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Shaping Foreign and Security Policy of a Newly Independent State

The Case of Kosovo

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This work is dedicated to my children, Ene and especially my daughter Nisa who presents an endless source of inspiration and love

Contents

Introduction

The emergence of new states is a rather complicated concept of the international system that entails political as well as legal implications, especially during the policy making stage. George Kennan, former American ambassador to Moscow, claimed after the fall of the Berlin Wall in 1989, that European agenda needed an elaboration of a new political, economic and security framework for the Central and Eastern Europe.[1]

In the 1990s, the political events in Europe and other parts of the world caused border changes in many countries. The Berlin Wall collapsed; East and West Germany were united after many years of division. These years note the dissolution of the Soviet Union and consequently the emergence of twelve independent states. It is this period that also marks the beginning of the disintegration of the Socialist Federative Republic of Yugoslavia[2] which led to a bloody war due to inter-ethnic tensions and unsolved issues. Peace agreements were concluded after the wars in Yugoslavia and these resulted in full international recognition of the new states. Amid complex state building processes, foreign and security policy shaping remains a key element for providing a safe and secure environment, an environment that would face the rising security threats of today's world.

Earlier, the definition of foreign and security policy was generally identified almost exclusively with the goals of NATO within the context of the Cold War and the European integration project. However, the end of the Cold War introduced monumental shifts in geopolitical realities, as the Soviet threat in some way contributed to the alignment of pro-Western states with the United States. In this light, Tamas Csiki rightly points out that in the post-Cold War years, European countries that emerged from the eastern bloc changed their politics and were freed of the extensive threat of an armed conflict so "they had to react to the fundamentally altered security policy landscape".[3] This marked a focus and commitment to the multilateral processes and at the same time, an opposition to military force. EU and NATO became central forums for foreign security and defence policy, so, the security strategy should be built on these standards.

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[1] George Kennan, "An Irreversibly Changed Europe, Now to be Redesigned," *International Herald Tribune*, November 14, 1989.
[2] Yugoslavia consisted of six republics: Slovenia, Croatia, Bosnia and Herzegovina, Serbia, Montenegro and Macedonia and two autonomous provinces Kosovo and Vojvodina.
[3] Tamás Csiki, "The new National Military Strategy in International Comparison," *Nemzet és Biztonság / Nation and Security* 6, no. 1 (February 2014): 42.

Today's world is facing global security challenges therefore, *the crafting of national security strategies should respond to these threats* accordingly and most importantly in a preventive manner. Our times are characterized with rapid ascending threats that create a rather insecure environment. The posed challenges are multidimensional such as the combination of conventional and nonconventional wars, civil wars, military and paramilitary forces, diplomacy, cyber-attacks, energy security, refugee crises and above all different forms of terrorism. While addressing these challenges, and in particular combating terrorism, has become more serious than ever, the question of defence forces and technology has somehow become contentious especially in terms of budget size and capabilities development.

On September the 5th 2014, in the Wales Summit, NATO leaders made statements that were aimed at strengthening NATO by stopping the trend of declining budgets so it could once again be fit and effective to meet any security challenges, or as Secretary General Anders Fogh Rasmussen said: *"NATO will remain the bedrock of our collective defence"*.[4] Yet, the budget seems to be persistent while the debate of size, quantity, and limits, ongoing. For the very fact that challenges are multidimensional, policies should be shaped in a way that helps them respond first and foremost in a preventive manner and, in the case of the NATO members and NATO aspiring states, with consistency and coherence, in line with the foreseen parameters. Therefore, it is of utmost importance for the nation's wellbeing to formulate and develop foreign, security, and defence policies that are coordinated and implemented in an eloquent manner. The process as such should begin with internal agencies responsible for the national security and go up to the highest decision-making level. Therefore, this thesis *will try to examine the elements that underpin national security strategy and national security policy, including international and domestic factors, as well as the political systems that have a role and above all an impact in the national security strategy. The dissertation will predominantly deal with the National Security Strategy formulation.*

Newly independent states and the Kosovo case in particular, given its current state of play with regards to the national security strategy, would provide a first-rate example as to how to create or generate expedient recommendations in shaping a security strategy that will employ the instruments of national power. Furthermore, it would provide as a first-rate example on the

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[4] "Allied Leaders Pledge to Reverse Defence Cuts, Reaffirm Transatlantic Bond," North Atlantic Treaty Organization, last modified September 8, 2014, accessed February 8, 2019, https://www.nato.int/cps/en/natohq/news_112461.htm?.

process that will integrate and harmonize those instruments to formulate national security strategies but most importantly how to evaluate them in the benefit of national security objectives.

