 2008, EULEX's mission has been to effect a major

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[19] Interview 3.

[20] Interview 4.

[21] See OSCE (2016).

[22] Interview 5.

[23] See Ministry for the Kosovo Security Forces (2016).

[24] For an overview, see the EEAS web page, with an overview of dialogue (no date), available at https://eeas.europa.eu/topics/eu-facilitated-dialogue-belgrade-pristina-relations_en, accessed 3 March 2017.

EU presence in Kosovo with two operational objectives: 'Monitoring, Mentoring and Advising' (MMA) and 'Executive' (Council of the EU, 2008). The first objective is related to supporting Kosovo's rule of law and law enforcement institutions alike to develop them in line with European standards of rule of law (EULEX, no date a). Since 2014, a division of MMA functions among different agencies has assisted the implementation of the EU-facilitated Belgrade–Pristina dialogue in the field of the rule of law (EULEX, no date b). Under the second objective – "execute" – EULEX has directly provided police, prosecution and judiciary services in cases of serious crimes (war crimes, organised crime, corruption and so on)[25] and will continue to do so until the full transition of the rule of law functions to Kosovo's authorities. Following the 2014 extension of its mandate, EULEX was obliged not to take any new cases and to gradually hand over competencies to Kosovo's judicial system, except for in northern Kosovo, where EULEX will remain in charge until the integration of Serbian judicial personnel in the Basic Court and Prosecution Office, when all cases in Mitrovica will become joint cases (EULEX, no date c).

The US has been arguably the most important political actor and objectively one of biggest providers of assistance to the security and justice sector in Kosovo. Its legitimacy among Kosovo Albanians is based on the support it provided during the military intervention against Serbia as 'the US [supplied] ninety per cent of the bombs',[26] as well as indicating open support for the independence of Kosovo, including lobbying for Kosovo's membership in international organisations.[27] The US has been involved in all of the major political developments related to, and the design of, security and justice reforms in Kosovo and therefore it has been an essential partner to international organisations involved there. The US's strength is also in the fact that, besides providing development assistance, it has been willing to exercise political influence through its embassy in Kosovo 'if something goes wrong',[28] which would be much more difficult for intergovernmental actors like the EU to achieve. The US is the lead provider of capacity building to the KSF,[29] and of significant assistance to the police and justice system, but also to governance bodies such as the National Security Council, and it has collocated advisers in all these bodies. In addition, it has been the initiator and most important provider of programmes focusing on CVE.

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[25] Ibid., Articles 2 and 3(d) and EULEX (no date, c), Executive Division, available at http://www.eulex-kosovo.eu/?page=2,2, accessed 25 November 2016.

[26] Interview 6.

[27] Interview 7.

[28] Interview 6, interview 8 and interview 3.

[29] Besides the US and NATO, other major supporters of the KSF have been the UK and Norway.

To sum up, the differences between the various approaches to the statehood of Kosovo have been reflected in the corresponding different choices of institutional recipients. Meanwhile, the thematic foci of capacity-building initiatives by international actors have been divided between the camps of recognisers on the one side and status-neutral capacity builders on the other. Due to the status-neutral position held by both the OSCE and the EU, they have been working with all elements of Kosovo's justice and security sector except for the KSF,[30] which is regarded by Serbia and local Serbs as a potential forebear of Kosovo's future military. The US, UK and Norway, along with NATO, have been major supporters of transformation of the KSF. UNMiK is still engaged in capacity building, but due to resistance from Kosovo Albanians, it has difficulties in working with the Pristina authorities.

6. The concept of capacity building

Much capacity building was inspired by the perception of threats to EU member states and the US alike. This capacity building has included investment in fighting human trafficking and organised crime, and recently in CVE programmes in particular. Since Kosovo's proclamation of independence, the focus of capacity building in Kosovo has shifted towards building capacity for the management of institutions and towards the promotion of local ownership in running training institutions. In parallel, the standards of the EU and NATO have been promoted in most capacity-building interventions. This also includes capacity building in line with the standards of other international organisations that Kosovo is not currently part of, but is expected to join on its road to joining the EU. An example of this is the EU's support for the analysis and alignment of Kosovo's authorities with the Council of Europe's standards related to the fight against corruption (GRECO) or money laundering (MONEYVAL).[31] The foreign promoters of Kosovo's independence have also facilitated the participation of Kosovo's security and justice officials in regional capacity building, and thereby supported its cooperation with neighbours and recognition internationally.[32] However, there are still sensitive areas where internationals have not fully shared governance with Kosovo's authorities. These include the fight against organised crime and investigating and prosecuting war crimes,

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[30] Interview 9 and interview 4.

[31] Interview 9.

[32] Interview 10.

due to the perception that local institutions have been captured by corrupt political elites implicated in cases of war crimes and organised crime.[33]

Concerning assistance provided to security institutions, the oldest of these, the Kosovo Police, has received most of the capacity-building assistance, while the justice sector has become another top receiver of assistance and capacity building following the proclamation of independence. The intelligence sector has been less prominently assisted by the US, UK and a few other bilateral donors, while support for the KSF – a lightly armed force – has exclusively been provided by strong promoters of independence. The oversight institutions, such as the parliament, have mostly received assistance from the OSCE and UNDP in the form of support for hiring advisers and external consultants.

The thematic areas of security sector reform that have been most crowded by donors have been policing (with a special emphasis on community safety, intelligence-led policing and more recently CVE) and the rule of law. Capacity building for the community has been supported by the US Agency for International Development (USAID), the OSCE and UNDP as well as some bilateral donors who were active in different parts of Kosovo. Intelligence-led policing is perceived to be an essential part of the fight against organised crime and corruption and it has been supported from the start by the OSCE, US and UK, and since the EU accession process started it has also been one of the major receivers of EU assistance. CVE programmes were initiated by the US, which has remained the most significant actor in this field. The OSCE has focused on promoting tolerance among youth, while the UNDP carries out risk assessment, and the UK has expressed its interest in countering online extremism. The most overcrowded area has been support for the rule of law sector and it has been most challenging for Kosovo's authorities to coordinate development assistance and to use it effectively.[34]

There are four main categories of capacity building:
1. The first category of capacity building is **strategic governance of and planning within the security and justice sector**. The first strategic documents were drafted during the stabilisation phase under the auspices of UNMiK, with the limited participation of local political elites and security professionals. Since the proclamation of independence, the international community has declaratively allowed Kosovo's authorities to take a lead in drafting strategic documents, with the support of international advisers, most frequently from

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[33] Interview 11.

