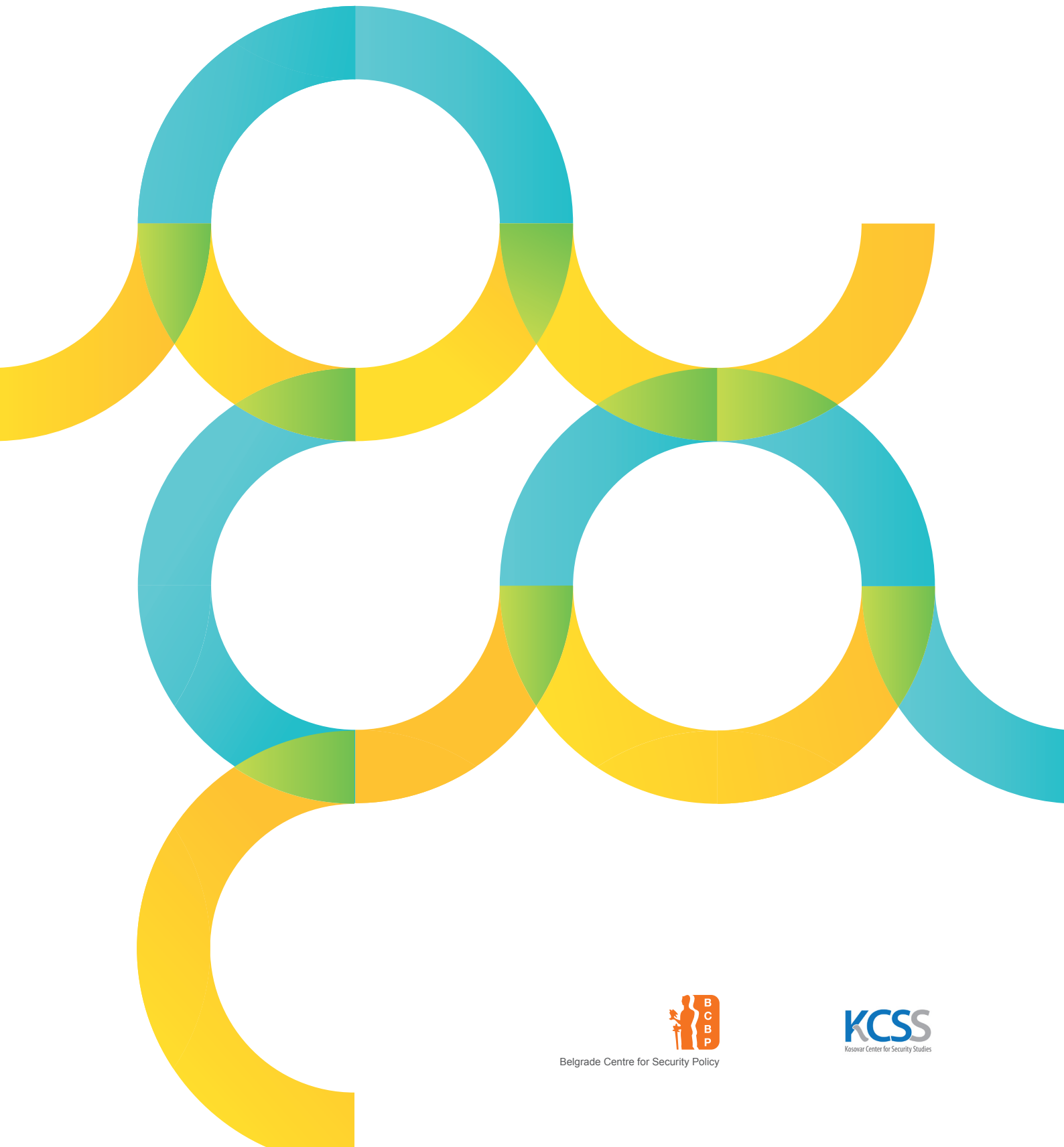


THE FUTURE OF CIVIL PROTECTION IN NORTH KOSOVO



Belgrade Centre for Security Policy



Kosovar Center for Security Studies

The Future of Civil Protection in North Kosovo

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LIST OF ABBREVIATIONS

APPK	Employment Promotion Agency of Kosovo
CP	Civil Protection
EMA	Emergency Management Agency
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
KFOR	Kosovo Force
KP	Kosovo Police
KSF	Kosovo Security Force
Moi	Ministry of Interior
RCB	Radiological, chemical and biological
UNMIK	United Nations Interim Administration Mission in Kosovo
UXO	Unexploded ordnance

EXECUTIVE SUMMARY

This paper presents an independent analysis of the current state of the Civil Protection (CP) units in the four municipalities which constitute North Kosovo, and suggests possible solutions for their future. This project has been developed jointly by two think tanks: the Belgrade Centre for Security Policy and the Kosovar Centre for Security Studies in Prishtinë/Prishtina.¹ Civil Protection units in North Kosovo operate outside Kosovo's legal framework, despite the fact that the Brussels Agreement implicitly envisages the dissolution of all parallel Serbian security structures existing in Kosovo. While the Serbian community in North Kosovo sees CP as a civilian structure with the sole purpose of providing assistance to civilians in emergency situations, the Kosovo government, as well as the international institutions which operate in Kosovo, perceive CP as an illegal paramilitary structure that must be dissolved.

During their field research, carried out in February and March 2015, the authors found there to be 751 personnel of CP units, among whom are a number of persons who lack the security background necessary for protection and rescue tasks, while some personnel are former military officers. Although the official mandate of CP units in North Kosovo is to assist the civilian population in emergency situations, these units frequently perform other tasks, such as road maintenance, bridge repairs, securing buildings, etc. Apart from the CP units, there is only one firefighting unit in North Kosovo, which operates as part of the Kosovo Emergency Management Agency (EMA) and is composed of approximately 30 firefighters. There are some indications that individual members of CP units have occasionally been involved in political protests, as well as the suspicion that some of them have been involved in political violence and organised crime. According to the Agreement

on Civil Protection reached on 26 March 2015 in the EU mediated dialogue between Prishtinë/Prishtina and Belgrade, CP units in North Kosovo are currently supported and financed by the Serbian government.

The CP Agreement provides for the integration of 483 CP personnel into Kosovo's institutions as well as providing for 50 positions to be paid for from contingency funds. It is in line with the Kosovo government's plan for CP integration that it is envisaged that CP units will be integrated into Kosovo's central level institutions, and that their personnel will be dispersed among a number of governmental bodies and agencies. However, the agreement also implies that 218 CP personnel will remain jobless and without income. A number of challenges will need to be addressed in regards to the integration plan, including the inability of Kosovo's institutions to absorb entire CP units, the unwillingness of CP personnel to become part of Kosovo's structures and the need to provide alternative sources of income for those who will remain jobless. Despite the fact that the official plan for the integration of North Kosovo's CP units has now been published,² it remains largely unknown to the general public and CP staff, which might present additional challenges during its implementation.

