



Inclusion or Exclusion? Minorities In The Security Sector In Post-Independent Kosovo

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LIST OF ABBREVIATIONS

EU	European Union
FSK	Kosovo Security Force
KIA	Kosovo Intelligence Agency
KLA	Kosovo Liberation Army
KP	Kosovo Police
KSC	Kosovo Security Council
LFC	Land Force Command
MoIA	Ministry of Internal Affairs
MKSF	Ministry for the Kosovo Security Force
MUP	Ministry of Internal Affairs of Serbia
NSS	National Security Strategy
OCA	The Office for Community Affairs
OECD	Organization for Security Co-Operation and Development
OSB	Operational Support Brigade
OSCE	Organization for Security and Cooperation in Europe
RRB	Rapid Reaction Brigade
SSR	Security Sector Reform
TRADOC	Training and Doctrine Command
SRS	Special Representative of the Secretary-General for Kosovo

EXECUTIVE SUMMARY

The inclusion of ethnic minorities in the security sector in Kosovo started immediately after the conflict. As security institutions began developing in Kosovo, the introduction of legal framework in 1999¹ created institutional conditions for proportional representation of ethnic groups. Such conditions were further embedded in the Comprehensive Proposal for Settlement of the Kosovo Final Status (the Ahtisaari Plan²) which served as the basis for the declaration of the Kosovo's independence (in 2008). All of the provisions of the Ahtisaari Plan, including those dealing with ethnic minorities' inclusion in public sector, became indispensable part of the Constitution of the Republic of Kosovo (2008). Few years after the declaration of independence, participation of ethnic minorities in Kosovo has reached a relatively satisfactory level; however it requires more time and effort to guarantee consistency, especially within the Kosovo Security Force (KSF). Nonetheless, despite the progress achieved to date, the inclusion of ethnic minorities in the security sector in Kosovo still seems to be a challenge. While immense attention has been paid to the integration and inclusion of the Serb minority in Kosovo's security sector, the integration and inclusion of the (non) Serb minorities in Kosovo, especially Roma, Ashkali and Egyptian (RAE) and their access to security institutions is concerning. This situation, in most part, is attributed to the low level of education, the extreme poverty and life conditions in which these communities are living.

¹ Under UN Interim Administration Mission in Kosovo (UNMIK)

² For the purpose of this research paper and, in order to keep at friendly reader, we will just refer to Ahtisaari Plan.

INTRODUCTION

Security in all its dimensions is fundamental to protecting Human Rights, especially for minority ethnic groups in Kosovo. Kosovo's aspiration for Euro-Atlantic integrations has led to overall institutional reforms; hence, the introduction of the Security Sector Reform (SSR), among other issues, had a special focus on the ethnic minorities in the security sector (KCSS, 2012:77-78).

This policy brief aims to advocate to the Kosovo's security institutions and policy makers about the topic raised. Subsequently, this paper aims to contribute to the current general institutional reforms of the security sector in Kosovo, by tackling the inclusion of ethnic minorities. The audience and the stakeholders of this paper are the security institutions in Kosovo, the Government of Kosovo, ethnic communities, their representatives and the international community involved in this process. Also, this paper seeks to provide an analytical framework on the existing state of affairs with respect to representation and inclusion of ethnic minorities in Kosovo's security sector.

Methodology

A wide variety of data collection methods, both qualitative and quantitative, have been used for the purposes of this paper. Qualitative methods predominantly relied on face-to-face interviews and three focus groups organized with key stakeholders. Other qualitative methods were applied as well such as the second hand sources (or desk research), mainly to support the legal framework analysis. This paper also relied on the quantitative data of the Kosovo Security Barometer; the KCSS led quantitative program aiming to measure public opinion perceptions on security policies and institutions in Kosovo.

The paper begins with a short description on the establishment of security institutions in Kosovo. It also maps the main actors in the security sector in Kosovo. The second part of the paper continues by offering a brief critical assessment to the current legal framework dealing with the inclusion of ethnic minorities in the security sector, as well as mechanisms and institutional responsibility for the inclusion of ethnic minorities. The last part of the paper offers an assessment to the current situation of ethnic minorities' inclusion and participation in the Kosovo Police (KP), the Kosovo Security Force (KSF) and the Kosovo Security Council (KSC) along with the challenges these institutions face in fulfilling the requirements provided by the legal framework. The Kosovo Intelligence Agency (KIA) is left out of this analysis due to the hermetic nature of the institution and various legal limitations which makes it impossible to collect the information about the institution.

LEGAL FRAMEWORK FOR MINORITY INCLUSION IN KOSOVO'S SECURITY SECTOR

Legal Framework on Protection of Ethnic Minorities: General

The legal framework in Kosovo strikes a balance between all ethnic groups living in Kosovo as well as promotes individual human rights of uniformed and civilian personnel. The Constitution of the Republic of Kosovo defines Kosovo as a multiethnic state while the primary legislation on security institutions defines further the ethnic composition (Constitution of the Republic of Kosovo 2008: Art 125). This is particularly important for the security sector as it would ensure national unity and cohesion.