[34] Interview 8.

the US, as well as representatives of the EU and other international governmental organisations. While some aimed to provide technical advice, there are also examples of involvement in the selection of political priorities. Furthermore, there have been cases of international actors overriding local definitions of threats and risks to national security – for example, by the staff of the International Civilian Office in the draft National Security Strategy 2010 (Bleasa and Qehaja, 2013). Since the proclamation of independence, much assistance has been provided to develop management capacity in the security and justice institutions through the development of management processes, structures and skills, for example in the areas of human and financial resources, in the Kosovo Police, the KSF, the Kosovo Judicial Council and the Kosovo Prosecutorial Council. In the last few years, several projects have been supported by the EU, to allow for the harmonisation of organisational processes and governance in line with EU standards. This is usually achieved by partnering with an EU member state or through hiring experts that could be collocated in institutions and provide guidance.

2. The second category of capacity building is the **direct provision of training and equipment**. The direct provision of training was most prominent during the stabilisation phase, when a significant number of international police trainers were delivering basic police training, as well as training in other key security sector institutions.[35] Since 2004, a slow transfer of competencies has taken place through the training of trainers and the establishment of local training institutions (OSCE Mission in Kosovo, 2005). The most prominent examples come from the Kosovo Public Safety Academy (in charge of training police, customs officers, firefighters and civil protection units), which was initially established with the support of the OSCE and was later taken on by the EU. The UK still invests in developing the training capacity for basic military skills, such as fitness and orientation, as it perceives these skills to be the foundation upon which other military skills can be built. International experts have remained involved in the direct provision of training in relation to new or more sophisticated areas of police and judicial work, for example intelligence-led policing, or countering financial or cybercrime. International experts are also active as on-the-job mentors and coaches through technical advisory teams embedded in institutions, contracted either through a commercial company

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[35] For example, the OSCE alone deployed 150 international police trainers with a mission to train 3,000 Kosovo police officers. For more detail, see OSCE Strategic Police Matters Office of the Secretary General (2008).

or partnering. The International Criminal Investigative Training Assistance Programme of the US Department of Justice and EULEX have collocated advisers within the Kosovo Police, while EULEX has also posted EU police officers to deliver coaching in the police stations in northern Kosovo. The US additionally provides advisers to the National Security Council and NATO Advisory Liaison Team, as well as to the Judicial Council.

3. The third category of capacity building is **strengthening local infrastructure through the building and refurbishment of premises**. After initial investments during the stabilisation phase through UN and several bilateral donors, the biggest infrastructure and equipment procurements have taken place through EU IPA funding. The EU has committed €601,650,000 in EU pre-accession funds to Kosovo for the period 2014–20 (European Commission, no date). Some of the most prominent infrastructure works supported by the EU have been the building of a new Palace of Justice worth €27.9 million, the refurbishment of the Public Safety Academy and the establishment of a Forensic Laboratory. The best practice has been in the establishment of a special fund for the implementation of agreements between Pristina and Belgrade, thus allowing for quicker and more flexible procurement procedures. Since 2011 the EU has invested €58.6 million just for this purpose. In some politically sensitive cases, the EU has sub-contracted other international actors for the implementation of projects, as in the example of their selection of the UN Office for Project Services for construction of border and boundary checkpoints with Serbia in northern Kosovo, due to the UN's perceived neutrality towards the status of Kosovo's statehood. Nevertheless, there is a general perception among local Albanians and local Serbs alike that more support for the improvement of basic police infrastructure is needed to improve working conditions for police and interactions with ordinary citizens.

6.1   Whose capacity?

The local groups targeted by capacity-building interventions has varied from one phase to the next. Most capacity-building interventions in the security and justice sector have been implemented in the ethnic Albanian-dominated southern areas of Kosovo. In the first phase, most international political attention was given to the **demobilisation and integration of former KLA combatants** through their employment in the Kosovo Police Service and the Kosovo Protection Corps, as well as to direct negotiation with the **political parties** that had developed from political wings of insurgent organisations (the PDK and the Alliance for the Future of Kosovo (*Aleanca për Ardhmërinë e Kosovës*)), as well as with

the LDK, to disband their parallel intelligence agencies. Using a selection of only veto players for consultations, we can conclude that the international community has helped strengthen the power positions of those who had armed power at the end of the conflict and neglected accountability for crimes committed during and in the immediate aftermath of the conflict.

From the second phase of SSR onwards, more emphasis has been given to developing **management and leadership capacity** among local security professionals. This logic is still prominent in the approach of the US and the UK,[36] which have each invested in training prospective military officers in their military academies, as well as developing serving military commanders through several management development programmes, including support for their attendance at command and staff colleges.[37] The status-neutral position of international organisations that have non-recognisers within their membership (except NATO) has meant that they can work with all security institutions, except the Kosovo Security Force.[38]

Capacity building of civil society and of oversight institutions has received disproportionally less attention than that of security staff. The support for local civil society also started later, becoming more intensified during the third phase of SSR. Civil society has been recognised as an implementer of programmes related to community safety and to a lesser extent of those related to the integrity of security institutions. Assistance to sections of civil society dealing with security issues has jumped since 2015 as part of CVE programmes, in response to the significant number of Wahhabi fighters from Kosovo joining the war in Syria.

A further category of locals targeted by capacity-building programmes are **ethnic minorities**. Since the early days of capacity building in Kosovo, when the first security institutions were built, international actors have emphasised the integration of minorities in security governance. This has resulted in the implementation of quotas for recruitment in security institutions (Emini, 2014), as well as in support for community safety programmes, especially in the areas where minorities (primarily Serbs) are isolated in enclaves throughout Kosovo. Serbs from southern Kosovo who were integrated into the Kosovo Police Service have been leaving their jobs in the service following major crises, for example the 2004 riots and the unilateral declaration of independence in 2008. Thus,

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[36] Interview 2 and interview 10.

[37] Interview 10.