RECOMMENDATIONS

General recommendations:

- In order to increase the transparency of the process, both governments should provide citizens with accurate and objective information on the specific stages of the implementation process.
- In order to enable substantial and meaningful integration of CP units into Kosovo's institutional system, both govern-

¹ Names of cities and municipalities are written in accordance with the Kosovo Government's 'Guidebook on the Implementarion of the Law on the use of languages' [available at: http://www.komisioneri-ks.org/repository/docs/Udhezues_Eng_web.pdf].

² Agreement on Civil Protection, available at: http://www.kryeministri-ks.net/repository/docs/Agreement_on_CP_-_initialed_by_Kosovo_260315.pdf

ments must refrain from inflammatory and nationalist rhetoric.

Recommendations for Serbia:

- The Serbian government must stop financing and supporting CP units, as per Article 19 of the agreement reached on 26 March 2015.
- The Serbian government should make legal adjustments to allow CP structures to be dismantled and should adopt special government regulations for the retirement of CP staff which are not discriminatory in terms of limiting freedom of movement, pension inheritance or other criteria for retirement (such as age, years of service etc.).
- The Serbian government, as well as the North Kosovo municipalities, should cooperate in criminal investigation of those CP personnel who are accused of crimes. Prosecution of criminals is in the interest of both the Serbian and Albanian communities.

Recommendations for Kosovo:

- Prior to the integration of CP units, a thorough assessment of the profiles of CP personnel should be conducted, including their educational background and skills, and additional training should be provided where needed.
- As Kosovo's current budget does not cover the cost of CP integration and the wider engagement of the EMA in North Kosovo, the government should conduct a revision of the budget and provide sustainable financing for emergency response units, aside from currently available funds.
- EMA units in North Kosovo (firefighting and rescue units) must be significantly strengthened, since one unit consisting of approximately 30 personnel is not sufficient to cover CP operations in the whole of North Kosovo.
- The largest proportion of CP personnel should be integrated into the Emergency Management Agency. Each of the four

municipalities should create an emergency management body at either the departmental or sectoral level, and each should possess a firefighting unit.

- The Kosovo government, in cooperation with the four North Kosovo municipalities, should develop a re-employment plan that can facilitate the transition to civilian life of those police officers and CP personnel who are not integrated. It is important to ensure that CP personnel who do not benefit from employment in public institutions are provided with alternatives in the private sector, in order to obtain meaningful employment and a regular income. In this context, provision by the Kosovo government of training and loans for developing start-ups for small businesses, in cooperation with the business sector and especially international donors, would be highly relevant for those who are not integrated into Kosovo's institutions.

INTRODUCTION

The current and future role of the CP units in the four North Kosovo municipalities is the subject of numerous controversies due to the high sensitivity of the political situation in North Kosovo, as well as due to the lack of transparency in the normalisation process between Prishtina and Belgrade. While Kosovo Serbs living south of the Ibar have been gradually integrated into Kosovo's structures, the four northern Kosovo municipalities with a Serb majority (North Mitrovica/Mitrovicë, Zvečan/Zveçan, Leposavić/Leposaviq and Zubin Potok/Zubin Potoku) until recently remained legally and politically separate from the rest of Kosovo. The EU-mediated dialogue between Belgrade and Prishtinë/Prishtina which began in March 2011 has been primarily focused on North Kosovo and has aimed to find modalities for its integration into Kosovo's structures.

The agreement reached between the prime ministers of Kosovo and Serbia on 19 April 2013 in Brussels (the Brussels Agreement)

remained vague in regard to the integration of CP units into Kosovo's security institutions. Unlike the reference to the dissolution of the Serbian Ministry of Interior's police structures (Art. 7), there is no explicit reference to CP in the agreement, although it calls for the dissolution of all parallel security structures in North Kosovo. The role and function of CP is subject to different interpretations and political narratives in Prishtinë/Prishtina, North Mitrovica/Mitrovicë and Belgrade. The mandate of CP units is to provide assistance to the civilian population in emergency situations. In North Kosovo, however, CP remains one of the mechanisms which still operate outside Kosovo's legal framework and which are not part of or subordinated to Kosovo's civilian emergency system. Nevertheless, it is expected that CP units will soon be transformed and gradually integrated into Kosovo's institutions in accordance with the agreement reached on 26 March 2015, following the example of former Serbian police structures which were integrated into the Kosovo Police (KP).

This paper, therefore, aims to offer an analysis of the legal status, mandate and structure of CP units in Serbia, as well as their unique development in the four North Kosovo municipalities since 1999. This is contrasted with legal and institutional developments in Kosovo, in order to understand the potential challenges of integrating CP units. Moreover, this research analyses the different perceptions of the use of CP in Belgrade, North Mitrovica/Mitrovicë and Prishtinë/Prishtina and how these perceptions might affect the implementation of the recently reached agreement on integration of CP personnel into Kosovo's institutions, as well as the risks of not providing alternative employment opportunities for those CP personnel who will not be integrated into Kosovo's institutions.

As such, this research is an attempt to provide an additional source of information, prepared in a non-partisan manner by two independent think-tanks from Belgrade and Prishtinë/Prishtina. Our aim in carrying out this research is to fill the void in the avail-

able documents and literature and to explain the existing mandate of CP and its future prospects.

This research is primarily based on data obtained through interviews which took place between 9 February and 27 March 2015. Researchers conducted 26 face-to-face interviews with key stakeholders in Kosovo, including representatives of the Kosovo government and the North Kosovo municipalities, a senior CP officer and staff of international institutions and organisations operating in Kosovo, civil society organisations and the media. A list of interviewees can be found at the end of this publication, while due to the sensitivity of the topic and for the sake of their safety anonymity was provided to a few interviewees (the senior CP officer and local journalists). Additional evidence was collected through requests sent to the Serbian Ministry of Interior (MoI) and the Government of Serbia's Office for Kosovo and Metohija in line with the Law on Freedom of Information. While the MoI provided detailed answers to all the questions related to the functioning of CP in general and in North Kosovo in particular on 27 February 2015, the Office for Kosovo and Metohija replied only partially to the questionnaire. Our research also included a review of political and legal documents, official reports compiled by international and local organisations and articles in the media. The major limitations of this approach include the short time available for fieldwork, which lasted about a month, and the reluctance of certain stakeholders relevant to the topic of CP to agree to be interviewed (e.g. representatives of the Prishtinë/Prishtina negotiation team).