In theory, Kosovo's legal framework tends to comply with the best international practices in terms of institutional representation of ethnic communities including in the security sector (OSCE, 2012: 8-9). The Constitution of the Republic of Kosovo encompasses all the necessary human guarantees for ethnic minorities; subsequently all the laws and regulations in the post-independence Kosovo, especially those covering the area of ethnic integration, take into account best practices and models with respect to human rights protection. Kosovo's legal framework, for example, has adopted articles from the **United Nations Universal Declaration of Human Rights** (UDHR, 1948: Art. 2); **International Covenant on Civil and Political Rights** (ICCPR, 1966: Art 26, 27); and **European Convention on Human Rights and Fundamental Freedoms** (ECHR, 1966: Art 1, 24). This has created a sound legal basis for the inclusion of ethnic minority groups in Kosovo's institutions (See Annex A).

Several laws directly deal with the protection of the rights of ethnic minorities in Kosovo. For example, **The law on the Protection and Promotion of the Rights of Communities and their Members in Kosovo** (LPPRCM No. 03/L-047),³ ratified on the 13th of March 2008, explicitly sets up the general provisions on minority rights in order to ensure full and effective equality for all communities living in Kosovo. This law ensures and guarantees the protection of ethnic minorities' identity, culture, religion, access to education, health care, and full political and public participation. This Law also ensures ethnic minority groups' political participation in both local and national level. Consequently, it sets the ground for establishing the **Community Consultative Council** with the purpose of coordination and consultation for all communities in Kosovo. On the other hand, the law **on the Use of Languages** ratified on the 26th of July 2007 sets Albanian and Serbian as two official national languages, whereas it also sets the basic conditions for other languages, such as Turkish, Bosnian and Roma when

³ Approved on the basis Article 65(1) of the Constitution of the Republic of Kosovo

it comes to their official use in the municipal or national level (Law No. 02/L-37: Art. 1). The **Anti-Discrimination Law**, ratified on the 19th of February 2004, (Law No.2004/3) is another important law document which protects ethnic minorities from any type of discrimination with respect to career development and access to jobs (ADL 2004/ 3, Art 2).

Another law which was adopted in particular to improve the position of ethnic minorities was the **Law on the Local Self- Government** (Law No. 03/L-049) adopted on the 20th of February 2008. In particular, the aim of this law was to provide a prominent position on the local level to the Serbian community living in Kosovo by providing extra competences for municipalities where they consist a local majority. This law provided more competencies for the municipalities in which Serbian community represents a local majority (LLSG, 2008: Art. 23).

Legal Framework on the Protection of Ethnic Minorities: Police

The mandate of Kosovo Police (KP) when it comes to ethnic composition has been defined by the Constitution of the Republic of Kosovo itself. Article 128 of the Constitution of Kosovo clearly defines the structure of the Kosovo Police and states that: *“the Police shall be professional and reflect the ethnic diversity of the population of the Republic of Kosovo”* (Constitution of the Republic of Kosovo, 2008, Art 128/2). Additionally, **the Law on Police** ratified on the 2nd of March 2012 (Law no. 04/L-076) envisages specific provisions that guarantee participation and equal representation of ethnic minorities in the structures of the Kosovo Police.

Article 35 of this Law states that “the ethnic composition of the Police Officers assigned within a municipality shall, to the extent possible; reflect the ethnic composition of the population within the municipality” (LKP 03/L-076 Art. 35) Also, Article 41 of the same Law (which deals with Station Commanders) states that in “municipalities where the largest ethnic community is Serbian, Station Commanders of Police Stations and commanders of substations shall be selected by the General Director with the participation of Municipal Assemblies” (LKP 03/L-076 Art 41).

Moreover, there are additional guarantees as a result of the Brussels Agreement reached between Kosovo and Serbia on the 19th of April 2013, which tackles also the composition of KP in the northern part of Kosovo. More specifically, points 7, 8 and 9 of the agreement define important elements of the police structures there. The agreement explicitly points out members of the parallel structures in the northern part of Kosovo should be integrated in the Kosovo security structures, including in the Kosovo Police, and the latter should be the only police force which operates in Kosovo. To ensure full integration of the Serbian community in the northern part of Kosovo, a specific point has been reserved for the Police Regional Commander in the four northern Serb majority municipalities⁴. Similarly to other municipalities, the composition of the KP in the north shall reflect the ethnic composition of the population. In addition to that, based on this agreement it is thought that also the regional commander of KP in the north shall be a Kosovo Serb approved by the MoA and

⁴ Northern Mitrovica, Zvecan, Zubin Potok and Leposavic

nominated by the four mayors on behalf of the Community/Association (Kosovo – Serbia Agreement, 2013: Point 7,8 and 9). This topic will be further expanded in the next sessions elaborating the real situation in regard to minority inclusion in the KP.