[38] Group interview with the eight managers of the OMiK, 30 March 2017, and interview 9.

in the last phase of capacity building, there has been more emphasis on integrating the Serbian security and justice structures in northern Kosovo through bespoke, targeted capacity-building programmes, and on handing over limited competencies for security governance to local Serbian politicians (for example, the appointment of a regional police commander for northern Kosovo). Hence, the employees of Serbian security and justice institutions in the north became recipients of capacity building only after the EU-mediated Brussels Agreement between Belgrade and Pristina in 2013.[39] However, there is a perception among local Serbian politicians and activists in northern Kosovo that some of the capacity-building interventions, such as the establishment of Municipal Community Safety Councils (MCSCs), would lead to their integration into Kosovo's security architecture without the possibility for them to retain coordination and control over relevant local law enforcement and judicial authorities.[40] Local mayors in these areas approved the establishment of ten Local Public Safety Committees, but have boycotted the establishment of MCSCs until the Brussels Agreement on the judiciary is implemented, incorporating the Serbian judiciary into Kosovo's judicial system. In this way, they expect to be in a position not only to influence police priorities but also to coordinate with responsible prosecutors and judges who will deal with the cases brought forward by the police.

7. Local capacity building in practice: The record so far

The **effectiveness** of capacity-building initiatives has been modest, as concluded in a recent European Court of Auditors' study:

> Assistance has made only a modest contribution to building the capacity of the Kosovo police and little progress has been made in the fight against organised crime. In the judicial sector assistance has been useful but the judiciary continues to suffer from political interference, inefficiency and a lack of transparency and enforcement. EU interventions have had only limited results in tackling corruption which continues to prevail in many areas. Most progress was made in the area of customs. There has been almost no progress in establishing the rule of law in the north of Kosovo. Overall, the sustainability of results which have been achieved by the assistance is threatened by a lack of political will, weak financial capacity and the limited influence of civil society. (ECA, 2012: 35)

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[39] More formally, this is the First International Agreement of Principles Governing the Normalization of Relations between the Republic of Kosovo and the Republic of Serbia, signed on 19 April 2013.

[40] Interview 12.

The effectiveness of capacity building is linked to several active international actors supporting institutions, and the consistency of approaches and coordination they have developed in so doing. The most effective capacity building was the development of the customs service, due in part to the consistency of international assistance, which was led and supervised by only one actor – the UK – for almost two decades. That notwithstanding, most interlocutors interviewed for this study perceived that the Kosovo Police had more capacity due to the longer-term investment by the international community. The Kosovo Police is perceived to be a coherent institution as it was built from scratch, rather than being adapted from a pre-existing institution. Within the Kosovo Police, a common standard of professional capacity across all personnel was achieved by requiring all police officers to go through basic police training irrespective of whether they had previous police experience from the Yugoslav period.[41] The Kosovo Police was also the first security institution to be handed over to locals, a process that began in 2004 and has progressed gradually since then.

In contrast to this, Kosovo's judicial system was and is still an unhappy amalgamation of international judges (initially UNMiK and later EULEX), judges recruited from the ranks of the former Yugoslav judiciary and newly enrolled judges. The discussion of the challenges encountered when using international police and judges to develop the capacities of relevant local institutions is relevant for future missions: this is the most difficult area of institutional capacity to develop for both the host country and the countries deploying capacity-building assistance. Finally, and importantly, it is considered that national policing styles are less diverse than national judicial practices. Therefore, when comparing their effects on the police, internationals have caused less confusion than in the judiciary, where core legislation was developed in line with Continental European and Anglo-Saxon case law (dependent on which international actor had more power at a given moment).[42] A report by the European Court of Auditors found, in a conclusion supported by interlocutors interviewed for this study, that the reasons for this came out of 'the low starting point at independence for building up the rule of law and the insufficient priority accorded by the new Kosovo authorities to the rule of law agenda. In addition, the absence of a common EU position over the recognition of Kosovo has jeopardised the incentive of EU accession' (ECA, 2012: 35).

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[41] See more in Greene, Friedman and Bennet (2012).
[42] Interview 13.

7.1   Coherence

A significant reason behind the limited effectiveness of capacity building in Kosovo has been the lack of coherence among EU institutions, actors and tools. The major coordination challenges have been between the EU Office and EULEX, as they have both been active in supporting the rule of law – EULEX through its executive and MMA functions since 2010, and the EU Office from as early as 2000 and later through IPA funding. This was partially caused by the inadequate planning of the EULEX mission, during which the 'objectives and roles of the Commission and EULEX capacity building activities were not adequately assessed and benchmarked' (ECA, 2012: 35). A weakness in the planning process for capacity building in Kosovo is that the planning document did not contain any elements of an exit strategy – for example, objective benchmarks of progress or a plan for handing over responsibility for capacity building to the EU Office or other international organisations with relevant expertise (ECA, 2012: 29).

The second factor that has limited the effectiveness of capacity building in Kosovo relates to inadequacies in the European Commission's programming and procurement system, which did not allow for the timely procurement required to respond effectively to the operational needs of EULEX. Moreover, major staffing challenges within EULEX have led to a significant staff turnover, and consequentially a lack of consistency within EULEX and even less consistency in its relations with other EU actors. Despite the establishment of the EU Special Representative position in Kosovo in order to ensure intra-EU political coordination and guidance, the coherence of political messaging towards local stakeholders has been limited, and since its corruption scandal unfolded, EULEX has restricted its communications.

Other challenges have arisen as support has been provided for the implementation of the Brussels-mediated agreements (for example, the integration of Serbian police and civil protection officers from northern Kosovo). Politically, there is a perception that the EU has not adequately used enlargement-related conditionalities and political dialogue to strengthen efforts to build capacity in the rule of law. On top of that, there is a perception that EU member states have their own agendas, as put by one EU Office member: 'We cannot ask what Germany and Austria are doing. We have to assume that they are doing well.'[43] In conclusion, the EU's political influence and its effectiveness in providing capacity building for the improvement of Kosovo's security and rule of law structures is disproportionately low when considered against the level of financial resources invested

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[43] Interview 10.

in it.

