Press Release
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Kosovo's internal security review falls short

Yesterday, the results of a UN-commissioned year-long review of the security sector in Kosovo were quietly published.[1] In their rapid response to the review's final report, Saferworld and the Forum for Civic Initiatives express their concern about the review's narrow scope, its limited consultation with the Kosovan public and its failure to consider vital regional issues, all of which undermine the report.

"The ISSR has produced some good recommendations under difficult conditions, but both the expensive review process and the publication of its proposals have not been subject to real public and parliamentary scrutiny. Amid speculation surrounding leaks of UN Special Envoy Martti Ahtisaari's Final Status proposals, it is unclear what benefits Kosovo's population will see from this US$2 million ISSR report," said Claire Hickson, Head of Communications, Saferworld.

Taking firm steps to improve security in Kosovo will be critical to its future once its status is determined. The review began with public consultations on the security threats facing Kosovo and was more ambitious in this sense than similar processes elsewhere in the world. However, despite these encouraging signs, the process was flawed by a failure to access detailed data on needs and perceptions, grapple with regional issues, or test its findings beyond its Steering Committee.

There is nevertheless much to commend in the report. It is the first holistic examination of security provision in Kosovo, covering all areas from policing to civil emergency services and even healthcare and the economy. The report accurately describes Kosovo's most pressing security problems as predominantly economic with high unemployment one of the main causes of insecurity. Many of its recommendations on the security system – such as the proposed creation of a new domestic intelligence service (Kosovo Security Service), Kosovo Defence Force and National Security Council - are also bold and challenging. Others, such as recommendations to gradually disband the Kosovo Protection Corps, are long overdue.

However, the report's recommendations and conclusions are lacking in several respects. The study is too heavily slanted towards 'internal' questions, with no consideration of the regional implications of its proposals even though questions of defence and security sector governance played a central role in stimulating the 1999 conflict and continue to have enormous symbolic importance in the dialogue between Belgrade and Pristina.

The long-term sustainability and effectiveness of such proposals require the involvement and engagement of Kosovans themselves. Kosovo's political culture and current pessimism and frustration in the face of slow growth, high unemployment, insecurity and uncertainty about the future are perhaps the biggest challenges for any political process in Kosovo. The ISSR largely avoids these issues by focusing on the formal institutions and legal processes.

Kosovo's security will not improve unless Kosovans trust those tasked with providing security. The implementation of this report therefore has to make up for past problems by paying more attention to engaging the Kosovan public in the process, promoting accountability and challenging the current political culture.

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[1] *Kosovo Internal Security Sector Review*, UNDP Kosovo, was commissioned by former Special Representative of the UN Secretary-General (SRSG), Søren Jessen-Petersen.

Saferworld recommends that the UN Mission in Kosovo and the relevant Provisional Institutions of Self-Government:

- Ensure the new steering committee is itself representative and accountable to Kosovans;
- Conduct a participatory conflict analysis of Kosovo and the broader region to examine the root causes of conflict and insecurity, and identify ways to minimise the potential negative impacts of forthcoming reforms on existing conflict tensions. The analysis should involve a broad range of stakeholders both from within Kosovo and the wider region;
- Hold public consultations at each stage of the ISSR's implementation, beginning with outreach on specific recommendations contained within the ISSR, through to the development of 'white papers' on specific issues for parliamentary and public review;
- Emphasise a cross-sector approach towards improving security in Kosovo by linking security with long-term governance and development programmes.

This year, the European Union is expected to launch its own mission to Kosovo. The criteria for this mission, likely to be the largest created under the European Security and Defence Policy to date, are being discussed at the moment. It is vital that the EU supports a more representative and realistic reform process by ensuring Kosovans are fully involved in future decisions on reform of the security services; regional dynamics are considered in the design and implementation of SSR processes; and that the underlying causes of tensions in Kosovo, such as poverty and unemployment, are addressed.

Saferworld's and FIQ's briefing *The Internal Security Sector Review: the future of Kosovo's security sector?* provides a more detailed response to the Internal Security Sector Review paper and can be found attached.

ENDS

Forum for Civic Initiatives (FIQ) and **Saferworld** are the joint implementers of the SafePlace Project, a programme of work designed to support the development of an effective, accountable and conflict-sensitive security sector in Kosovo.

Saferworld (www.saferworld.org.uk) is an independent non-governmental organisation that works to prevent armed violence.

FIQ (www.fiq-fci.org) is a non-governmental and non-profit organisation working for the integration of the Kosovar citizens into social and decision making processes, through programmes designed to focus attention on the values and functioning of an open and democratic society.

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The Internal Security Sector Review:
the future of Kosovo's security sector?

A briefing note by Saferworld (UK) and the Forum for Civic Initiatives (Kosovo) on Kosovo's Internal Security Sector Review.