Legal Framework on Protection of Ethnic Minorities: KSF

After the declaration of independence, Kosovo established the Kosovo Security Force along with the Ministry for the Kosovo Security Force (MKSF). The initial basis for the establishment of FSK and MFSK was clearly set in the Ahtisaari Plan⁵. In this regard, it is important to emphasize the adoption of the Law on the Ministry of KSF, an institution governed and controlled by a civilian body.

According to the Constitution of Kosovo, the KSF “shall protect the people and Communities of the Republic of Kosovo based on the competencies provided by law”, and “that the KSF should reflect ethnic diversity of the Republic of Kosovo”(Constitution of the Republic of Kosovo, 2008: Art 126/2-4)

On the other hand, the **Law on the KSF** adopted on the 13th of June 2008 (Law No. 03/L-046) explicitly points out that the force is an all-volunteer force drawn by all strata of society no matter the ethnic and religious background (Law on Kosovo Security Force 03/L-046 , 2008: Art 9). Minority inclusion in the KSF has also been regulated by the **Law on Service in KSF** which was also adopted on the 13th of June 2008 (Law No. 03/L-082). It defines that each member of this force should be treated fairly without any discrimination on the ethnic or gender basis (Law on Service in KSF 2008: Art 3). According to this law and the human resources strategy and recruitment policies, the quota of 10% has been set to be fulfilled by ethnic minorities living in Kosovo.⁶ Having in mind a law clearly defining ethnic inclusion within the force, the law also foresees that the official languages of the force shall be Albanian and Serbian. The English language could be applied in communication with international organizations (03/L-046, 2008: Art. 9). It is important to emphasize the adoption of the **Law on the Ministry of KSF**, an institution governed and controlled by an integrated (60%) civilian and (40%) uniformed body (Qehaja F., Vrajolli, M. 2012: 30).

To ensure more political responsibilities on the ethnic communities, Ahtisaari Plan foresaw the creation of the Kosovo Security Council (KSC). Unquestionably, KSC is one of the main pillars of security sector in Kosovo. KSC was created based on the Law No. 03/L-050⁷. **The law on KSC** (adopted on the 13th of March) provides an advisory and deliberative mandate to this institution with the exception of the state of emergency when this body assumes executive role (03/L-050, 2008, Article 1.1, 1.2 and 1.3).

The next session will analyze and elaborate the actual situation and the challenges of implementing the above mentioned laws, strategies and regulations. As stated in the beginning of the document, the main focus will be on the KP, KSF and KSC.

⁵ Also adapted in the constitution of the Republic of Kosovo in June 2008

⁶ Interview with MKSF representatives

⁷ Also based on Chapter IX article 127 of the Constitution of the Republic of Kosovo

MINORITY INCLUSION IN KOSOVO'S SECURITY SECTOR: IMPLEMENTATION OF THE LEGAL FRAMEWORK

Kosovo Police

It is evident that the current general legal framework as well as those pertaining to the Kosovo Police provide for adequate protection and equal inclusion of all communities residing on the municipal territory. Some municipalities⁸ developed a good strategy to achieve these goals, while some still fail to ensure fair representation (OSCE, 2009: 3).

The Kosovo Police operates under the authority of the Ministry of Internal Affairs (MoIA) and is composed of approximately 7,527 police officers and 1143 civilian staff (Interview with KP officials, 2014). Accordingly, the ratio between the number of police officers and the total population in Kosovo is approximately 1 to 245.21 which is considered to be similar to other European countries⁹. In the meantime, the Kosovo Police is constantly working on accomplishing the legally indicated ethnic composition. Despite some challenges to integrate ethnic minorities within the institution, the KP is considered to be the "frontrunner" in this regard, compared to other security institutions in Kosovo. Since its establishment, the KP has achieved a satisfactory level of ethnic minorities' participation, especially, the inclusion and integration of the Serb minority in Kosovo (see table 1 below).

According to the KP statistics, the KP has an overall good performance when it comes to implementing laws that deal with the inclusion of the ethnic minorities within the institution. By the end of 2013, around 84.22% of the KP staff were Albanian, 11.49% were Serbs while around 5% were members of other ethnic groups (Interview with KP officials, 2014).

⁸ The inclusion should be in proportion to the municipal ethnic composition hence it remains the responsibility of local (municipal) authorities.

⁹ Statistically speaking, Kosovo stands similar to Turkey, Albania, Moldavia, Austria, Serbia, Montenegro, Macedonia, Slovenia and Greece.