The coherence of international assistance has been undermined by the lack of a joint capacity-building concept among EU actors, as well as by the absence of a consensus between recognisers and non-recognisers of the proclamation of independence on the types of mandates that should be held by Kosovo's institutions. Moreover, competing models have been promoted by different actors, as described in the case of the Kosovo Police, and most visibly in US–EU competition in support for the justice sector:

> EU Institutions have made significant efforts to coordinate with the USA which is the largest bilateral donor in Kosovo. Nonetheless it remains difficult to achieve full co-ordination given the wide range of US actors involved in Kosovo in the rule of law field. Co-ordination is particularly challenging in the drafting of legislation, where the USA is very active despite Kosovo's interest in adopting the EU acquis communautaire and the fact that Kosovo's legal framework is based on European Continental law. For example, the new law on courts required around 50 drafts starting from 2004 and was only adopted by the Assembly in August 2010, the government blaming the significant delay on disagreement between EUO and USAID. (ECA, 2012: 30)

Capacity building has been more coherent within military institutions (KSF), as all capacity building has been completed in line with coherent NATO standards. It has also been coherent within the institutions that were fortunate enough to be developed by a single donor from the deployment of UNMiK to the present day, such as the Kosovo Customs Authority, which was developed and mentored by the UK throughout this period.[44] However, the latter makes interagency cooperation even more difficult due to incompatibilities between different institutional designs and concepts for service provision (for example, justice, which is mainly a French system, may clash with the customs service, which was developed by the UK, while the police has received contributions from the US and multiple European states). The effectiveness of capacity building is therefore linked to several active international actors supporting institutions, and the consistency of approaches and coordination these actors have developed.

Local authorities have been passive observers of competition between donors, as evident in the case of the Law on the Court Structure: it is said that 49 drafts of this law were exchanged between the US and the UN (later the EU) before it was adopted.[45] Only

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[44] Interview 3, interview 7 and interview 10.

[45] Interview 14.

recently did the EU Office begin signing memoranda of understanding with the US before engaging in developing substantive legislation to formally divide the roles and responsibilities between the EU and the US, as in the case of drafting the Civil Code.[46]

7.2   Sustainability

While much emphasis has lately been given to the transfer of responsibilities to Kosovo's authorities and to the creation of sustainable capacities, progress in this regard is very limited. The most progress has been achieved through the creation of a domestic training capability, which was achieved through the training of trainers and the development of national training institutions (such as the Public Safety Academy and the Judicial Institute), as well as through the certification of security services in line with international standards (for example, the Forensics Institute). One of the problems is that the scarce financial resources and weak planning capacity of local security bureaucracies have led to a waste of investments, as seen for example when a forensic laboratory was established but later failed because the government of Kosovo did not follow this up with an adequate budget for maintenance costs.[47]

Most strategic obstacles to the sustainability of international investment have been related to the politicisation of security governance and the rule of law, and the lack of will to support the sustainable integration of non-Albanian communities. The politicisation of security governance results in a high turnover of professional staff in the police and the judiciary. It would therefore be advisable that, in future EU operations, more and earlier care should be given to 'state capture', to avoid the situation where assistance purposed to enhance stability, when given to local institutions in fact leads to the capture of those institutions for private reasons.[48]

The lack of political will for the sustainable integration of non-Albanians into Kosovo's institutions is evident in the focus given only to achieving quotas for representation, while strategies for maintaining those allocations are not given serious attention.[49] There has been little to no effort to deal with the structural obstacles to the integration of non-Albanians into security institutions. For example, these institutions lack multilingual staff

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[46] Interview 3 and interview 9.

[47] Interview 9.

[48] Interview 11.

[49] Interview 1.

(only older generations speak both Albanian and Serbian). The recruitment campaigns and acceptance levels for candidates who might join the Kosovo Public Safety Academy have declined after responsibility for its recruitment was handed over to national authorities. Since Kosovo declared independence, there has been no systematic monitoring of the turnover of minorities employed in Kosovo's security institutions. These issues should have been dealt with by the EU's enlargement conditionality, under which with limited resources, but strong political capital, more could have been done to ensure the sustainability of reforms implemented in earlier stages of capacity building.

7.3   Local ownership

The first finding related to local ownership is that capacity-building initiatives in the security sector in Kosovo have focused on enabling Pristina-based institutions **to implement security policies, and to a lesser extent to support them to develop and manage security**. The extent and intensity of external actors' involvement in security governance has changed over time and in relation to the political positions of various international actors towards the issue of Kosovo's statehood.

The second finding in this area is that **limited involvement of local actors in security governance during the stabilisation and demobilisation phase prevents the development of local ownership, but it makes sense as a method of reducing the potential for local actors in the conflict to use their armed wings to spoil** the fragile security governance run by internationals. Once the short-term perspective of capacity building deployed during the stabilisation phase is replaced with a longer-term perspective of capacity building for peacebuilding, the desired model of statehood within which the security sector is going to be positioned becomes more important.

In the first phase of SSR, there was no attempt to develop meaningful partnerships between the international community and local actors in the capacity building of security and justice institutions. All security sector-related initiatives were instigated by the international community under UNMiK coordination with no attempt to involve local actors in decision-making. The mistrust among local political actors is understandable bearing in mind that they all had security wings that were involved in proliferating conflict and which used to eliminate political opponents and carry out reprisals against the Serbian community. The distrust of internationals among local actors was evident from the point that local employees of UNMiK did not have access to their intranet due to the fear that they would leak information to their compatriots, who in turn might use that

information to target political opponents (interview with Rashiti in Qehaja, 2017: 81). The local political actors became involved in decisions on security and justice governance by protesting UNMiK decisions – for example, against the selection of some Serbs among others for appointment as local judges (von Karlowitz, 2011: 12-13). This resulted in the establishment of a joint commission for the selection of judges that ended up mostly selecting unprepared Albanian judges. This is illustrative of a **trend of practising local ownership as if it were synonymous with the involvement of local political veto players**. That approach has the unintended consequence of reinforcing the political power structures present at the end of conflict. Local ownership, understood as negotiating with the political actor that has the most power to destabilise the situation or to keep the status quo, has resulted in the perception among the local population that the international community is willing to tolerate the impunity with which members of the political elite suspected of war crimes and corruption are treated for as long as they are 'delivering' on decisions made by the international community.[50]

Due to the establishment of an international mission with responsibility for security and justice governance and the significant measure of autonomy given to individual nations for governing security and policing in some parts of Kosovo through the KFOR regions or the regional heads of the UNMiK police, there have been many international models transferred without attention being paid to the local context. As Qehaja (2017: 70–71) writes in his book *International or Local Ownership*, this was justified with the transfer of Western best practices. Once the gradual transfer of security management competencies began in the second phase, the internationals in charge of new institutions (for example, the UNMiK police commissioner) used their authority to exercise a veto on governance models and to impose models from their own systems without paying attention to local circumstances.