Given that in our time there is an ongoing change as to how "national security" is perceived and how it should be addressed, the field is increasingly dynamic. The field evolved considerably from the past, where national security was predominantly approached militarily, and to a lower extent by diplomatic means. Nowadays, these questions are approached much more broadly, which has pushed several countries to revisit their existing national security strategies, even in the cases dealing with domestic security. In some cases, this same change pushed countries to completely rewrite and re-craft new strategies, with the aim of having a fresh approach to implement strategies to protect their 'national security'.[5]

Therefore, it is important to analyse how a state can formulate and create the most effective, efficient, and successful national security strategy possible and thus address amongst others the strategic context, national interests and domestic political considerations, facts, and assumptions in order to shape the strategy that will attain the objectives and the successful implementation. Crafting, analysis, evaluation and implementation of the national security policy as well as the role of the military in the decision-making process sometimes do not match with the described doctrines. Therefore, strategic thinking requires creativity and ability to deal with complex issues deriving from world dynamics and politics and it should serve the promotion and protection of national interests. Policy makers of the 21st century should know how to act in a rapidly changing and unpredictable environment in terms of security threats. As such, they should address multifaceted and volatile issues of the national security thus offering a solid basis for a successful implementation.

When foreign and security policies are properly analysed, planned, and drafted with clear objectives, they are more successful and as such reflect e greater sense of security in public which after all is the ultimate goal of a state: providing a secure and safe environment for its citizens.

The issue of the evaluation of the National Security Strategy will be the core focus of this thesis. National Security Strategy should also serve as an awareness raising tool for the general public,

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[5] Sharon L. Caudle, "National Security Strategies: Security from What, for Whom, and by What Means," *Journal of Homeland Security and Emergency Management* 6, no. 1 (January 2009), https://doi.org/10.2202/1547-7355.1526.

to create clear expectations but also provide indicators of evaluation of both success and failures. When a National Security Strategy addresses what potentially represents a risk that should be fought and can tell what does not consist of a real threat, then we can conclude that a country has come up with a sustainable strategy.

Hence, *this thesis will deal comprehensively with the case of Kosovo and its security strategy formulation process*. Why Kosovo, one would ask, given that there are other newly independent states as indicated above? There are a couple of vigorous reasons to this:

First and foremost, Kosovo as a newly independent state is a very unique and interesting topic not only to be studied from the academic perspective but also to generate useful and potentially applicable recommendations that can enhance its security policies. Being a pioneer of Kosovo's newly established Foreign Service,[6] I was directly involved in a number of state-building processes related to the foreign and security policy. I have participated in various working groups in charge of drafting different strategies and laws. Of particular importance is the working group for the drafting of the foreign policy strategy where I was an active member. As foreign and security policies are inseparable and interrelated, the paper will also touch upon foreign policy strategy aspects, but merely those related to security. I have modestly contributed with some input in the national security strategy which at the time of the writing of this paper, is in the process of finalization. Even prior to joining the diplomatic service, before Kosovo became an independent state, I worked for many years in the Organization for Security and Cooperation in Europe, Mission in Kosovo, which dealt with institutional capacity building primarily in the field of human rights, rule of law and democratisation. Being at times a direct participant or observer of these processes, I will be able to give a personal first-hand insight and analysis of the flow of the processes related to foreign and security policy but also will give a genuine critique on the shortcomings of this particular topic.