TABLE 1: ETHNIC COMPOSITIONS WITHIN KOSOVO POLICE (UNIFORMED AND CIVILIAN STAFF)

Ethnicity Statistics (KP- SO - CIV)	Total	Total %
Albanian	7,302	84.22%
Serbian	996	11.49%
Bosnian	205	2.36%
Turks	73	0.84%
Roma	15	0.17%
Egyptian	7	0.08%
Ashkaelia	20	0.23%
Gorani	40	0.46%
Others	12	0.15%
Total	8,670	99.87%

TABLE 2: ETHNIC COMPOSITIONS WITHIN KOSOVO POLICE (UNIFORMED STAFF)

Kosovo Police Statistics on Ethnicity (uniformed)	Total	Total %
Albanian	6,280	83.43%
Serbian	904	12.01%
Bosnian	191	2.53%
Turks	67	0.89%
Roma	14	0.18%
Egyptian	7	0.09%
Ashkaelia	19	0.25%
Gorani	36	0.47%
Others	9	0.11%
Total	7,527	100%

TABLE 3: ETHNIC COMPOSITIONS WITHIN KOSOVO POLICE (CIVILIAN STAFF)

Ethnicity Statistics (civilians)	Total	Total %
Albanian	1022	89.41%
Serbian	92	8.04%
Bosnian	14	1.60%
Turks	6	0.52%
Roma	1	0.08%
Egyptian	0	0.00%
Ashkaelia	1	0.08%
Gorani	4	0.34%
Others	3	0.26%
Total	1143	100%

The KP has been widely admired by the international community for its strong commitment for minority representation, in particular towards the Serbian minority, making the KP, thus, as a model institution not only in Kosovo, but in the region and Europe as well (IGC, European Report 2009: p. 13). Nonetheless, achieving the current satisfactory results did not pass without challenges and difficulties. Speaking from a political point of view, the KP was constantly challenged by members of Serb ethnic minority, threatening for example, to leave the institution after the declaration of independence in 2008. This was a result of constant political pressure coming from the Government of Serbia. A number of them left the institution, to which the Government of Kosovo, in coordination with EULEX, had set June 2009 as the deadline by when those who left can return to their previous positions. This strategy had a positive outcome, since most of the Serb officers returned after realizing that they would lose their jobs and that Serbia could not financially support them (ICG, European Report, 2009: 14).

In 2013, the KP was considered to be a relatively bright spot for ethnic minority groups, the most diverse institution in the country, with strong Serb and other minority representation at all levels and enjoying a reputation for honesty among all communities (ICG, 2012: 6-7). The large number of members from minority groups has been accepted thus the KP was applauded widely by the citizens as well. As a result, many agree that this brought sustainability, consistency and respect within the force, specifically in the areas largely inhabited by these communities. Many argue that being a multi-ethnic institution and having the local police members of all communities helped facilitating the interaction and cooperation among the officers and local population.

As for the cooperation between police officers and other members of the KP, it is worth mentioning that the mandatory courses in both languages (Albanian and Serbian) has led to good cooperation at all levels within the force (Focus Group, 2014).

Comparing to the situation in the southern part of Kosovo, the inclusion of the Serb ethnic minority of the northern part of Kosovo remained a challenge especially after the declaration of independence in 2008. During this period, the Kosovo Police officers were more accountable to Belgrade than to Prishtina. They would report to Prishtina only through the mediation of EULEX, which too, had a limited access during this period (ICG, 2011: 2-3). Belgrade maintained its Ministry of Internal Affairs (MUP), Intelligence Agency (BIA), and other security structures throughout this period. However, after the First Brussels Agreement was cut, the gradual integration of the Kosovo Police officers and the former Serbia's MUP structures working in the north has begun. Police stations operating in northern part of Kosovo have been closed while salaries from Serbia have been ceased; Serbian courts have stopped working; and municipal assemblies in the four northern municipalities have been dissolved (EC, 2013: 1). In accordance with the latest Brussels agreement, around 300 former MUP members are expected to become part of the KP, while the application of recruitment criteria that is currently being applied for the former MUP members remains questionable among both Serbian and Albanian communities living in Kosovo (Kosova Press, 2013). The "accelerated" steps of the recruitment process and signing of the employment contracts between the Kosovo Police and the former MUP members was not seen as a fair and open process (Focus Group, 2013).

According to some sources, as of end of February 2014, around 80 former Serbian police officers had completed their induction and transition to the KP, later on this number has now grown to a total of 142 officers, who have already been deployed for active duty in the northern regional command. It is expected that some 100 additional officers would complete their induction and assume duties in the North shortly (SRSB, 2014: 1). The recruitment process of the former MUP members is still ongoing. Their process of integration has been seen in positive light by both governments (Kosovo and Serbia) and by the international community, implying that this shall ensure full establishment of the rule of law in the northern part of Kosovo (KFOR, 2014). The recruitment and integration of the former MUP members into the KP is being received with enthusiasm especially in Prishtina and the international community present in Kosovo, because this would ensure Prishtina's control over the northern part of Kosovo, perhaps for the first time after the declaration of independence in 2008.