An example of this is the selection of a model for riot policing by the UNMiK Police Commissioner Kai Vittrup.[51] After being trained in various riot-policing models by different nations taking part in the training of the UNMiK police (the UK and Italy among others), officers of the Kosovo Police Service visited several countries and proposed eight potential models to the UNMiK police commissioner. The police commissioner then insisted on selecting the Danish model despite the advice from local police that this model was incompatible with Kosovo's context due to the lack of adequate street infrastructure. The Danish model was in line with the best European human rights standards, as it

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[50] Interview 6.

[51] Interview 14.

minimised direct confrontation with protesters more than any other model did, but it managed crowds through the manoeuvring of police vehicles. This model could not be implemented in Kosovo, where most of the streets are too narrow for manoeuvring vehicles and where most protests happen unannounced. Moreover, the international police commissioner insisted on the procurement of the same Norwegian equipment for riot police protection as used in Denmark, although this required additional investment in Kosovo's police vehicles, which at that time did not have adequate storage space to meet Danish standards. The Kosovar civil servants responsible for the development of this policy did not openly oppose the imposition of this model, but found a locality in Kosovo – the town of Lebane – that could satisfy the criteria for simulating the Danish model of riot policing. After this initial test, the model was never applied. The Kosovars waited for the departure of the then-incumbent (Danish) UNMiK police commissioner, after which they replaced the Danish riot-policing model with the Italian model, which they found to be more applicable to Kosovo's context.

This brings us to the issue of the dependency of locals on internationals, which remains relevant today. This is partially due to the weak policy and donor coordination capacity within Kosovo's institutions (ECA, 2012: 29). Officially, the Ministry of European Integration oversees the coordination of development assistance of both bilateral and multilateral donors. Moreover, each ministry has a donor coordination unit, but in some sectors that are over-populated with national actors and donors (such as the rule of law), this is ineffective. That is due to the lack of a lead ministry that would 'own a policy' to fight against corruption[52] and because several donors 'want to get their hands on certain legislation'.[53] This tendency seems to be more pronounced in the policy sector, for example in security or CVE, where one donor has more leverage than another wherever an international partner is involved, the US being a key partner. It is also evident from the fact that almost all working groups for the development of legislation and strategies have international advisers who frequently not only advise and mentor a working group, but also dictate models to it.[54]

Many local interlocutors have pushed back against this idea of local weakness to develop alternative proposals or to have the 'authority to say no' (Bain in Qehaja, 2017: 147). But that has led to internationals overriding local concerns at the policy level. Both Kosovo

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[52] Interview 8.

[53] Ibid.

[54] For more on this process, see Qehaja's description of the development of Kosovo's National Security Strategy (2017: 115–123).

Albanian and Kosovo Serb interviewees thought that Westerners prioritised the issues that concern regional and international security above the issues concerning the safety of the local population. This has been exemplified by the enormous investments in CVE and in specialised units for investigation of forms of organised crime pertinent to the West (for example, human trafficking and cyber security), at the expense of investments in infrastructure for day-to-day policing (such as police stations). Interestingly, this perception is shared by both Kosovo Albanians and Kosovo Serbs.

The approach of internationals outlined above is sometimes justified by the argument that the international community does not want to allow the local priorities articulated by the majority to exclude the minority population or endanger the fragile peace process. As a result, even supporters of Kosovo's independence do not want to let go completely of informal supervision over the independent governing of Kosovo, as evident by the recent opposition of the US ambassador in Kosovo over the establishment of the Kosovo Armed Forces, which the US has helped to build, due to opposition from Serbs. Some solutions are promoted with their priority being conflict resolution, while not necessarily being the most effective governance models, but they are promoted nonetheless to sustain the buy-in from important external stakeholders in the process.

The prioritisation of conflict resolution in reforms is evident in the decision to maintain the regional police structure, thus allowing Serbs to feel that they have some measure of control over policing in the region in which they are a majority – a feeling reinforced by the mandate that the commander of the Kosovo North police region would be a Serb. Police regions and districts were originally developed prior to the establishment of the Ministry of Interior, to allow for the development of more specialised police services to handle complex criminal investigations, and so on. But the need for police regions and districts ceased once the management of policing was incorporated into the Ministry of Interior.[55]

7.4   Legitimacy

Perceptions of the legitimacy of various international actors differ among Kosovo Albanians and Kosovo Serbs. These perceptions have also changed over time in relation to the key events in the independence process. In short, Kosovo Albanians generally favour international actors that support the independence of Kosovo, while Kosovo Serbs

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[55] Interview 14.

prefer status-neutral organisations, as well as those that Serbia sponsors or is a member of (or both).

UNMiK is recalled as having had the highest quality international staff during its executive mandate, when compared with subsequent periods of international support for SSR. It is also remembered for the lack of any attempt on its part to develop local ownership of reforms. This is the reason why UNMiK has lost credibility and legitimacy among ethnic Albanians, a position worsened by UNMiK's strong emphasis on status-neutrality and the perception that it had run the country as a protectorate.[56] Because of this perception, there has been a boycott of UNMiK activities by Pristina-based authorities, while UNMiK has received some acceptance by Kosovo Serbs. As a result, UNMiK's staff developed a coping mechanism through the exchange of capabilities with the OSCE (see Dijkstra *et al.*, 2016). On account of the problems experienced when attempting to access Pristina authorities, UNMiK has recently anonymised its capacity-building initiatives by using a 'logo-switching strategy': funding a joint capacity-building activity in partnership with the OSCE, but only allowing the OSCE logo to be associated with the project while UNMiK remains anonymous. Other UN agencies, such as the UNDP and the UN High Commissioner for Refugees, are welcome in Kosovo, so long as they are perceived to be disassociated from UNMiK and focused on technical capacity building and assistance. Similarly, the OSCE is perceived to be acceptable despite its status-neutrality, as it has never had an executive role in Kosovo, but rather has provided discrete assistance and advice in elections, policing, the rule of law and community matters. The OSCE and the UN are comparatively more welcomed by the Kosovo Serb community because Serbia is a member of these organisations, and therefore it is perceived that the OSCE and the UN can act on their behalf to protect them from the prospect of majority Albanian interests overriding their minority interests. Some of the Kosovo Albanian elite would like to see all international actors leave Kosovo, but the EU and selected countries invited by the Pristina authorities remain an indication of their full independence and the presence of a clear EU accession path (Qehaja, 2017: 145).