Second, in comparison to other newly independent states, the case of Kosovo is really exceptional and very specific from the security viewpoint. Even though it is an independent and sovereign state that has built its security architecture, the main provider of security in Kosovo is still KFOR, namely NATO. The international community and international

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[6] In 2009 I was appointed Kosovo's first ambassador to Hungary. Belonging to the first generation of the career diplomats, I was directly involved in the state-building processes with particular focus on foreign and security policy. In addition, I worked with two eminent International Organizations that had a great impact in the state-building process: OSCE Mission in Kosovo and International Civilian Office/EU Special Representative. Therefore this study amongst other reflects personal observation and professional experience, as well.

organizations have played and continue to play an essential role in terms of security, which is not the case with the other countries of the region.

Third and most important, based on academic research in correlation with practical experience, given the importance of the strategy formulation, in this thesis I will develop an original "Evaluation Framework" which is a tool for monitoring and evaluating the security strategy that bridges the gap between the theories of security studies and the practice. Through this framework, the National Security Strategy will be evaluated with inputs from three levels of security: individual, state and international which encompass security sectors such as Political, Military, Economic, Societal, and Environmental. Further, the developed evaluation system will have a multifaceted impact as through its application it will identify problems, hindrances and potential threats during the implementation and address them for the upcoming strategy formulation. This will ultimately increase transparency and accountability and strengthen involved institutions.

This "Evaluation Framework" will entail a combination of qualitative and quantitative methods based on reliable security theories, and it will provide a remarkable field of revision while also serving to generate useful recommendations. The "Evaluation Framework" has been developed after an in-depth analysis of original source documents related to the National Security Strategy of Kosovo, legal frameworks, interviews with prominent experts and actors[7] involved in the process, both local and international, as well as the review of academic literature related to the topic and input from personal experience. Most importantly, this "Evaluation Framework" could be potentially embraced and applied in practice through an existing body which in this case is the Kosovo Security Council. Its applicability is however not limited to the state of Kosovo, as its comprehensive yet flexible nature makes it adaptable to other states.

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[7] See the list of experts and other actors that were interviewed or with whom author had in-depth discussions in the annex 1.

CHAPTER 1 - Foreign and Security Policy Shaping – the Case of Kosovo

1.1. Problem Definition

Shaping a national security strategy has proved to be a rather difficult exercise for newly independent states[8] for several core reasons:

First and foremost, newly independent states tend to have rather fragile structures that are often vulnerable to politicization, state capture, or domination of third parties, which eventually leads to our second problem: the lack of an appropriate course of action for the proper formulation of the security strategy with clear objectives, as well as lack of an objective mechanism for the proper monitoring and evaluation of the respective strategy.

We never know to what extent and in which ways security strategies are successful (or failures) unless there is an established objective mechanism that would not only evaluate the implementation on a regular basis but would also address potential drawbacks for the upcoming strategy formulation. It is also important that the strategy formulation remains free of a certain political cause or domination from a third influential party.

In addition, when strategies are formulated, they usually include a wide range of sector experts. However, when it comes to the case of Kosovo, not many experts are involved, while the strategies do not necessarily take theories of security studies into account that could serve as a guideline for coherent policies. Moreover, a proper system of monitoring and evaluation of the implementation is not in place, even though there is a mechanism (secretariat of the KSC) with a solid legal ground that only needs to be enhanced, amended and utilised accordingly. In this light, this study proposes and develops an objective and practical tool, namely the "Evaluation Framework", drawn up from existing security theories while using tools from economic and other analysis that would employ existing mechanisms in the system that aims at tackling, addressing and overcoming drawbacks and ensuring a successful implementation.

Another problem in this regard is the security consumer status of Kosovo. Along with the progress of the construction of security institutions, and now with an Armed Force as a

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[8] The term *newly independent state* alludes to a newly emerged country, a new-born state like states that emerged in the 1990s, i.e. Czech Republic and Slovakia, Soviet Union or Yugoslavia that dissolved into many smaller states. Basically, when we refer to the notion *Newly independent state for Kosovo* in the contexts of this thesis, we do not refer to a developing country which has achieved industrial capacity and is on the way to becoming an industrialized nation *per se* but rather we refer to it as a state that emerged from a pre-existing construction and became recognized in international relations following a change in the internal political or economic structure of a larger state, coupled with the conclusion of a period of increased (violent) repression of non-majority ruling government in the respective region with previously existing internally demarcated administrative unit of a state.

distinctive pillar of statehood, Kosovo needs to change this status and transform from a security consumer to a security provider. This is a rather complex situation where an *independent state,* now a fully-fledged army, continues to be protected by an international alliance such as NATO. This situation ought not to continue infinitely even though it is very much related to the political developments and depends on the final outcome of the dialogue between Kosovo and Serbia that would hopefully bring forward a legally binding agreement for the resolution of the long-lasting dispute. The balance of powers between the two countries is always very disproportional in disfavour of Kosovo.