This research was possible due to a partnership between BCSP and KCSS that enabled access to key stakeholders in Prishtinë/Prishtina, North Mitrovica/Mitrovicë and Belgrade. It was conducted under the auspices of the Security Research Forum Belgrade-Prishtina-Tirana, a regional three-year initiative supported by the Norwegian Ministry of Foreign Affairs aimed at enhancing dialogue on security matters between academics, civil society

and the media on Serbian-Albanian relations. The fieldwork was conducted in late February and the first half of March 2015, as part of the Balkan Trust for Democracy's Professional Work Exchange Program for Enhanced Policy Dialogue. This programme is supported by the United Kingdom Foreign and Commonwealth Office.

COMPARISON OF LEGAL POSITION OF CP IN SERBIA AND KOSOVO

Under the legal system of the Socialist Federal Republic of Yugoslavia, the function of CP was part of the so-called 'total people's defence and social self-protection', a defence and military doctrine of former Yugoslavia which was grounded in the concepts of the people's army and socialist self-management. This provided for every municipality and self-contained entity to have specialised staff responsible for individual and community protection and rescue in case of disaster or emergency (Wall et al., 2008: 7). After the breakup of Yugoslavia, this system was abandoned, and until 2009 CP was poorly regulated, under the overlapping and competing jurisdictions of the Ministry of Defence and the Ministry of Interior (Milosavljević, 2010: 11). With the adoption of the Law on Emergency Situations on 29 December 2009, the function of CP was allocated to the jurisdiction of the Ministry of Interior, which contributed to the demilitarisation of CP.

According to the 2009 Serbian Law on Emergency Situations, the basic operational units of the protection and rescue system are CP units. They are divided into two distinct categories: general purpose units and specialised units (Law on Emergency Situations, 2009: Art. 98). The law provides for general purpose units to be established by local authorities, enterprises and other legal persons as provisional formations composed of volunteers, citizens and employees, for the purpose of carrying out simple tasks related to protection and rescue (Ibid.: Art. 99). Specialised units, on the other hand, are established at

the national and district levels by the Ministry of Interior's Sector for Emergency Management, or by enterprises and other legal persons that constitute a potential source of threat of the wide territory according to the Risk Assessment (Ibid.: Art 99). Specialised CP units are composed of two types of personnel: full-time employees and active reserves (MoI, 2013)³ and include fire protection units, water and underwater rescue units, units for rescue in inaccessible terrains, first aid units, unexploded ordnance (UXO) detection and destruction units, radiological, chemical and biological (RCB) protection units, units for protection and rescue from ruins, observation units, alerting units, telecommunication units and care and accommodation units (Law on Emergency Situations, 2009: Art. 102).

In Kosovo's legal system, civil defence is kept separate from protection and rescue. While the former is the responsibility of the KSF (previously the Kosovo Protection Corps), the latter is allocated to the Emergency Management Agency (EMA), which operates as a part of the Ministry of Interior. In this system, emergency management is primarily the responsibility of the EMA, and more specifically of the firefighting and rescue units that operate on a local level but are directly subordinated to the EMA. There are indications that Kosovo's firefighting and rescue system will soon be decentralised through amendments to the Law on Firefighting and Rescue which will place firefighting and rescue units under the direct control of municipalities (Fushtica, 24 February 2015; Demiri, 25 February 2015). The KSF is second-line responder in emergency situations – it reacts to large-scale emergencies or when invited by local authorities to provide assistance (Law on the Kosovo Security Force, 2008: Art. 10). By comparing the protection and rescue systems of Serbia and Kosovo, we may observe that the EMA is the counterpart to the Serbian Sector for Emergency Management, while Kosovo's

³ According to the 2013 Bylaw on Service in the Active Reserve of the Specialised Units of Civil Protection, the number of active reservists must not exceed 25 per cent of the total number specialised civil protection officers.

firefighting and rescue units conceptually correspond to Serbia's specialised CP units. Moreover, the Serbian Army and the KSF both have secondary responsibility in emergency situations.

CIVIL PROTECTION UNITS IN NORTH KOSOVO

According to a senior CP officer interviewed on 5 March 2015, CP units in the North Kosovo municipalities were created in their present form on 1 May 2006, during the government of Serbian PM Vojislav Koštunica. These units were created without consultation with the United Nations Interim Administration Mission in Kosovo (UNMIK), which was the primary governing actor in Kosovo in line with United Nations Security Council Resolution 1244. The units were established by and subordinated to the four North Kosovo municipalities. At that time, CP in Serbia was regulated by the 1994 Law on Defence. This law stipulated that CP units could be formed by state institutions, enterprises and other legal persons, and did not differentiate between specialised and general purpose units. Furthermore, Serbia's 2002 Law on Local Self-Governance, which was in force at the time, put municipalities in charge of organising protection from natural and other disasters, and of establishing bodies and services according to their needs. However, the 2009 Law on Emergency Situations transferred CP to the jurisdiction of the Ministry of Interior and explicitly handed the Ministry of Interior's Sector for Emergency Management responsibility for the formation and oversight of the specialised units, while municipalities were given a mandate to form general purpose units. The characteristics of the CP units in the North Kosovo municipalities corresponds to those of specialised units – they are composed of full-time employees who are expected to be organised, equipped and trained to carry out complex tasks related to protection and rescue. The Serbian Ministry of Interior's (Mol) response to the BCSP Questionnaire [27 February 2015] states that the CP units in North Mitrovica/Mitrovicë, Zvečan/

Zvečan, Leposavić/Leposaviq and Zubin Potok/Zubin Potoku are not subordinated to the Serbian Mol, in contravention of the stipulations of the Serbian Law on Emergency Situations for specialised units. According to the political representatives of the North Kosovo municipalities, these CP units remain under municipal responsibility [Janković, 4 March 2015; Hodžić, 4 March 2015; Vulović, 12 March 2015].

Size and membership

After they were established in 2006, CP units in North Kosovo had around 500 full-time personnel, most of whom had some military background and were trained for protection and rescue tasks [senior CP officer, 2015]. To date, their number has increased to 751, after new personnel were hired on three occasions – in 2008, 2013 and 2014 [ibid]. According to North Mitrovica/Mitrovicë officials and senior CP officers, the CP personnel employed since 2008 have not passed basic military training, nor have they been trained for protection and rescue tasks. Many interviewees indicated that at least some were hired thanks to their membership of the ruling political parties and outside of normal procedures [Dimitrijević, 19 February 2015; Nešović, 4 March 2015; Krstić, 5 March 2015]. According to a senior CP officer [5 March 2015], a number of recruits later attended firefighting and mountain rescue training in Belgrade, however, they were not awarded formal certificates.