The US is most trusted among Kosovo Albanians, because of its military support for Kosovo through NATO and its open support for Kosovo's independence, including lobbying on Kosovo's behalf for its membership in international organisations. However, for the same reasons, the US has faced resistance among Serbs in the north of Kosovo. EU membership is highly supported among Kosovo Albanians, but its CSDP mission – EULEX – has been divisive to the point where perceptions of the EU have changed. Initially

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[56] Interview 3.

EULEX was warmly welcomed by Kosovo Albanians, as it was perceived as a progression from the UN-run protectorate and a step closer to independent statehood. Yet even at that stage, Kosovo Albanians were selective when deciding with whom they would cooperate among the EULEX staff members, based entirely on whether a given staff member came from a recognising or non-recognising state. There were also high expectations among ordinary citizens of Kosovo – Albanian and Serb alike – when it came to the prospective prosecution of corrupt politicians and of war crimes.

Owing to the lack of consensus among EU member states on Kosovo's legal status and EULEX's mandate, EULEX was slow to deploy in the field. Among the reasons for the tardiness of EULEX's deployment and operationalisation were, most importantly, inadequate staffing within EULEX and planning policies within the EU that were ill-suited to operations (Grilj and Zupančič, 2016). EULEX lost its legitimacy among Kosovo Serbs because of their perception that it did not prosecute crimes against Albanians adequately (dropping the Gorazdevac case), and that the prosecution of the Kosovo Serb political leader Oliver Ivanovic was politically motivated. As a consequence of EULEX's failure to deliver on its promises – in combination with a corruption scandal within its ranks (Jacque, 2015) – it is now one of least trusted international actors in Kosovo. This has bolstered the sentiment that executive justice missions are impossible for internationals to implement. Those employed in EULEX believe that justice missions are more complex than security missions due to the more political nature of the work, but believe that this challenge could have been overcome in EULEX's case if there had been adequate mission resource planning and staffing in place in advance. Finally, among these views, there is also the perception among civil society representatives, and particularly journalists, that the international community is losing legitimacy because of its willingness to work with corrupt politicians for the sake of stability.

8. Conclusion

Building the capacity of the security sector in Kosovo is an activity that has now lasted almost two decades. There has been an understanding among most international actors that building the capacity of the security sector from scratch after conflict requires long-term investment and a commensurate commitment of human resources. Although donor attention on Kosovo has decreased over the past several years, the country remains one of biggest recipients of development assistance in Europe.

While the initial phase of SSR saw a myriad of international actors addressing the security vacuum, the establishment of joint structures under UNMiK has seen a more coordinated approach. This has demonstrated that integrated executive missions provide advantages for the effective division of labour and coordination of capacity building in the security sector, but limit the potential for local ownership. The **limited involvement of local actors in security governance during the stabilisation and demobilisation phase stunts the development of local ownership, but it also reduces the potential for different sides in a conflict to use their armed wings to spoil** the fragile security governance run by internationals. Once the short-term perspective of capacity building deployed during the stabilisation phase is replaced with a longer-term outlook centred on peacebuilding, the desired statehood model in which the security sector is going to be positioned becomes more important.

It seems that the most significant success of the capacity building mission – at least within the security sector – has been the establishment of the Kosovo Police, coupled with capacity development for routine policing and emergency management tasks. By contrast, there have been challenges when it comes to developing a functioning judiciary and the rule of law. This demonstrates that further work is required on the development of deployment capacity and on the advancement of concepts among internationals on how to build capacity for the rule of law abroad. There has been a disproportionately high level of investment in capacity building for the execution of security and justice tasks, compared with the limited investment that has been put into oversight institutions and programmes.

Because of the emphasis that has been placed on increasing capacities in the areas that concern the international community more than they affect the local population, such as CVE and human trafficking, difficulties remain in effectively allocating day-to-day resources for the work of security institutions. Given the concerns about stability, the accountability of political leaders has not been actively sought. In view of the public perception that some international actors have been involved in war crimes and in capturing state institutions through corruption, the legitimacy of international assistance has been challenged, especially in the rule of law sector.

In the Western Balkans, the complex events of the post-conflict environment and the development of the security sector have occurred concurrently with efforts towards EU accession. Owing to complexities stemming from the disparate approach of various EU member states and other major international providers of capacity building in support of Kosovo's statehood, the effectiveness and coherence of capacity building has been

diminished. The case of Kosovo case demonstrates that the international community's effectiveness in building the capacity of the security sector has been less coherent than it could have been due to the polarisation between recognisers of Kosovo's independence (most prominently, the US, UK and all but five EU member states) and non-recognisers or status-neutral actors (including Russia, the UN, OSCE and some member states of the EU and NATO). This indicates that security sector development and reform is an intrinsically political process linked to the understanding and/or desirability of statehood by the various sides in a conflict (including in this case Kosovo Albanians and Kosovo Serbs, as well as Kosovo and Serbia themselves), in addition to the attitudes of key international actors active in the context.

List of Abbreviations

CFSP	Common Foreign and Security Policy
CSDP	Common Security and Defence Policy
CVE	Countering violent extremism
EEAS	European External Action Service
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
IPA	Instrument for Pre-accession Assistance
KFOR	NATO-led Kosovo Force
KLA	Kosovo Liberation Army
KSF	Kosovo Security Force
LDK	Democratic League of Kosovo (Albanian: *Lidhja Demokratike e Kosovës*)
MMA	Monitoring, mentoring and advising
NATO	North Atlantic Treaty Organization
OMiK	OSCE Mission in Kosovo
OSCE	Organization for Security and Co-operation in Europe
PDK	Democratic Party of Kosovo (Albanian: *Partia Demokratike e Kosovës*)
SSR	Security sector reform
UK	United Kingdom of Great Britain and Northern Ireland
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNMiK	United Nations Interim Administration Mission in Kosovo
UNSC	United Nations Security Council
USA	United States of America
USAID	United States Agency for International Development

Bibliography

Ahtisaari, M. (2007), "Comprehensive Proposal for the Kosovo Status Settlement", UN Special Envoy, available at http://www.kuvendikosoves.org/common/docs/Comprehensive%20Proposal%20.pdf, accessed 25 October 2016.