While immense attention has been paid to the integration and inclusion of Kosovo Serbs in KP, the integration and inclusion of other communities in Kosovo, especially Roma, Egyptian and Ashkaelia and their access to security institutions is concerning. Access to education is a crucial factor in order to proceed with other steps of recruitment in security institutions; therefore, as it will be shown in the next section, these groups are poorly represented in security institutions in general.

Having in mind that there is no quota system in place within KP in place to enhance the representation of other ethnic groups, due to low number of applications from proper candidates, many police generations have graduated with a very low number of cadets

from other ethnic groups and very often recruiting and graduation process ended up with zero members from these three communities. Despite the fact that these groups are left aside due to their poor educational background, the lack of information sources has been considered one of the other factors to their low level of integration in the KP. While most of the demands in the KP recruitment are related to knowledge about the social, legislation and security situation in Kosovo, members of these groups have limited information on security and safety due to lack of local newspapers and electronic media coverage or other sources in their mother language.

Kosovo has a number of neighborhoods with a significant population from these communities. In order to build trust and improve inter-ethnic relations among these communities with the Kosovo Police, an adequate number of police officers from these communities have to be employed within the KP for Community Policing. In this regard, a specific preparatory training for other communities with the focus on Roma, Ashkali and Egyptian applicants for the KP is planned in order to prepare them for the entry test to the KP. Also, OSCE, in co-operation with KP, will undertake an awareness raising campaign targeting other non-Albanian communities. It is expected to be focused also on Roma, Egyptian and Ashkali communities in Kosovo to enhance their knowledge about security and safety related issues within their neighborhoods. (Muharremi, 2014)

Kosovo Security Force

Ethnic minorities' representation in the KSF is lower compared to their representation in the KP. However, the recently, participation of ethnic minorities in Kosovo is generally increasing and that is being reflected within the KSF as well. Inclusion of the Serb minority within the KSF has been very limited, and their lack of motivation to join the institutions has to do with political factors.

Despite the fact that equal access to the KSF for all ethnicities in Kosovo is guaranteed by the legal framework in Kosovo (Constitution and other laws), participation of the Serb minority in particular, has been challenging and one of the most difficult processes within the KSF (KCSS & FCI, 2011: 13). Nevertheless, both the MKSF and the KSF are making efforts on continuous basis to encourage participation of all ethnicities in Kosovo. In order to ensure full participation of all ethnic minorities, the MKSF and the KSF also cooperate with the Office for Community Affairs (OCA)¹⁰ - a governmental body created to serve as a focal point within the Government of Kosovo for community issues. The task of the OCA is to contribute to the implementation of laws and regulations of the KSF, in promoting a higher standard in respecting the rights of all members from all ethnic minorities (KSF, 2010:21)

¹⁰ The Office for Community Affairs (OCA), created by Cabinet Decision Nr. 06/34 on the Creation of the Office, on 3 September 2008

The number of active members in the KSF has reached 2,294 (Syla, 2014) and according to the KSF data, during 2013, the percentage of ethnic minorities within the KSF has reached up to 8.85% (KSF, 2012:15). Compared to the KP, the representation of ethnic minorities within the KSF is lower, having in mind low representation of the Serb minority, which stands at around 1.83% of the total uniformed staff, hired.

TABLE 4: ETHNIC COMPOSITION IN THE KOSOVO SECURITY FORCE

KSF Statistics on Ethnicity	Total	Total %
Albanian	2,091	91.15%
Serbian	42	1.83%
Turks	55	2.40 %
Bosnian	49	2.14%
Ashkaelia	29	1.26%
Egyptian	19	0.83%
Roma	3	0.13%
Gorani	2	0.09%
Others	3	0.26%
Total	2,290	99.83%

TABLE 5: COMPOSITION OF THE KSF IN 2013

General number of personnel in the MKSF/KSF		Structure	Vacancies	Completed	Total Minorities
MKSF	CIV	134	2	132	8
	MIL	68	7	61	0
LFC	CIV	100	6	94	1
	MIL	245	16	229	8
OSB		808	45	763	49
RRB		1,122	105	1,017	132
TRADOC		194	6	188	15
Non-systematized Officers		63	0	5	
Total personnel		2,500	179	2,263	204
Uniformed (%)		100%	7.16%	90.52%	9.01%
Civilian in MKSF		234	8	226	9
Civilian (%)		100%	3%	97%	4%
RESERVE		800	322	478	10
RESERVE (%)		100%	40%	60%	2%
Cadet in CUS			39	1	
Total of MIL/C		3534	509	3005	224
Total in %		100%	9%	91%	7.45%