It is important to point out that there are also CP units outside North Kosovo, geographically dispersed across several municipalities south of the river Ibar. However, the personnel of these units were not discussed in the Brussels negotiations, and consequently they will not be included in the integration process. According to a CP officer's estimate, there are around 210 CP personnel south of the Ibar, located in Štrpce/Shtërpçë, Central Kosovo [e.g. Lipjan/Lipljan, Gračanica/Gračanica etc.], Kamenicë/Kamenica, Shillovë/Šilovo and Gjilan/Gnjilane.

Some interviewees indicated that former members of the 'Bridgewatchers' group are currently employed in CP units (Bjelica, 2015; Dimitrijević, 2015; Bimbashi, 2015). The 'Bridgewatchers' group was founded after the Kosovo war, and consisted of young men who considered the group to be a security structure with three functions: to prevent Albanians from entering North Mitrovica/Mitrovicë, to gather information on KFOR and UNMIK and to gather information on Albanians living in North Mitrovica/Mitrovicë (OSCE, 2003: 12). As a result of UNMIK's limited capacities to take over law enforcement in North Kosovo, the 'Bridgewatchers' performed some police functions [e.g. arresting people] alongside the Serbian police (Ibid.). However, later on they were perceived as also being involved in criminal activities such as racketeering, intimidation of local people who cooperated with UNMIK, smuggling, prostitution, etc. (ICG, 2002: 3). According to the OSCE report, until 2003 the 'Bridgewatchers' were financed by the Serbian Ministry of Health through the budget of the hospital in North Mitrovica/Mitrovicë, after which date financing from the Serbian government apparently stopped, while the International Crisis Group (ICG) Report indicates that the 'Bridgewatchers' were financed by the Serbian Ministry of Interior and Security Service, in violation of United Nations Security Council Resolution 1244. Further research would be needed to verify the validity of the claim that CP units absorbed the 'Bridgewatchers', meaning that the organisation continued to exist under a different name (and with some new membership), as there are conflicting claims by other interviewees who assert that CP was not the successor of 'Bridgewatchers', i.e. that there is no continuity between the two organisations.

Mandate and activities

CP units have a mandate to provide assistance to the civilian population of the North Kosovo municipalities in case of natural disasters and other emergency situations. According to the political representatives of the

northern municipalities, CP units are continuously engaged in observation and alert, firefighting, search and rescue operations, clearing snowdrifts during winter and other activities that fall under the concept of CP. During the floods in Serbia and Bosnia in May 2014, CP personnel from North Kosovo participated in protection and rescue operations in several places in Serbia [e.g. Šabac and Obrenovac]. According to Stevan Pavićević, a CP coordinator from North Kosovo, they were invited by Serbian prime minister Aleksandar Vučić, the Mol's Sector for Emergency Situations and the government's Office for Kosovo and Metohija (Tanjug, 16 May 2014). Outside of emergency situations, CP units sometimes perform community services which are generally not the responsibility of CP, such as road maintenance, clearing the Ibar riverbed, bridge repairs, securing buildings, etc. (Hodžić, 4 March 2015; Janković, 4 March 2015; Vulović, 12 March 2015). Apart from the CP units, there is only one firefighting unit in North Kosovo, which operates as a part of the EMA and is composed of approximately 30 firefighters (Hodžić, 4 March 2015; Janković, 4 March 2015). According to officials from the northern municipalities, CP cooperates with this unit in emergency situations such as fires. There is an overlap between the legal mandate of the CP units established in 2006 and that of the firefighting and rescue unit which is part of Kosovo's structures, although as previously pointed out CP units are sometimes engaged in tasks which do not fall under their legal mandate. However, given the size of the four North Kosovo municipalities, with an area of around 1200 km², the EMA firefighting unit is not sufficient to provide adequate protection for the civilian population. For example, according to the estimates of the northern municipalities, there were around 300 fires in North Kosovo in 2014 (Janković, 4 March 2015). Thus, CP units provide public services which are currently not provided by Kosovo's central institutions.

However, there are indications that CP units are not only involved in civilian tasks, but also perform alternative security services, and thus are a political factor in North Kosovo,

with pronounced symbolic leverage. In 2011, after the Kosovo Police special unit (ROSU) attempted to take control of the northern border crossings, CP personnel were involved in setting up roadblocks and took part in violent clashes with the Kosovo Police and KFOR [Bimbashi, 27 February 2015; see also: Akter, 2013]. They are seen by the Kosovo authorities and the international community as the foot soldiers of political protests in the north and perpetrators of political violence, not only against political opponents, but also against Kosovo Albanians and international organisations. One interviewee also alleged that some CP personnel are connected to organised crime and involved in criminal activities such as smuggling [Bimbashi, 27 February 2015] and that there is evidence against them in Kosovo Prosecutor's Office [Dimitrijević, 11 February 2015; Bimbashi, 27 February 2015]. Despite plenty of speculation, no CP employee has so far been prosecuted. According to our interview with Fisnik Rexhepi (10 March 2015), with the integration of former Serbian police officers into the Kosovo Police in line with the Brussels Agreement, CP took over some police functions in the northern municipalities (e.g. patrolling), something which is unacceptable for the Kosovo authorities. There are also suspicions that CP is involved in intelligence work.

Financing and equipment

The CP units in the four North Kosovo municipalities are currently funded by the Serbian government from municipal budgets [Janković, 4 March 2015; Hodžić, 4 March 2015; Vulović, 12 March 2015]. They are therefore controlled by and subordinated to municipal authorities, and thus indirectly to the Serbian government, although the Serbian Mol as well as the Office for Kosovo officially deny that they control the CP units in North Kosovo.⁴ CP units are equipped with rescue

equipment, including rescue boats, observation and alert equipment, radio transmitters etc. [senior CP officer, 2015]. According to some interviewees from the northern municipalities, the equipment of CP units was significantly strengthened and their visibility increased during the mandate of Aleksandar Vulin as director of the Office for Kosovo. Among the equipment they were provided with were uniforms bearing the international civil protection sign and three 'Lada Niva' off-road vehicles per municipality (12 in total). Promotional billboards for CP units were also put up in North Mitrovica/Mitrovicë. Since Serbian government spending is not transparent, it is very difficult to follow the flow of money from central government to the local level. Thus, it is unclear how much money the four municipalities have received from Serbia for equipping CP units, increasing their visibility and paying their salaries.