Hence, the withdrawal of the international protection at this stage, given the current circumstances, is not an option as peace and security gained with so much sacrifice, loss of human lives and international engagement, could be put at stake. However, in a longer run, the exit strategy for Kosovo to be a safe country but also a regional contributor to security is to become part of the Euro-Atlantic structures along with other aspiring countries of the region. Kosovo's integration efforts in these structures are continuous even though there are additional hindrances due to the non-recognition of independence by five EU and namely four NATO member states.

1.2. Literature Review

Based on the research and findings of recent literature, the shaping of Foreign and Security Policies of new states seems to have been explored and studied quite a lot but not as a common conceptual approach to emerging or new states *per se,* but rather as an approach to individual states or even to regions e.g. Western Balkans states or Baltic states. Most of these states share a lot of commonalities when shaping their security policies, national security strategy in particular, such as NATO and EU standards and values, be it from the actual membership perspective or from an aspiring one. Similarly, the new states face global security challenges and consider the intertwined world in which we live, thus the formulation of the security strategy raises almost the same issues. It is the local context that differentiates security policies and strategies as such but in broad lines the risks and global threats are the same, whereas the Euro-Atlantic values remain unchanged. From the perspective of the security policy shaping of newly independent states, it seems that the advantage of the latter lies on the fact that they have emerged fairly recently, thus the formulation of security policies can be based on the best world-wide practices that can be applied in their context.

Clausewitz wrote that, "The strategist must therefore define an aim for the entire operational side of the war that will be in accordance with its purpose".[9] The same applies to the National Security Strategy, as the clearly defined aims should be in accordance with the purposes that should serve the preservation and advancement of the national security and national interest. However, these aims should not be limited solely to the internal interest of the country. As Tamas Csiki very well explains it, "strategies cannot be confined to describing the security environment only: they must also identify in what direction that particular country wishes to influence external and internal processes and in what tangible ways it would do that".[10] Although in this case he specifically talks about the military strategy, while alluding that the authenticity of any goal can be maintained if supported with vigilant planning and coordination, a precise timetable, anticipated end-result and appropriate allocation of resources,[11] these parameters are rightly pertinent in the security strategy formulation as well.

As Eisenhower has put it: "The basic principles of strategy are so simple that a child may understand them. But to determine their proper application to a given situation requires the hardest kind of work".[12] Alan G. Stolberg on the other hand, in his study *How Nation-States Craft National Security Documents,* states that: "the need for security and the institutionalization of that security in national strategy and its associated documents is becoming a significant concern for nations in the 21st century international system".[13] He further claims that shaping as such requires the development of strategies on a national level, designed with objectives that can meet the conditions necessary for the security of a given actor in the international system if they are attained. He also comments on the artistic, rather than scientific, nature of strategy crafting/making, attributing the effectiveness and success as well as the eventual failure of strategies to this factor.[14]

According to *A National Security Strategy Primer* created by the National War College - National Defence University, "fundamentally, national security strategy is the development and application of ideas for employing means and the instruments of national power (diplomatic, informational, military and economic) to achieve viable ends that protect or

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[9] Carl von Clausewitz, *On War*, trans. Michael Howard and Peter Paret, (Princeton, NJ: Princeton University Press, 1976), 177.
[10] Csiki, "The new National Military Strategy in international comparison," 43.
[11] Ibid.
[12] Dwight D. Eisenhower, *Crusade in Europe*, (New York: Doubleday, 1948), 36.
[13] Alan G. Stolberg, *How Nation-States Craft National Security Strategy Documents* (Carlisle PA: US Army War College Press, 2012), 1, accessed July 15, 2019. http://ssi.armywarcollege.edu/pdffiles/pub1128.pdf.
[14] Ibid.

advance national interests".[15] National security strategy can be applied to specific situations, or it can be applied generally.