Since the establishment of the KSF, the Serbian minority has had a negative attitude towards the force. Seemingly, the force has been strongly linked to the status of Kosovo; therefore, the Serbian minority has barely shown interest to become part of the force. The political pressures from Belgrade (along with the radical groups within Kosovo) have continuously pressured the local Serbs consequently harming the process of inclusion. Furthermore, the KSF continues to remain unpopular among the ethnic Serbian minority, not only because it represents crucial element of Kosovo statehood (Focus Group, 2014), but also because a majority of them the KCF is viewed as derivative from the Kosovo Liberation Army (KLA) that fought against the Serb forces in the end of 90's. This because when the KLA was disbanded after the war, most of its members were recruited to the Kosovo Protection Corps (KPC), which performed as a civil emergency humanitarian reactions. Yet, after the the disbandment of KPC in 2009, a significant number of this troupe officially joined the newly established KSF, and this is used as an argument by a group of ethnic Serb minority to draw links between the former-KLA and the KSF of today.

Apart from the political obstacles, there have been also some crucial facilitations when it comes to triggering the ethnic minorities in joining the KSF. For instance, unlike KP, the use of both, Albanian and Serbian languages in the basic level is mandatory for all its members, in KSF members from Serbian local communities are not obliged to learn Albanian and vice-versa. While the use of both languages may be feasible daily communication, the same is almost impossible to take place during operations and other levels of communications. Courses for both Albanian and Serbian languages are introduced to the members of this force; however, these courses are only optional and not mandatory as in the case of the KP (Focus Group, 2014). This project has been recently introduced within KSF and only small groups of 30 people have been interested to take the language courses offered.

Nevertheless, the KSF efforts and constant campaigns in the Serb inhabited regions have brought a positive result. There has been an increase of interest by ethnic minorities, especially by the Serbs living in Kosovo; however, as argued above, the political factors still remain a challenge. The enormous influence of the radical circles among the Kosovo Serbs and officials from Belgrade on their kin in Kosovo continues to be an impediment to their integration in the FSK.

Kosovo Security Council

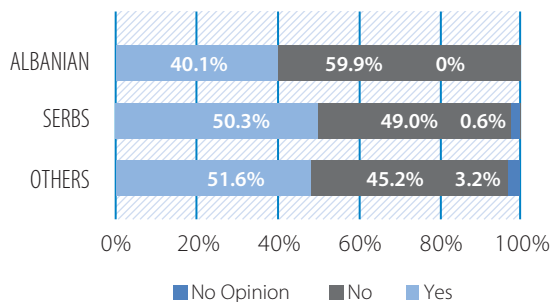
As for the composition of Kosovo Security Council (KSC), according to the Constitution of the Republic of Kosovo (Article 127) this organ should have at least one member from ethnic minorities in Kosovo. The KSC members include: the Prime Minister (who chairs the KSC), the Deputy Prime Minister, the Minister of the MKSF, the Minister of Foreign Affairs, the Minister of Justice, the Minister of Finance and Economy, the Minister of Internal Affairs, and the Minister for Returns and Communities, in accordance with the Law on the KSC (No. 03/L-050) (KCSS, 2008:5). The KSC is supported by the Secretariat, the Situation Center, and the Intelligence Committee. The secretariat staff is proposed by the Secretary and approved by the KSC. **Regulation No. 01/2009 on the Organization and the Work of the Kosovo Security Council Secretariat** approved on the 28th of January 2009 does not explicitly include minority members; however, it is expected that at least a member from an ethnic minority in Kosovo to be included, especially in cases when issues tackling their rights and inclusion in the security sector is concerned (Regulation No. 01/2009: Art 4)

PERCEPTION OF ETHNIC MINORITIES IN KOSOVAR SECURITY INSTITUTIONS

Perceptions: Kosovo Police

There is a tendency that the interactions of ethnic minorities with specific institutions to be automatically translated into more trust and satisfaction level in relation to that institution. The latest results of the Kosovo Security Barometer (KSB) show that around 50.33% of Serbs in Kosovo interact with the KP on regular basis and another 40.10% of declared that they have interacted with the police. Actually cooperation between the KP and ethnic minorities appears to be better comparing to the cooperation with the Albanian majority, as indicated in the figure below. The fact that the KP has a proper representation of ethnic minorities, especially in areas and municipalities where ethnic minorities constitute a majority, clearly boosted cooperation between citizens and police officers.

Figure 1: Cooperation/Interaction with Kosovo Police by Ethnicity



Nevertheless, the almost reverse trend appears when analyzing the satisfaction and trust towards the KP. Members of the ethnic Serb minority have a neutral perception when asked if they trust the KP (27.90%) responded positively, while 51.61% from other minority groups' trust in the KP. The level of distrust towards the KP is quite high among Kosovo Serbs, almost 47% of the respondents do not trust the KP, while other minority groups responded negatively by 19.35%. When asked about the level of satisfaction towards the KP, more than 29% of the Serbian population in Kosovo appears to have negative perception towards the KP, while around 26% of the respondents from other minority groups in Kosovo seem to be not-satisfied with the KP.