One of the most controversial aspects of the CP units in North Kosovo is connected to allegations that they are armed formations. According to our interview with Fisnik Rexhepi (10 March 2015), Kosovo government officials claim that they have presented the EU mediators in Brussels with evidence that the CP units are armed and equipped as a paramilitary formation and thus that they represent a security threat and a threat to Kosovo's constitutional order [Rexhepi, 10 March 2015]. Kosovo officials claim that they have presented the EU mediators for the Brussels dialogue with sufficient evidence to prove the paramilitary character of the CP units [Ibid.]. However, Serbs from North Kosovo deny that the CP units are armed or that they have a military organisational structure. According to the Agreement on CP Integration signed on 26 March 2015, the Serbian government has provided written confirmation that the CP and its personnel are not in possession of any weapons [Art. 18]. Previous research on small arms and light weapons in Kosovo has shown that a large number of Kosovo's citizens are in possession of illegal arms [Khakee and Florquin, 2003: 11; UNDP Kosovo, 2011: 1] and it is not surprising if some CP personnel are in possession of such weapons.

⁴ Official response from the Serbian Government's Office for Kosovo to BCSP questionnaire, 23 February 2015, and official response from the Serbian Mol to BCSP questionnaire, 27 February 2015.

According to the Kosovo media, Serbian official Krstimir Pantić has stated that CP units should be armed and prepared to protect the Serbian population of North Kosovo [Telegrafi, 14 February 2013]. Nonetheless, there is no proof that CP units as such have been trained or equipped as a military formation. According to a Kosovo government official, the most important and urgent issue is the dissolution of the CP units and their integration into Kosovo's structures [Rexhepi, 10 March 2015]. The problem of illegal arms is broader than the issue of CP, and will be dealt with in the next few years.⁵ Thus, part of the Agreement on CP Integration stipulates that if the Kosovo government is able to provide credible evidence that CP units are in possession of official weapons, they will inform the EU facilitator, and EULEX and the Kosovo Police will conduct joint search operations without prior notification [Art. 18].

CONFLICTING PERCEPTIONS OF CIVIL PROTECTION

Civil protection has been a political issue between Belgrade and Prishtinë/Prishtina for years, but since *the First Agreement of Principles Governing the Normalization of Relations* [hereinafter: the Brussels Agreement] was reached between the prime ministers of Serbia and Kosovo on 19 April 2013, it became a legal obligation, because both sides are now committed to implementing in practice what they agreed. Due to the vagueness of the text of the Brussels Agreement, Article 8 of which envisages dissolution of all parallel security structures in North Kosovo without specifying CP units, the authorities in Belgrade and Prishtinë/Prishtina are trying to fill in the blanks in the agreement and facilitate its implementation. Vagueness leaves room for creativity and consensus, but often leads to differing interpretations, misunderstandings and difficulties in agreeing on specific matters. Nevertheless, the agreement on CP

between Belgrade and Prishtinë/Prishtina was signed on 26 March 2015. The agreement was published on the website of the Office of the Prime Minister of Kosovo, but at the time of going to press its content is still unknown to the wider public.

For the time being, in line with the divergent interpretations of and political discourse on the mandate and purpose of CP in Prishtinë/Prishtina, North Mitrovica/Mitrovicë and Belgrade, there are different visions of whether and how CP units should be integrated into Kosovo's institutions.

CP is perceived by Kosovo's government to be an illegal parallel security structure, the 'extended arm of Belgrade in Kosovo', a paramilitary formation, an NGO, the successor to the so-called 'Bridgewatchers' etc. Following the example of the integration of the police, the majority of interviewees agree that it is only a matter of time before CP units are disbanded and their personnel integrated into Kosovo's institutions. However, it is not possible to talk about disbanding CP and its personnel, but rather about transforming the organisation and its mandate [Nikola, 26 February 2015]. In this regard, a parallel has been drawn with the transformation of the Kosovo Protection Corps [KPC] into the KSF, due to the fact that a large number of KPC personnel were integrated into the KSF, which continued to perform civil protection tasks. Kosovo applied pressure for implementation of the agreement to be speeded up and for CP premises to be closed, insisting that the Serbian government undertake legal adjustments to dismantle CP structures in Kosovo and present the EU with official proof that salaries had been stopped and all financial support to CP ended and the regulations necessary to implement this adopted [Kosovo Government Report, 2015: 12].

For some representatives of international institutions it is not civil protection itself, but rather its current mandate and organisation that presents a problem. CP, therefore, must be dismantled, redefined, reorganised and reoriented towards exclusively civilian tasks.

⁵ According to Kosovo Government officials, the Law on Voluntary Surrender of Illegal Arms is currently being drafted.

The EU supports the dismantling of CP, but the impression is that it often holds the role of facilitator and avoids responsibility for implementing agreements. It is also perceived that the EU is not very interested in solving the challenges of implementation in the field, as long as everything is agreed 'on paper'. Furthermore, KFOR has all the necessary information about the situation on the ground, but does not consider CP to be a threat to the security environment.⁶

Some of the Serbian interviewees from North Mitrovica/Mitrovicë emphasised that the establishment of the Association of Serbian Municipalities (ASM) is a higher priority than CP, and that this issue is to be resolved first at the political level. Serbian interviewees subsequently pointed out that the ASM can serve as the institutional framework for integrating CP units. However, representatives of the Albanian community and some of the Serbian representatives from North Kosovo do not share the opinion that the ASM should represent the institutional framework for integrating CP units. This is not possible in particular as the agreement on CP integration has been reached prior to the establishment of the ASM. The bottom line is that Prishtinë/Prishtina is demanding that CP be resolved first and the ASM established only once this has been done, because the ASM apparently may require constitutional amendments and thus is legally and politically more complicated than CP, while Belgrade insisted on the reverse order.

Civil society representatives in Kosovo, especially in the North, have the strong impression that all the agreements resulting from the Brussels dialogue represent only the vision of the elites, i.e. the two prime ministers and the EU mediator, while civil society from both communities has been left out. 'Everything that is happening or should happen in the North will happen first in Brussels or Belgrade and Prishtinë/Prishtina. Civil society, unfortunately, lost the legitimacy to repre-

sent the interests of Serbian community and to make decisions about their future. Decision-making about the future of CP is left to Belgrade' (Nikola, 26 February 2015). Restoring stable relations between Kosovo and Serbia has been made more difficult by the failure of high-level dialogue between the countries to provide opportunities for civil society and communities to voice their concerns (Saferworld, 2015). Poor communication and a lack of transparency by the negotiating parties have led to differing interpretations and expectations of the impact the Brussels Agreement will have, as well as heightened mistrust and tension between people (ibid). According to a North Mitrovica/Mitrovicë journalist interviewed for this research, 'politicians in Belgrade have given up on the Serbian community in Kosovo but do not have the courage to say so, and information is given to citizens in North Kosovo in a piecemeal manner. Police integration is proof that everything can be done, even though police officers were initially opposed to integration. People change their minds, especially when they are under pressure, blackmailed or if you give them money'. Bearing this in mind, there is a strong impression that all resistance to integration will be crushed. Moreover, during their research in North Kosovo the authors of this report noticed that people were reluctant to talk about this and other related topics, as they were afraid.