A.   Summary

Building an effective and credible security sector will be critical to Kosovo's future. The Internal Security Sector Review (ISSR), a wide-ranging study into the current security context in Kosovo, quietly released yesterday amid speculation surrounding leaked proposals concerning Kosovo's Final Status, is aimed at ensuring this happens. However, both the review process and its conclusions fall short of what is needed to help secure Kosovo's future.

This briefing outlines the ISSR process, identifies the gaps in its analysis, proposes recommendations in taking the ISSR work forward, and describes the challenges that lie ahead for those seeking to develop a new security architecture in the territory.

B.   A difficult process

Commissioned in 2005 against the backdrop of final status negotiations by the then Special Representative of the UN Secretary-General (SRSG), Søren Jessen-Petersen, the ISSR is the first holistic examination of security provision in Kosovo, covering all areas from policing to civil emergency services and even healthcare and the economy.

Approved and supported by a high-level 'Steering Committee' including representatives from the United Nations Interim Administration Mission in Kosovo (UNMIK), the European Union, the OSCE Mission in Kosovo, the Office of the Prime Minister, the Kosovo Police Service (KPS) and political parties, the ISSR carries significant weight and is the product of a year-long process of consultation and assessment led by the UN and undertaken in cooperation with the indigenous Provisional Institutions of Self-Government (PISG). Its recommendations will be an important factor in determining how Kosovo's governmental structures will be shaped in the near future as the territory moves closer towards the long-awaited settlement of its political status.

The process was managed by a Secretariat housed within the Office of the Prime Minister and conducted according to strict terms of reference and method developed by the UK Government's Security Sector Development Advisory Team (SSDAT). The eight-stage review process culminated in the publication of yesterday's report outlining specific plans for the amendment of existing legislation and security institutions, and the creation of entirely new ones.

However, the process, which reportedly cost over US$2 million, was hampered from the start by competing agendas, running in conjunction with diplomatic talks on Kosovo's final status as well as other processes such as a parallel bilateral security review by the United States.

Other obstacles included:

- **Time constraints and procurement**
Due to time constraints, the first two stages of the process, involving public consultations on a 'strategic environment review' and 'threat analysis', were contracted out without an open tender on the instruction of the Office of the SRSG. This decision ran counter to the normally transparent procurement practices of the UNDP, and limited the sources of analysis.

- **Limited public consultation**
The review began with public consultations on the security threats facing Kosovo. These were more ambitious than in similar processes elsewhere but were still limited. They paid limited attention to key issues such as gender and small arms, and while they made good use of public meetings, these wide-ranging discussions were not complemented by a statistically valid population survey. The ISSR's conclusions and detailed recommendations have yet to be tested through further public consultation as they have so far only been seen by the closed circle of the ISSR Steering Committee. While the views of political parties, international and indigenous government institutions are crucial, they are no substitute for wider public scrutiny of the report's findings and recommendations. At present there is no formal public consultation process agreed and no clear mechanism for turning the ISSR recommendations into democratically accountable public policy.

- **Failure to consider regional dynamics**
Despite an initial regional security assessment, the ISSR fails to consider the regional security implications of its implementation. Questions of defence and security sector governance played a central role in stimulating the 1999 conflict and continue to have enormous symbolic importance in the political dialogue between Belgrade and Pristina. Yet no reference is made to the need to manage the potentially negative consequences of implementing the report's recommendations – internally or externally. For example, recommendations to create a Defence Force or Security Service may have huge implications for regional dynamics and be highly sensitive.

C.   An imperfect outcome

The report correctly concludes that Kosovo's most pressing security problems are predominantly economic, stating that "high unemployment, a lack of economic development and widespread poverty have created an atmosphere of insecurity." The report finds that other social issues such as the provision of energy, health and education also play a part in determining how secure Kosovans feel.

Many of the report's recommendations for the refinement and development of Kosovo's security system in the coming months and years are bold and challenging. Proposals such as the creation of a Kosovo Security Service, a Kosovo Defence Force and a National Security Council are broadly positive, as are calls to overhaul flawed legislation through a new Security Act. The proposals to raise public awareness of security issues and enhance the remit and capacity of the Assembly of Kosovo to oversee the sector are also welcome.

Crucially, the report recognises the threat posed by the proliferation of small arms and light weapons in Kosovo.

Security threats in Kosovo:

In a household survey conducted by Saferworld and the Forum for Civic Initiatives in 2006, 87% of respondents believe illegal firearms pose a threat to the future prosperity of Kosovo. The survey also found that approximately 300,000 firearms were in the illegal possession of individual citizens and other groups.

However, despite these strengths, the imperfections in the review process have led to inadequacies in the report.

It fails to:

- **Comprehensively analyse existing security issues, policies and programmes**
Scant reference is made in the report to current worthwhile policies and programmes to promote the rule of law in Kosovo, such as the community-based policing programme, supported by the OSCE and DfID among others. The lessons from initiatives such as these ought to have informed the report's recommendations on the future development of major security actors such as the Kosovo Police Service.