National Security Strategy is a frequentative process that starts with the assessment of a security situation that has an impact on the national interests. This foundation determines the viable "ends" that will preserve, protect and promote national interests. These ends include the preferred political situation and the political aim that the strategy aims to achieve, as well as specific objectives that must be achieved in order to achieve the political aim.[16] Further, the same source suggests that the viability of the strategy should be iteratively assessed in an objective manner and this is what this study develops through the "Evaluation Framework" that not only evaluates the strategy *per se* but also identifies underlying institutional and systemic problems in the chain of implementation. In addition, the respective source, puts the following terms of reference that could be taken as a general guideline and model for Kosovo for the formulation of the national security strategy: "National Security Strategy, The National Security Council (NSC) and the NSC Staff, Strategic Logic, Assumption, Problem Statement, Context, National Interests, Condition, Threats to National Interest(s), Opportunity to Advance National Interest(s), Constraint, Political Aim, Specific Objectives, Ends, Means, Elements of Power, Institutions and Actors, The Instruments of Power (DIME). Ways, Fundamental Strategic Approaches, Modes of Action, Orchestration, Assessment, Viability."[17]

The DCAF (Geneva Centre for the Democratic Control of Armed Forces) backgrounder gives a very comprehensible definition of National Security Policy: "National Security Policy is a framework document that describes how a country provides security for the state and its citizens - this document usually is presented as a generalized document and could be referred to as a plan, strategy, concept or doctrine".[18] According to this same source, states should have a comprehensive policy and detailed national security for five main reasons: first, to ensure that the government will handle all threats and risks in a comprehensive way; second, to increase the efficiency of the security sector by optimizing contributions of all security actors;

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[15] US Army War College. *A National Security Strategy Primer* (Carlisle PA: US Army War College Press, n.d.), 1, February 15, 2019, https://nwc.ndu.edu/Portals/71/Documents/Publications/NSS-Primer-Final-Ed.pdf?ver=2018-07-26-140012-980

[16] Ibid.

[17] Ibid, 30-34.

[18] Geneva Center for Democratic Control of Armed Forces (DCAF). *Politika e Sigurisë Kombëtare* (Geneva: DCAF, September 2006), 2, July 13, 2019, https://www.files.ethz.ch/isn/15008/bg_national-security_alb.pdf.

third, to guide the implementation of policy; fourth, to build internal consensus of the country; and fifth, to increase trust and regional as well as international cooperation.[19]

When shaping the national security policy there are a couple of crucial questions that should be taken into consideration such as: What are the key issues that are related to the national security policy which make it more efficient? How is the national security defined and what are the current challenges and those that potentially may arise? What are the available instruments and what other instruments might be needed? Is there an oversight mechanism set in place?[20]

In this light, through the developed "Evaluation Framework", this thesis suggests a review mechanism that could be used to evaluate the effectiveness of the national security strategy but also tackle drawbacks, problems and disadvantages and address ways of improvement for the upcoming strategy. As the study enshrines Barry Buzan's concept of security that offers a broader framework of security, *it suggests that the national security strategy should be more inclusive* both in terms of actors involved in drafting as well as institutions in charge of implementation, including the five sectors of security as they are inter-related and as Buzan states: "the sectors do not operate in isolation from each other".[21] The sectors in fact should play a crucial role in defining the priorities of the national security strategy.

Bartholomees considers that strategy is simply a problem-solving process; he states that "it is a common and logical way to approach any problem—military, national security, personal, business, or any other category one might determine. Strategy asks three basic questions: what is it I want to do, what do I have or what can I reasonably get that might help me do what I want to do, and what is the best way to use what I have to do what I want to do?"[22] Consequently, he agrees with the War College that "strategy is the considered relationship among ends, ways, and means claiming that a true strategy must consider all three components to be comprehensive".[23]

A sustainable strategy therefore should, first of all, coordinate and prioritize policies deriving from the respective sectors and translate them into a coherent system that serves the national

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[19] Ibid.
[20] Ibid.
[21] Barry Buzan, "New Patterns of Global Security in the Twenty-First Century," *International Affairs* (*Royal Institute of International Affairs*) 67, no.3 (July 1991): 433.
[22] J. Boone Bartholomees, *U.S. ARMY WAR COLLEGE GUIDE TO NATIONAL SECURITY POLICY AND STRATEGY*, 2nd ed. (Carlisle PA: US Army War College Press, 2006), 81, accessed July 12, 2019, http://www.dtic.mil/dtic/tr/fulltext/u2/a467691.pdf.
[23] Ibid.

interest of the country. The priorities as such should correspond to the circumstances of the given context and time.