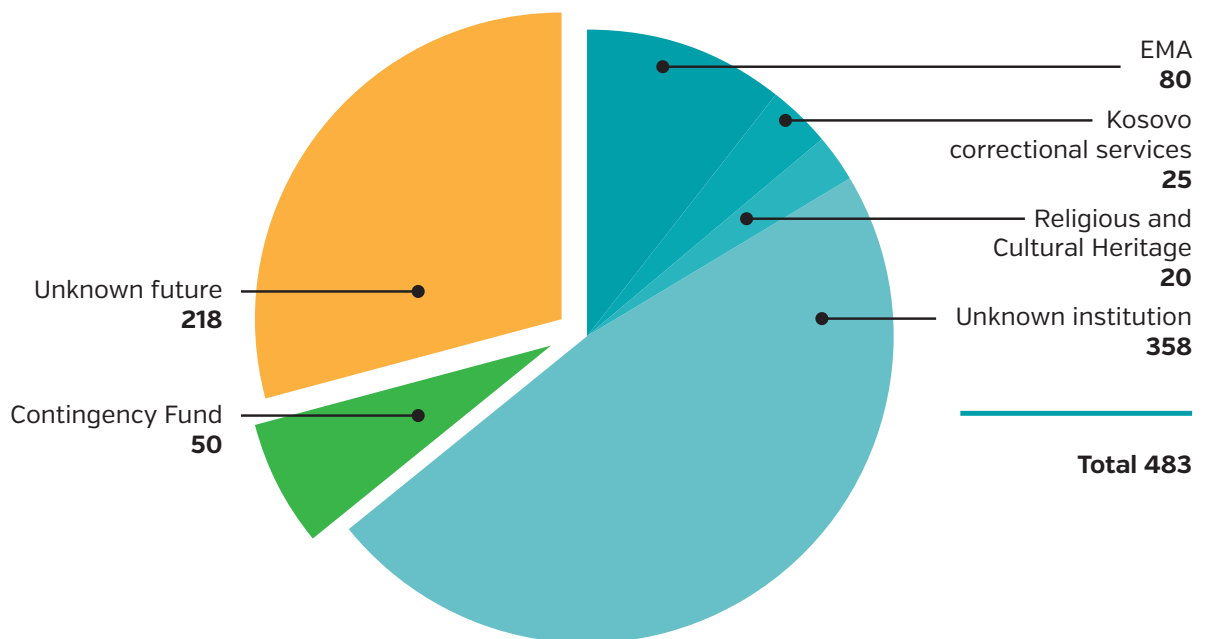
Political leaders in North Kosovo state that Civil Protection has a negative image, which it acquired when it was first formed, but that it is an exaggeration to claim that it is a paramilitary organisation. CP has a poor reputation due to various past abuses, both by politicians and criminal structures. While the original purpose of CP was to protect the citizens of North Kosovo from potential violence by Albanian extremists, the primary function of CP is now the protection of people and assets. The opinion of local Serbian political leaders is that while any CP personnel who are criminals should be prosecuted, neither all CP personnel nor the entire population of North Kosovo should suffer the negative con-

⁶ Official response from KFOR to the BCSP questionnaire, 18 March 2015

sequences of the abolition of CP [Hodžić, 4 March 2015].

According to politicians from North Kosovo, this issue, like many others, represents the domain of high politics and their opinion is mostly not taken into consideration by the governments of Serbia and Kosovo. It is important, therefore, to amplify their voices and concerns. Representatives of the Serbian municipalities want CP to remain under their jurisdiction, with its current mandate – to serve as a protection and rescue organisation during natural disasters and other civil emergencies. According to them, CP units are not oversized considering the volume of work that falls under their mandate in the four North Kosovo municipalities. Representatives of the Serbian municipalities claim that the firefighting and rescue unit which operates in North Mitrovica/Mitrovicë and is subordinated to EMA is not sufficient to provide civil protection, which at the moment appears to be an accurate assessment considering the current size of the unit. Furthermore, municipal officials insist that specialisation among CP personnel is necessary, as is the consequent additional training for various profiles such as divers, mountain rescuers, etc. This vision of CP units under municipal jurisdiction remains problematic, as according to the laws of both Serbia and Kosovo, permanent [specialised] emergency response units are subordinated to central institutions, more specifically the Serbian MoI's Sector for Emergency Situations and the Kosovo MoI's Emergency Management Agency. Although, according to the Kosovo Law on Local Self Government, Kosovo municipalities are responsible for local emergency response, the law does not explicitly envisage that they are permitted to form permanent CP units. Moreover, the Law on Firefighting and Rescue (Art. 4) stipulates that municipalities are responsible only for establishing and managing voluntary rescue units. Therefore, the personnel of CP units – with their current mandate and responsibilities – will not be able to remain under municipal competence.

Chart 1



THE AGREEMENT ON INTEGRATION OF CP INTO KOSOVO'S INSTITUTIONS

The agreement on the integration of CP units into Kosovo's institutions was adopted on 26 March 2015, within the framework of Brussels dialogue. The agreement is publicly available on the website of the Office of the Prime Minister of Kosovo, but at the time of writing it is still unknown to the wider public. The agreement is based on the Kosovo government's plan and lists specific obligations for both Prishtinë/Prishtina and Belgrade. Prishtinë/Prishtina promised to find 483 jobs within Kosovo's institutions for CP personnel, and 50 positions on contingency funds, while Belgrade will be obliged to cease financing CP units in North Kosovo. The integration procedure will be based on the same principles as the integration of former Serbian police officers into the Kosovo Police. Belgrade submit-

ted a list of 751 CP personnel to be integrated into Kosovo's institutions [Art. 1]. A four-member panel (with two representatives of Kosovo's institutions, one representative of the former Civil Protection and one EU representative) will be established on 27 April 2015 and will select individual candidates for specific positions in accordance with their education and professional experience [Art. 5]. Only those CP personnel who are in possession of a valid Kosovo ID will be eligible for integration [Art. 3], while a security check of CP personnel will be performed by the Kosovo Police and EULEX [Art. 13]. The agreement states that the panel will conclude its work by 14 August 2015, and all employment contracts will be signed by 1 September 2015 [Art. 7]. The agreement also stipulates the removal of CP observation points and the handing over of all CP premises and equipment, which will continue to be used by Kosovo's institutions [Art. 12-18].