Figure 2 Satisfaction with Kosovo Police by Ethnicity

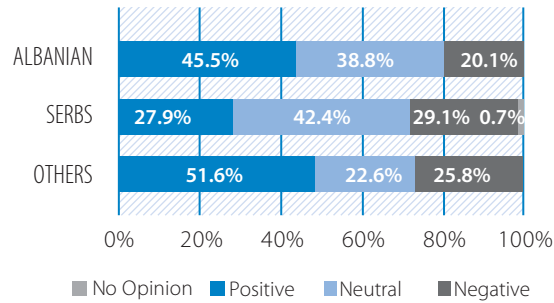
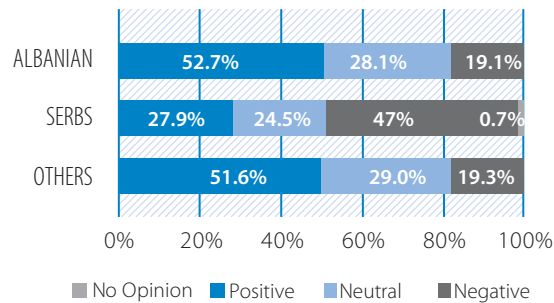


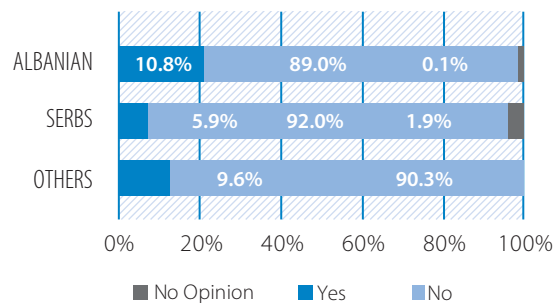
Figure 3 Trust in Kosovo Police by Ethnicity



Perceptions: Kosovo Security Force

The latest results of the Kosovo Security Barometer (KSB) show that around 80%-90% of the Kosovo population in general (Albanians, Serbs and other minorities) have a predominantly low interaction with the KSF. Unlike the KP, KSF represents a different nature of security institution, thus daily interaction with the KSF members is quite low in general.

Figure 4 Cooperation with Kosovo Security Force



Unlike the KP, the KSF does not seem to have a good reputation among the ethnic Serb minority in Kosovo. As shown in the figure below, most of the ethnic Serbs in Kosovo are either not satisfied (25%) with KSF’s work or have no opinion at all (61.60%), while 64.60% of other ethnic minorities in Kosovo are satisfied with the KSF. Clearly, the ethnic Serbs in Kosovo have been influenced by current political situation, and the constant external (from Belgrade officials) and internal (from the domestic elites) pressures. When asked about the trust towards the KSF, most of ethnic minorities decided not to answer, (77.48% of Serbs and 58.60% of the other ethnic minorities).

The Kosovo Security Barometer findings show that only around 20% of Kosovo Serbs are satisfied with the work that KSF is actually performing in Kosovo (KCSS, 2013:3). The low satisfaction with the KSF can also be explained by the KLA – KSF dichotomy as mentioned in the previous sections.

Figure 5 Satisfaction with Kosovo Security Force by Ethnicity

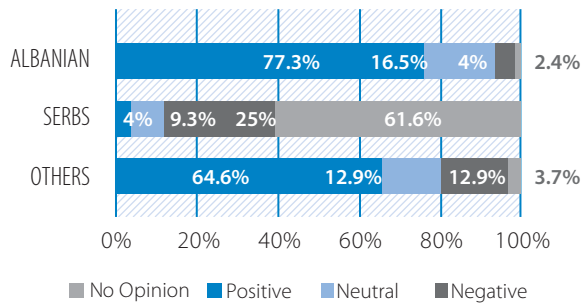
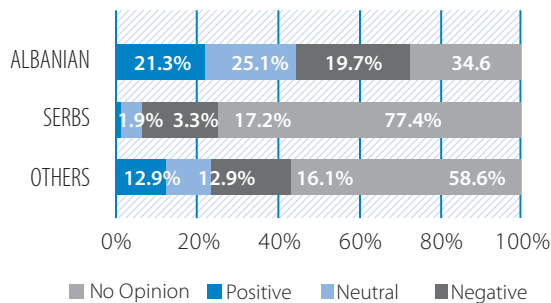


Figure 6 Trust with Kosovo Security Force by Ethnicity



CONCLUSIONS

The security sector in Kosovo, despite being new, it immediately initiated the SSR process with the aim to fulfill country's aspirations for Euro-Atlantic integration. In this regard, full inclusion of ethnic minorities in the security sector in Kosovo has been a challenging objective not only for national institutions, but for international community as well. It is evident, however, that each security institution has made some progress.