Colli Zorri and Nicholas J. Armstrong state that "similar appraisal of this era, defined by the idealism of the 2002 and 2006 National Security Strategy policy documents, adopt a very different tone and come to very different conclusions."[24] As Drazen Smiljanic puts it, the need for a redefinition of the concept of national security and related institutions arguably stems from changes in how the very notion of security is perceived in the respective country, Croatia in this case, as well as from the changed security environment.[25] Hence, the perception of security as such is also something that should be taken into account when shaping security policies and strategies.

In his intervention about the National Security Strategy in the context of regional risks and threats, Kastriot Islami claims that the security policies of Central and Eastern European countries can be more precisely defined through two concepts, Europeanization and re-nationalism, in the sense that each former communist state, after the fall of the Berlin Wall, defined the goal of building a democratic, rule of law state with a market economy and the ultimate objective of EU and NATO integration.[26] Meanwhile all these states, liberated from the concept of limited sovereignty, reformulated their national interests, at the same time redefining their foreign and security policies.[27] Aiming the integration into Euro-Atlantic structures is something that influences security policy shaping significantly. The aspirations towards this integration have functioned as incentives to initiate and endure reforms in the Western Balkans, as well as elsewhere. This has ultimately laid a framework for conflict resolution and an enhanced cooperation.[28]

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[24] Colli Zorri, Nicholas J. Armstrong, "How U.S. Army Doctrine Is Shaping National Security Strategy," *PRISM* 2, no. 1 (December 2010): 101-120,
http://cco.ndu.edu/Portals/96/Documents/prism/prism_2-1/Prism_101-120_Zoli-Armstrong.pdf.

[25] Drazen Smiljanic, "Development of the Croatian National Security Strategy in the Hybrid Threats Context," *Croatian International Relations Review* 23, no.80 (2017): 97-129, https://doi.org/10.1515/cirr-2017-0022.

[26] See the part by Kastriot Islami writing for the Institute for Democracy and Mediation:
Kastriot Islami, "Strategjia e Sigurisë Kombëtare në Kontekstin e Rreziqeve dhe Kërcënimeve rajonale," *Mbi Zhvillimin e Strategjisë së Sigurisë Kombëtare* (Tiranë: BOTIMET TOENA, 2007), 67,:
http://idmalbania.org/wp-content/uploads/2014/10/MBI-ZHVILLIMIN-E-STRATEGJIS%C3%8B-SE-SIGURISE-KOMBETARE_2007.pdf.

[27] Ibid.

[28] Ioannis Armakolas, Bledar Feta, Jelena Radoman, Gerasimos Tsourapas, *NATO and the Western Balkans: New Strategic Concept, Old Challenges,* ed. George Mesthos. (Athens: Hellenic Center for European Studies (EKEM), 2010), 15.

In this light, Zoltan Szenes states that the recent shortcomings in negotiations of the EU with the WB6[29] demonstrate that the EU policy has remained reliably associated to compliance with the Copenhagen criteria when these countries are concerned while suggesting that "EU should create a positive international environment for further enlargement".[30] This is highly important in terms of foreign and security policy as compliance with the Stabilisation Association Agreement (SAA)[31] amongst other requires the alignment with the EU's CFSP.