Bjeloš. M. and B. Elek (2014), *Police Integration in North Kosovo: Progress and Remaining Challenges in Implementation of the Brussels Agreement*, Belgrade Centre for Security Policy & Kosovar Centre for Security Studies, Belgrade and Pristina.

Bleasa, D. and F. Qehaja (2013), "The conundrum of local ownership in developing a security sector: The case of Kosovo", *New Balkan Politics*, No. 14, pp. 1–21.

Borger, J. (2014), "Alleged connections between top Kosovo politicians and assassin investigated", *Guardian*, available at https://www.theguardian.com/world/2014/nov/07/kosovo-hitman-inquiry-eulex-hashim-thaci, accessed 20 March 2017.

Cleland Welch, A., S. Kondi, D. Stinson and M. Von Tangen Page (eds.) (2006), *Internal Security Sector Review Kosovo,* UNDP, Pristina.

Cooper, R. (2015), "Five minutes with Sir Robert Cooper: The Brussels Agreement between Serbia and Kosovo was based on conversation, not EU pressure", LSE, London, available at http://blogs.lse.ac.uk/europpblog/2015/02/06/five-minutes-with-sir-robert-cooper-the-brussels-agreement-between-serbia-and-kosovo-was-based-on-conversation-not-eu-pressure/, accessed 4 March 2017.

Council of the European Union (2007), "Background: Preparing for the future international and EU presence in Kosovo", Brussels, available at http://www.consilium.europa.eu/uedocs/cmsUpload/070206-bis-ICO-EUSR_and_ESDP.pdf, accessed 25 November 2016.

Council of the European Union (2008), Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo, Brussels, available at http://www.eulex-kosovo.eu/eul/repository/docs/WEJointActionEULEX_EN.pdf, accessed 4 April 2017.

Dijkstra, H., P. Petrov and E. Mahr (2016), "Reacting to Conflict: Civilian Capabilities in the EU, UN and OSCE", *EU-CIVCAP Deliverable 4.1*, available at https://eucivcap.files.wordpress.com/2017/06/eu-civcap_deliverable_4-1.pdf, accessed 8 August 2017.

Dowling, A. (2007), "EU Conditionality and Security Sector Reform in the Western Balkans", in D. Spence and P. Fluri (eds), *The European Union and Security Sector Reform*, London: John Harper Publishing, pp. 174–99.

Emini, D. (2014), "Inclusion of Exclusion? Minorities in the Security Sector in Post-independent Kosovo", Policy Paper, Kosovar Centre for Security Studies, Pristina.

Emini, D. and M. Vrajolli (2015), "Kosovo", in F. Klopfer and N. Amstel (eds), *Force for Good – Mapping of Private Security Landscape in Southeast Europe*, DCAF, Geneva, pp. 61–80.

EULEX (no date, a), "Short history of EULEX", available at http://www.eulex-kosovo.eu/?page=2,44,197, accessed 25 November 2016.

EULEX (no date, b), "Strengthening Division – Monitoring, Mentoring and Advising", available at http://www.eulex-kosovo.eu/?page=2,3, accessed 25 November 2016.

EULEX (no date, c), "Support to the EU-Facilitated Dialogue between Pristina and Belgrade", available at http://www.eulex-kosovo.eu/eul/repository/docs/Anglisht_Dialog_1.pdf, accessed 25 November 2016.

EULEX (no date, d), "Executive Division", available at http://www.eulex-kosovo.eu/?page=2,2, accessed 25 November 2016.

European Commission (no date), "Kosovo on the Path towards the EU", available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/near_factograph_kosovo.pdf, accessed 22 November 2016.

European Court of Auditors (ECA) (2012), "European Union Assistance to Kosovo Related to the Rule of Law", Special Report No. 18, ECA, Luxembourg.

European External Action Service (EEAS) (2016), "EU-facilitated Belgrade–Pristina Dialogue: Implementation of the Justice Agreement", available at https://eeas.europa.eu/headquarters/headquarters-homepage/16888/eu-facilitated-belgrade-pristina-dialogue-implementation-justice-agreement_en, accessed 5 February 2017.

European External Action Service (EEAS) (no date), "EU Facilitated Dialogue: Relations between Belgrade and Pristina", available at https://eeas.europa.eu/topics/eu-facilitated-dialogue-belgrade-pristina-relations_en, accessed on 3 March 2017.

Greene, M., J. Friedman and R. Bennet (2012), "Building the Police Service in a Security Vacuum: International Efforts in Kosovo, 1999-2011", *Innovations for Successful Societies*, Princeton University, Princeton, NJ, available at http://successfulsocieties.princeton.edu/publications/building-police-service-security-vacuum-international-efforts-kosovo-1999-2011, accessed 23 November 2016.

Grilj, B. and R. Zupančič (2016), "Assessing the Planning and Implementation of the EU Rule of Law Missions: Case Study of EULEX Kosovo", *European Perspectives – Journal on European Perspectives of the Western Balkans*, Vol. 8, No. 2 (15), pp. 62-85.

International Civilian Office (ICO) (2012), *State Building and Exit: The International Civilian Office and Kosovo's Supervised Independence 2008-2012*, ICO, Pristina, available at https://dgap.org/sites/default/files/article_downloads/state_building_and_exit_-_reducedfile.pdf, accessed 15 November 2016.

International Crisis Group (2004), *Collapse in Kosovo*, ICG Europe Report No. 155, ICG, Pristina, Belgrade and Brussels, April.

International Security Sector Advisory Team (ISSAT) (no date), "Internal Security Sector Review (ISSR) in Kosovo", available at http://issat.dcaf.ch/Learn/Resource-Library/Case-Studies/Internal-Security-Sector-Review-ISSR-in-Kosovo, accessed 20 October 2016.