The number of jobs provided by the Kosovo government for former CP personnel according to the CP Agreement reached in March 2015 is smaller than was promised in the Kosovo government's report to the EU on the progress of implementation of the Brussels agreements (2015: 13). The plan promised

550 positions in total, of whom 400 persons were to be integrated into various Kosovo civil institutions, while 50 were to be put on a waiting list to be gradually integrated within three years while being paid from the Contingency Fund.⁷ Up to 100 people were to be employed through projects funded by the Development Fund⁸ [ibid]. The procedures for integration were to be in accordance with Kosovo's Law on Civil Servants. On the other hand, the CP Agreement states that the Kosovo government is offering 483 positions in North Kosovo, while there will be 50 positions paid for from contingency funds, meaning that these individuals will receive salaries but their final workplaces in the public sector will be determined within three years [Art. 1]. Of the 483 positions in North Kosovo, only 125 are specified in the agreement – 80 in the EMA, 25 in the Kosovo Correctional Services and 20 positions related to religious and cultural heritage. This formulation leaves the question of which Kosovo institution will accommodate the remaining 358 CP personnel unanswered. Bearing in mind the procedure agreed for the selection of potential employees among current CP staff [Art. 2–10], this number might increase as some CP personnel may fail to satisfy the agreed conditions. If the CP Agreement is fully implemented, 218 current CP personnel will remain without employment and income.

Two essential elements of the Kosovo government's plan were reflected in the CP Agreement. The first is that CP units will be integrated into Kosovo's central level institutions, while the second is that their personnel will be dispersed across a number of governmental bodies and agencies. According to Kosovo government representatives, integration of the personnel of Serbia's parallel structures into central institutions is crucial for the integration of the whole Serbian

community into Kosovo's society – by having representatives at the central level, Kosovo Serbs will more easily accept Kosovo's government institutions as their own. According to Kosovo officials, if CP units remain under the exclusive jurisdiction of municipalities, segregation would be deepened and the potential for future conflicts would increase. The integration of CP personnel into the KSF was another option for the Kosovo government, but the Serbian government and local leaders were reluctant to accept this idea. However, there are indications that an agreement on CP integration into the KSF has also been reached [Sadiku, 27 March 2015]. It is important to note that the Kosovo government's plan stipulates that the personnel of CP units will remain physically in their municipalities but will become administratively tied to central institutions. As CP units in North Kosovo are seen by Prishtinë/Prishtina as paramilitary organisations and as a security threat, it is crucial for the Kosovo government that they are not integrated as a unit, but are deployed across various institutions [Ibid.]. This would primarily eliminate the symbolic power that CP represents – the presence of Serbian security structures on the territory of Kosovo. However, the Kosovo government's plan may face some challenges.

Retirement and/or re-employment

Since the governments of neither Serbia nor Kosovo shared their vision and plans for the future integration of CP with those who would be directly affected, CP employees have developed their own interpretations and rumours based on fear and lack of information. It is perceived by CP personnel that the Kosovo government's plan, as reported in the media, does not provide permanent and sustainable employment for CP personnel, but only temporary transitional solutions. This is contrary to Edita Tahiri's statement to the media that everyone will have a job and that all personnel of the parallel structures in North Kosovo will be integrated into Kosovo's institutions. CP personnel are concerned that the integration of CP into Kosovo's legal and

7 A Contingency Fund will be created for the purpose of integrating CP units into Kosovo's institutions. The plan is to raise 10 million euros over a period of three years.

8 The Development Fund was created on 17 January 2013 according to the agreement on customs collection. It is funded from taxes collected at the Jarinje and Brnjak border crossings. The resources available to the fund currently amount to 5 million euros.

institutional system is only temporary, and that they will be flushed out of the system sooner or later. For example, it is possible that some CP personnel who join the Kosovo Security Forces (KSF) will later be found to have failed to meet certain criteria (such as age) and professional standards, once physical and psychological checks are carried out. This would lead to their retirement, leaving them once again outside the institutions and with only a minimum pension. In this manner, both governments will 'wash their hands' of them. This concern partly stems from the experience of the integration of Serbian police officers on the payroll of the Serbian Ministry of Interior into the Kosovo Police, in which some Serbian Mol employees who had applied did not meet all the requirements, and some of those who did not receive security clearance were left out of the system (Bjeloš and Elek, 2014: 5). Because of this, guarantees are needed that part of CP will be integrated into KSF, while a demobilisation programme that offers dignified and credible job alternatives for those who do not satisfy the criteria for recruitment should be established.

If some CP personnel are left out of the system, new problems may arise, such as increased potential for social and political unrest in North Kosovo. Second, the integration of CP into Kosovo's structures will require the revision of Kosovo's budget, as the current budget does not envisage the cost of this transformation. Another problem that is likely to arise is the refusal of CP personnel to integrate into central level institutions, due to the official position of the Serbian side regarding Kosovo's statehood. Finally, and perhaps most importantly, it is crucial that employment is found for CP personnel that will enable them to be actively involved in Kosovo's institutions. If they are merely paid salaries, it will solve the socio-economic dimension of the problem, but the political dimension will remain. Since CP employees will remain physically in the northern municipalities, if

they are not given real jobs they will still be able to act as a parallel security structure.

Therefore, the process of dissolving CP units and integrating them into Kosovo's institutions should be followed by an additional retirement plan and/or re-employment programme. So far, there are no indications that the governments of Kosovo or Serbia have developed any such programmes. As the CP Agreement does not provide for the employment of all 751 personnel of CP units in North Kosovo, a programme must be implemented by the four municipalities or the Kosovo authorities with support from the international community that will provide for the future re-employment of those CP personnel who remain outside Kosovo's central institutions.

The current estimation is that there are 88 CP personnel in North Kosovo who should be retired, as well as around 115 who do not fulfil the legal criteria for integration due to the fact that they do not hold Kosovo citizenship (Kosovo Government Report, 2015: 13). It should be borne in mind that CP also operates south of the Ibar, and that more than 200 CP personnel are currently receiving salaries for performing CP tasks. It is most likely that these individuals will share the fate of former Mol employees, since the Brussels Agreement is exclusively related to North Kosovo, thus omitting everyone else from the integration process. It is important to ensure that these CP personnel are offered support to obtain meaningful employment with a regular income which will enable them to provide for themselves and their families.

According to the Kosovo government's report (2015: 12–13), the Serbian government has promised to undertake legal adjustments for the dismantlement of CP structures in Kosovo similar to those made in the case of police integration. If the Serbian government proposes a *lex specialis* or adopts a special government regulation for the retirement of CP personnel, it should not be discriminatory in terms of limiting freedom of movement, pension inheritance or other criteria for retirement (such as age, years of service etc.).