Over the past twenty years, newly independent states, such as those that derived from the Former Republic of Yugoslavia (Slovenia, Croatia, Serbia, B and H, Macedonia, Montenegro and Kosovo) and not only, have introduced their National Security Strategies that entailed new security policies as a response to the new developments in the national and international security arena as well as the respective countries' strategic and policy alignments. Thus, the shaping of National Security Strategies should take into consideration a much broader context. In a policy paper about Kosovo in the context of security and defence of the Western Balkans in regards to the National Security Policies, published for the Kosovar Institute for Policy Research and Development (KIPRED), it is stated that in the last 15 years, the security and defence circumstances in the Western Balkans have gone through dramatic geopolitical changes, from war to peace and to bilateral and multilateral cooperation culminating with the membership of some countries of the region in NATO and the EU.[32] However, despite the ongoing dialogue, the relations between Kosovo and Serbia make an exclusion to this general trend. Thus, KIPRED recommends that Serbia should change its security and defence policies towards Kosovo; namely their National Security Strategy, and Defence Strategy.[33] While Kosovo's ultimate goal is to become a member of NATO and the EU, Serbia, contrariwise, unlike other countries of the Western Balkans, never affirmed an interest to become a NATO member despite the fact that it takes part in the PfP program since 2006 and has opened its mission to NATO since 2010. However, the membership in the EU is far less opposed.[34]

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[29] The countries of the Western Balkan 6: Montenegro, Albania, Serbia, North Macedonia, Bosnia and Herzegovina, and Kosovo.

[30] Zoltán Szenes, "The Western Balkans: Assessing the EU's Stabilisation and Association Process," *Comparative Politics Russia* 9, no. 2 (April 2018): 24, https://doi.org/10.18611/2221-3279-2018-9-2-17-25.

[31] Kosovo has signed the Stabilization Association Agreement on October 27, 2015.

[32] As seen in the Policy Paper of the Kosovar Institute for Policy Research and Development (KIPRED): Kosovar Institute for Policy Research and Development (KIPRED), *Kosovo in the Security and Defence Context of the Western Balkans*, by Lulzim Peci, Gent Gjikolli, Blerim Murtezi and Jeanne-Alpais de Saint-Phalle, Policy Paper no. 3/14 (Pristina, Kosovo, 2014), http://www.kipred.org/repository/docs/Kosovo_in_the_Security_and_Defence_Context_of_the_Western_Balkans_310301.pdf.

[33] Ibid.

[34] Armakolas, Feta, Radoman, and Tsourapas, *NATO and the Western Balkans,*13.

Cani and Shehu argue that the National Security Strategy must be comprehensive and provide consensus across the political spectrum. According to them, the strategy should set targets within a time frame of up to 5 years, as well as lay the foundations of a 10 or 20-years-long vision. Strategy should clearly reflect the vision of politicians for the future of the country, setting concrete milestones, with sectorial priorities, action plans with deadlines, and programs to avoid or mitigate the effect of eventual risks.[35]

According to Dr. David Law, Senior Expert at DCAF, in order for the National Security Strategy to be formulated as a comprehensive framework, there should be profound analysis of all risks to the national security. According to him, internal and external risks have for a long time been treated separately but security policies are including evaluations of the domestic as well as the international environment more and more. For the development of such policies all interested parties as well as governed actors that deal with security issues should be consulted. Ideally, the contribution of the international community as well as that of the NGO sector should be taken into consideration.[36]

In the National Security Policy and Strategy course, an educational document designed to create discussion and debate among the students of the U.S. Army War College, the focus is on the national security policies and strategies and their operationalization.[37] The course further elaborates on the strategy formulation framework, the basic components of the strategy such as ends, ways and means, as well as inputs, outputs, domestic and international factors that have an impact in the process of strategy formulation.[38] The entire document has been examined and for the purposes of this study, we have extracted the strategy formulation framework as it grasps and explains the complexities behind crafting strategy particularly well and offers guidelines on how to achieve "coherence, continuity, and consensus that policymakers seek when shaping, developing and implementing national security and military

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[35] See the part by Shkëlqim Cani and Merita Shehu writing for the Institute for Democracy and Mediation: Shkëlqim Cani, Merita Shehu, "Ekonomia—Çështje Kritike për Strategjinë e Sigurisë Kombëtare," *Mbi Zhvillimin e Strategjisë së Sigurisë Kombëtare* (Tiranë: BOTIMET TOENA, 2007), 97, accessed July 12, 2019, http://idmalbania.org/wp-content/uploads/2014/10/MBI-ZHVILLIMIN-E-STRATEGJIS%C3%8B-SE-SIGURISE-KOMBETARE_2007.pdf.