Jacque, J.P. (2015), *Review of the EULEX Kosovo mission's implementation of the mandate with a particular focus on the handling of recent allegations*, available at http://eeas.europa.eu/statements- eeas/docs/150331_jacque-report_en.pdf, accessed 11 December 2016.

Judah, T. (1997), *The Serbs: History, Myth & the Destruction of Yugoslavia,* New Haven, CT: Yale University Press.

Judah, T. (2000), *Kosovo: War and Revenge,* New Haven, CT: Yale University Press.

Ker-Lindsay, J. (2009), *Kosovo: The Path to Contested Statehood in the Balkans,* London, New York: I.B. Tauris.

Marty, D. (2010), "Inhuman Treatment of People and Illicit Trafficking of Human Organs in Kosovo, Committee on Legal Affairs and Human Rights", AS/Jur (2010) 46, 12 December 2010, Council of Europe, Strasbourg, available at http://assembly.coe.int/CommitteeDocs/2010/20101218_ajdoc462010provamended.pdf, accessed 24 November 2016.

Ministry for the Kosovo Security Forces (2016), "NATO mandates advising and liaison tem for Ministry of KSF and KSF" [*sic*], available at http://www.mksf-ks.org/?page=2,24,1750#.WOPoNVJMSUk, accessed 4 April 2017.

Ministry for the Kosovo Security Forces (no date), "Kosovo Security Force: Mission Statement", available at http://www.mksf-ks.org/?page=2,7#.WSKA_yN97LY, accessed 20 October 2016.

NATO (no date), "KFOR objectives", available at https://jfcnaples.nato.int/kfor/about-us/history/kfor-objectives, accessed 22 November 2016.

OSCE (no date), "OSCE Mission in Kosovo Police Training and Development", Factsheet, available at http://www.osce.org/kosovo/37595?download=true, accessed 22 November 2016.

OSCE (2016), "OSCE Mission in Kosovo trains former Civil Protection members", available at http://www.osce.org/kosovo/221186, accessed 16 February 2017.

OSCE Mission in Kosovo (2005), "Police education and development", Factsheet, OSCE, Vienna, available at http://www.osce.org/kosovo/37595?download=true, accessed 22 November 2016.

OSCE Strategic Police Matters Office of the Secretary General (2008), *Implementation of Police-Related Programmes Lessons Learned in South-Eastern Europe*, SPMU Publication Series Vol. 7, OSCE, Vienna, available at http://www.osce.org/secretariat/35659?download=true, accessed 22 November 2016.

Qehaja, F. (2012), "Intelligence Governance in Kosovo", Occasional Paper, DCAF, Geneva.

Qehaja, F. (2017), *International or Local Ownership? Security Sector Development in Post-Independent Kosovo*, Washington, D.C.: Westphalia Press.

Qehaja, F. and M. Vrajolli (2011), *Context Analysis of Security Sector Reform in Kosovo* (1999-2009), Kosovar Centre for Security Studies, Pristina.

Scahill, J. (2000), "Washington's Men in Kosovo – A Year after the NATO Occupation, Terror Reigns", *International Socialist Review*, No. 14, available at http://isreview.org/issues/14/scahill_kosovo.shtml, accessed 24 March 2017.

Stakić, I. and M. Bjeloš (2015), *The Future of Civil Protection in North Kosovo*, Belgrade Centre for Security Policy & Kosovar Centre for Security Studies, Belgrade and Pristina.

UK Embassy in Pristina (no date), "Mission Statement", available at https://www.gov.uk/government/world/kosovo, accessed 7 February 2017.

UN (no date), "UNMIK Background", available at http://www.un.org/en/peacekeeping/missions/unmik/background.shtml, accessed 22 November 2016.

UN Development Programme (UNDP) (no date), "Democratic Governance and Peacebuilding" available at http://www.ks.undp.org/content/kosovo/en/home/operations/projects/democratic_governance.html, accessed 4 April 2017.

UN Interim Administration Mission in Kosovo (UNMiK) (2003), "Pillar I – Police and Justice", Presentation Paper, July, available at http://s3.amazonaws.com/zanran_storage/www.unmikonline.org/ContentPages/5728595.pdf, accessed 24 November 2016.

UN Interim Administration Mission in Kosovo (UNMiK) (no date), "UNMIK Mandate", available at http://www.un.org/en/peacekeeping/missions/unmik/mandate.shtml, accessed 22 November 2017.

UN Security Council (1999), United Nations Security Council Resolution 1244 (1999), adopted by the Security Council at its 4,011[th] meeting, on 10 June 1999, available at https://documents-dds-ny.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf?OpenElement, accessed 22 November 2016.

UN Security Council (2007), "Comprehensive Proposal for the Kosovo Status Settlement", S/2007/168/Add.1, 26 March 2007, Letter dated 26 March 2007, UNSC, New York, NY.

Von Karlowitz, L. (2011), "Local Ownership in Practice – Justice System Reform in Kosovo and Libya", Occasional Paper No. 23, DCAF, Geneva.

List of Interviewees

Interview 1: International community representative, Pristina, Kosovo, 3 February 2017.

Interview 2: International diplomat, Pristina, Kosovo, 31 January 2017.

Interview 3: Naim Rashiti, Pristina, Kosovo, 2 February 2017.

Interview 4: OSCE employee, Pristina, Kosovo, 30 March 2017.

Interview 5: OSCE employee, Pristina, Kosovo, 21 April 2017.

Interview 6: BIRN Kosovo Director, Pristina, Kosovo, 27 March 2017.

Interview 7: Kosovo Ministry of Foreign Affairs representative, Pristina, Kosovo, 30 January 2017.

Interview 8: Kosovo Ministry for EU Integration employee, Pristina, Kosovo, 27 March 2017.

Interview 9: EU official, Pristina, Kosovo, 2 February 2017.

Interview 10: International/EU community representative, Pristina, Kosovo, 1 February 2017.

Interview 11: EU official, Brussels, Belgium, 27 February 2017.

Interview 12: Representative of Serbian NGO, Mitrovica, Kosovo, 3 February 2017.

Interview 13: International actor working on the rule of law, Pristina, Kosovo, 21 April 2017.

Interview 14: Former Kosovo police employee, Pristina, Kosovo, 30 January 2017.