  Though the report recognises the threat from small arms, it fails to provide a comprehensive approach to the problem by failing to make the links between tackling small arms and reforming the security sector.

- **Address Kosovo's political culture**
More intangible questions such as the nature of Kosovo's political culture and the weakness of the policy-making process in Kosovo are also neglected. The ISSR report says little about how to affect the attitudes, behaviours and prevailing political culture on which real change in Kosovo depends, focusing instead on changes to laws and institutions.

D. Taking forward the ISSR report's recommendations

Regardless of these gaps, much now relies on the quality of implementation of the ISSR's proposals.

The report proposes that a new Steering Committee, chaired by the Prime Minister of Kosovo and with representation from across Government and relevant international agencies and donors, be established in order to prioritise recommendations and oversee their implementation. Clearly, such a high-level group is required to provide sufficient authority for what will be a difficult and politically-charged programme of work. For this body to be effective, however, the following questions need to be answered:

- How will the numerous proposals contained in the ISSR report be developed into detailed policies and how will they receive effective scrutiny by the Assembly of Kosovo and the public at large?
- How can the 'whole of government' approach that is needed to meet security threats as diverse as poor healthcare, widespread unemployment and the ready availability of small arms be cultivated among Kosovo's?
- confusing array of indigenous and international institutions?
- How will the inevitable competing interests among members of the new Steering Committee be managed so as to mediate conflicts and ensure the primacy of elected representatives over other powerful actors such as donors?
- How will the Steering Committee be made accountable to the public for decisions it makes on their behalf?
- What steps will be taken to monitor the likely impacts, both positive and negative, of implementing specific reforms within a tense and conflict-prone Kosovo and within the region, taking into consideration the tensions created by the final status process and some of the proposed reforms? How will the lessons learned from this monitoring be incorporated into future activities?
- How will differences of opinion within the Steering Committee be resolved?

The UN Mission in Kosovo and the relevant Provisional Institutions of Self-Government should take the following additional steps to strengthen the implementation of the ISSR proposals:

- **Ensure its membership not only includes representatives from Kosovo's main stakeholders but is also democratically accountable to the public.**

- **Conduct a participatory conflict analysis of Kosovo and the broader region to examine the root causes of conflict and insecurity, and identify ways to minimise the potential negative impacts of forthcoming reforms on existing conflict tensions. The analysis should involve a broad range of stakeholders both from within Kosovo and the wider region.**

- **Initiate public consultations at each stage of the ISSR's implementation, from outreach on specific recommendations contained within the ISSR, through to the development of 'white papers' on specific issues for parliamentary and public review.**

- **Emphasise a cross-sector approach towards improving security in Kosovo by linking security with long-term governance and development programmes, and efforts to tackle small arms and light weapons.**

E.   The challenges for Kosovo's new security architecture

A number of broader challenges must also be addressed to guarantee long-term peace and stability in the territory.

- **Oversight and accountability**

Effective oversight and accountability measures need to be developed both through formal authorities, i.e. such as the Assembly, and more broadly, with the general public, through the media, academics and wider civil society. Genuine debates in these arenas, rather than carefully managed public information events, are a precondition for effective oversight and accountability of those who will attain new powers as a result of the ISSR's implementation, including the Office of the Prime Minister (which may acquire an unprecedented range of powers), the police, planning authorities and civil emergency services at municipal levels.

To ensure consistency between the ISSR at a Kosovo-wide level and the local level, these debates should make use of existing mechanisms, including the newly-established Municipal Community Safety Councils, Local Public Safety Councils and other community safety and policing programmes.

- **Kosovo's political culture**

Kosovo's institutions, whether the Kosovo Police Service or the proposed new Kosovo Security Service, cannot in themselves guarantee the further development of rule of law in Kosovo, the depoliticised delivery of police, intelligence and judiciary services, or even the effective protection of human rights. Although new laws must be drafted and institutional capacities built, by establishing the boundaries of what is and what is not acceptable behaviour for those mandated to exercise coercive force on behalf of the state, Kosovo's political culture will ultimately determine how these institutions function. New and difficult strains will be placed on that culture as elite groups, political factions and criminal elements test their new boundaries in the final status period.

- **Managing expectations**

Finally, while there is much to celebrate about the proposed changes in security in Kosovo, pronouncements in this area should be tempered with the realisation that Kosovans have become used to empty declarations of progress by politicians and international administrators alike. The ISSR report's central conclusion that Kosovo's most pressing security problems are unemployment, poverty and economic instability, should prove a salutary warning. A security sector-specific approach is not enough, and appropriate connections must be made with broader governance and development programmes.

The clear message should be sent that security sector development in Kosovo will be a long process in which the roles of the public, elected representatives and civil society are as important if not more so than that of consultants and technocrats. Effective scrutiny must now develop alongside institutions that allow ordinary Kosovans to obtain even greater ownership of the bodies that provide for their security.

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