A re-employment programme for those CP personnel who will not benefit from employment in public institutions should provide other alternatives in the private sector, similarly to the programme developed for demobilisation of former employees of the Kosovo Protection Corps (KPC)⁹ or the Serbian Armed Forces.¹⁰ This could also be beneficial for ensuring the success of the implementation of the Prishtina-Belgrade Agreement regarding CP. However, the Kosovo government does not currently have a budget for integration of CP, and therefore a re-employment programme is not foreseen for 2015. This kind of programme should therefore be supported by donations from the international community, and designed in partnership with the four North Kosovo municipalities and the Prishtinë/Prishtina authorities. An agreement between the relevant parties could encourage donors to cooperate with the Kosovo government and also with CP personnel in North Kosovo in developing and running a project aimed at reintegrating CP personnel who will not be integrated into Kosovo government institutions.

Prior to the implementation of such a project, an assessment should be carried out of the current composition of CP, in terms of both numbers and skill sets. This would serve as the basis for developing the programme and for budget projection. Using the best practices from the KPC reintegration programme, two things could be also applied in this case. First, a severance payment disbursed monthly would act to provide an economic safety net and facilitate the transition to civilian life. Second, a set of customised services could be delivered by the Employment Promotion Agency of Kosovo (APPK), whose staff's expertise in the employment and vocational training sectors could help CP personnel to enhance their employability as

well as supporting them in seeking alternative livelihoods. In this context, training and loans for developing small business start-ups would be highly relevant. CP personnel should be supported in conducting market research in order to validate, assess and develop their ideas or business plans, as well as their commercial potential. Unfortunately, such a re-employment programme has still not been developed for police officers south of the Ibar, who were forcefully retired in 2013 and left without any prospects for employment in the police systems of either Serbia or Kosovo (Bjeloš and Elek, 2014: 12). Moreover, they have been left without a plan that could facilitate their transition to civilian life.

There is also an option for some CP personnel to be integrated into municipal structures that do not deal with CP. According to Kosovo's Law on Local Self Government, municipalities are responsible for a wide range of services including: urban and rural planning; land use and development; implementation of building regulations and building control standards; local environmental protection; provision and maintenance of public parks and spaces; tourism; cultural and leisure activities etc. [Art.17]. If CP personnel are integrated into municipal structures, the function of response and rescue in emergency situations would be entirely transferred to the EMA firefighting and rescue units. As there is currently only one such unit manned with 30 staff covering the four northern municipalities, citizens of North Kosovo would not have enough support in emergency situations. Another problem with this solution is that, according to representatives of Serbian municipalities, CP personnel are not qualified for administrative positions. However, there are positions under municipal jurisdiction that are not administrative and which could provide employment for some CP personnel.

The dissolution of CP will be a complex task but, for the prospects of the long-term stability of Kosovo, an extremely important one. For this reason, facilitating the release of former CP personnel into their communities is of the greatest importance. Moreover,

9 This project was implemented by UNDP Kosovo between 2009 and 2011. Around 1300 former KPC employees were included in this re-employment programme.

10 PRISMA programme, available at: https://www.bicc.de/uploads/tx_bicctools/brief31_serbian.pdf
http://www.mod.gov.rs/sadržaj.php?id_sadržaja=6291
<http://www.kombeg.org.rs/aktivnosti/komora/Komora.aspx?veza=1324>

the re-employment programme can contribute to reducing the inherent risks, including those of a security, social, economic, political and practical nature.

CONCLUSION

Civil Protection in North Kosovo has been the subject of political negotiations between Belgrade and Prishtinë/Prishtina since 2013, but agreement has recently been reached on the integration of these units into Kosovo's legal and institutional system. In spite of this, the future of CP units in Kosovo's northern municipalities is still uncertain, as there are divergent interpretations of the modalities of implementation. Bearing in mind that this, like many other processes, is an elite driven process, the pace of implementation and its outcome will largely depend on the political will of the governments of both Serbia and Kosovo. One thing is certain – both sides will have to make compromises and accept that the optimal solution for the CP issue will most probably not be the ideal one for any of the stakeholders involved. However, the fact that Serbian police officers have been integrated into the KP gives some hope that the CP issue will be dealt with in the same manner. Nevertheless, the following differences between police and CP integration have to be taken into consideration at this early stage of implementation of the agreement. While Serbian police officers remained in the same job, the majority of CP personnel will be transferred to positions that are not related to CP, which will require that they undergo additional training. In the process of dissolving CP units from North Kosovo and reintegrating their personnel, it is crucial to take into account human security concerns in the four northern Kosovo municipalities and ensure that enough resources – human, financial and material – are allocated to the function of protection and rescue in emergency situations. Last but not least, a re-employment programme should be agreed and supported as matter of priority for all police officers and CP personnel from both south and north of the Ibar who were left jobless after the dissolution of their previous institutions.

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ANNEX 1. INTERVIEWS

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- Afërdita Syla, Executive Director, Community Building Mitrovica, in Mitrovica/Mitrovicë, March 4 2015
- Stefan Vulović, Mayor of Zubin Potok/Zubin Potoku, in Zvečan/Zvečan, March 12 2015
- Interview with senior CP officer, in Mitrovica/Mitrovicë, March 5 2015
- Interviews with representatives of KFOR, in Prishtinë/Prishtina, March 11 2015
- Interviews with journalists from Kosovo Sever Portal [KoSSev.info], in Mitrovica/Mitrovicë, March 5 201

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ABOUT ORGANISATIONS

KOSOVO CENTRE FOR SECURITY STUDIES (KCSS) **Kosovo**

The Kosovar Center for Security Studies (KCSS) is a non-governmental and non-profit think tank established in 2008 with the main aim of developing research studies in the security sector. KCSS conducts research and organizes conferences and seminars in the related fields of security policy, rule of law, justice, and monitoring of the security sector. KCSS activities contribute to strengthening the principles of democratic oversight of security institutions in the Republic of Kosovo.

BELGRADE CENTRE FOR SECURITY POLICY (BCSP) **Serbia**

The Belgrade Centre for Security Policy (BCSP) is an independent think tank founded in 1997 to publicly advocate national and human security based on democracy and respect for human rights. The BCSP works towards consolidation of security sector reform (SSR) and security integration of Western Balkan states into the Euro-Atlantic community by creating an inclusive and knowledge-based security policy environment. It achieves these goals through research, public advocacy, education, bringing together relevant stakeholders and creation of networking opportunities.

ABOUT PROJECT

The Security Research Forum is a joint project of three independent think tanks from Belgrade (BCSP), Prishtina (KCSS) and Tirana (IDM) specialized in research of security issues. The Security Research Forum is meant to foster balanced debate among think-tank community, academia, public policy and media in order to provide research-based alternative solutions to ongoing challenges of cooperation among Serbia, Kosovo and Albania.