Full integration of ethnic minorities is one of the prerequisites for establishing a sustainable security sector in Kosovo, meaning that all ethnicities in Kosovo should be fully and equally integrated in security structures. (Qehaja & Vrajolli, 2012: 76-77). The legal framework in Kosovo which ensures and guarantees equal and proportional representation of ethnic minorities in all public institutions, including the security sector is already present; however there should be a higher and better implementation of the respective laws.

Besides efforts by the international community, above all the UN and the EU, to promote and affirm the multi-ethnic character of Kosovo security sector, there is still space for progress by domestic institutions. The current administrative capacities and infrastructure for ethnic minorities in Kosovo in the security sector are consolidated and strengthened as a result of constant attention and support in this regard. While the KP is strongly supported by large donors in promoting minority rights, the KSF has been constantly supported by the NATO led organizations in enhancing the expertise and technical facilities, and encouraging minorities to join the force.

Nevertheless, minority inclusion in the security sector is not an internal process only, it is more often a process highly influenced by other external factors. This element is remarkably noticed when it comes to the full integration of the ethnic Serb minority within Kosovo security sector. The constant political and other pressures made the ethnic Serbs in Kosovo grow more hesitant to join Kosovo security institutions. The Prishtina-Belgrade dialogue promises that its outcomes will contribute to the Serbian minority inclusion in the security sector - especially the KSF. However, more attention should be paid towards other ethnic minorities in Kosovo as well which more often are being left aside. Representation of RAE community is very low mostly due to their poor educational background and lack of information, which has been considered to be one of the main factors challenging these groups.

The Brussels Agreement of April 2013 between Kosovo and Serbia marks a new step towards the integration of the ethnic Serb minority of the northern part of Kosovo - especially their integration in the security structures. The beginning of the integration of the former MUP members in the northern part of Kosovo marks the initial steps of tackling the security issues in the north institutionally. As for the KSF, the force is constantly cooperating with other governmental bodies to ensure minority inclusion and fulfill the criteria for NATO membership. However, the high level talks between Kosovo and Serbia did not produce yet an agreement that will influence the Kosovo Serbs to integrate into the KSF in the future.

RECOMMENDATIONS

The Kosovo Police should create mobile teams to inform and reach to ethnic minorities, especially Roma, Ashkali and Egyptians.

The Kosovo Police shall ensure that the current process of integrating the members of parallel structures will undergo strictly the process of the security clearance in order to ensure that no criminal element will be incorporated within the Police structure.

The Kosovo Security Force should introduce basic language courses (Albanian and Serbian) which would guarantee sound communication of the Albanians and Serbs during the complex operations.

Serbian Elites shall encourage the Serbian community to participate in the KSF. The latest agreements set a turning point in term of integration of the Serbian community, thus the Serbian elite should give their contribution and lobby for better inclusion in the KSF.

The international community should make all the necessary efforts to convince Serbia not to negatively influence the Serbs in Kosovo, nor antagonize them with security institutions in Kosovo, especially the KSF.

ANNEXES

A. INTERNATIONAL COVENANTS ON MILITARY ARMED FORCES

TABLE 6: INTERNATIONAL COVENANTS ON MILITARY ARMED FORCES (OSCE/ODIHR, 2008)	
Equality and Non-discrimination Provisions in Selected Human Rights Treaties	
Art. 2 UDHR	Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
Art. 26 ICCPR	All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
Art. 27 ICCPR	In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.
Art. 14 ECHR	The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status
Art. 1 of Protocol 12 to the ECHR	1. The enjoyment of any right set forth by law shall be secured without discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. 2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1

B. SECURITY SECTOR LAWS DERIVED BY THE CONSTITUTION APPROVED BY THE ASSEMBLY OF THE REPUBLIC OF KOSOVO

TABLE 7:	SECURITY SECTOR LAWS DERIVED BY THE CONSTITUTION PLAN APPROVED BY THE ASSEMBLY OF THE REPUBLIC OF KOSOVO
Approved on February 20th 2008:	
1.	Law on police
2.	Law on police inspectorate
Approved on March 13th 2008	
3.	Law on Ministry for the Kosovo Security Force
4.	Law on the establishment of the Kosovo Security Council
Approved on May 21st 2008	
5.	Law on the Kosovo Intelligence Agency
Approved on June 13th 2008:	
6.	Law on Service in the Kosovo Security Force
7.	Law Amending the Law No. 03/L-045 on the Ministry of the Kosovo Security Force
8.	Law Amending the Law No. 03/L- 046 on the Kosovo Security Force

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