[36] See the part by Dr. David Law, Senior Expert of DCAF, writing for the Institute of Democracy and Mediation:
David Law, "Praktikat më të mira në fushën e Strategjisë të Sigurisë," *Mbi Zhvillimin e Strategjisë së Sigurisë Kombëtare* (Tiranë: BOTIMET TOENA, 2007), 13, http://idmalbania.org/wp-content/uploads/2014/10/MBI-ZHVILLIMIN-E-STRATEGJIS%C3%8B-SE-SIGURISE-KOMBETARE_2007.pdf

[37] United States Army War College Department of National Security and Strategy, *National Security Policy and Strategy*, Course Directive (Carlisle PA: US Army War College Press, 2017),1-13, July 16, 2019, https://ssl.armywarcollege.edu/documents/Directives/AY17_National_Security_Policy_and_Strategy.pdf

[38] Ibid.

strategies."[39] Moreover, it gives an impeccable definition on strategy shaping as follows: "Strategy is an art. It is also somewhat scientific, in that it follows certain patterns that require a common understanding of terminology, adherence to certain principles, and disciplined, albeit creative, thought processes. Remember that these strategy formulation guidelines are not formulas".[40]

The very last part of the Strategy Formulation Framework presents an important fragment which indicates that the strategy should foresee monitoring for: *Success, Failure and Modification* and this is exactly where the importance of this present study stands.[41] It provides a tool for evaluation through the "Evaluation Framework" which can have a practical use based on a well-founded security theory as almost every strategy suggests monitoring but none has a mechanism or tool that could measure the successful implementation or failure in order to be able to address recommendations, proposals and suggestions for the modification of the upcoming National Security Strategy (see the strategy formulation framework in annex 2).

The National Security Strategy should therefore reflect the inner political reality but also relate to the international environment and global threats. Therefore, this study argues that it is of an utmost importance to evaluate the impact of the strategy including citizens' perspective.

As Alan G. Stolberg puts it: "In some manner, shape, or form, every nation state in the international system has a national security strategy or strategies. These strategies are intended to guide the state as it makes its way through the labyrinth of challenges that every nation state faces in the 21st century".[42] Indeed, nowadays states are faced with a labyrinth of challenges and these challenges should be addressed from various angels. Stolberg in his study addresses the oversight, strategic context, national interests and domestic political considerations, facts, and assumptions that are used to frame the strategy development, "objectives and measures of effectiveness, ways and means, risk assessment, the identification of a formal feedback mechanism, and the final governmental approval authority for the document."[43] Based on the analysed case studies he concludes that there is no specific, proof-based formula for crafting national security strategy documents however, cases can teach valuable lessons and serve as a viable starting point for the crafting and shaping of future strategies.[44] Most importantly,

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[39] Ibid, 87.
[40] Ibid, 87.
[41] Ibid, 92.
[42] Stolberg, *How Nation-States,* v.
[43] Ibid, ix.
[44] Ibid, 20-125.

Stolberg recommends that national security strategy should have a "formal process to continuously review that strategy for success, failure, and potential modification"[45] and this is exactly what this study, through its "Evaluation Framework," intends to offer. It aims to provide a tool for evaluation of success or failure in order to give the possibility for the upcoming strategy to get modified accordingly.

Last but not least, it is worth underlining that this section does not encompass the entire literature and authors used for this dissertation. The chapter labelled *theoretical framework* also reveals core IR and security studies theories as well as a wide range of authors based on the work of which the main findings, like the development of an innovative evaluation framework as well as new concepts related to this thesis have been built.

1.3. Research Questions

- Should the Kosovo Army yearlong transformation process go hand in hand with Kosovo's integration path into Euro-Atlantic structures? What are the obstacles posed to this integration and how should the strategy be formulated to try to overcome such obstacles?

- What are the effects of a strong international presence on a state's security context and security strategy formulation? How does such a presence impact regional security dynamics in general, and more specifically between Kosovo and its neighbours?

- What are the key concepts, tools, and processes in the development of an appropriate national security strategy and how can this strategy be objectively evaluated? How is it possible to craft a more objective tool or framework for evaluation and monitoring that is applicable in a wider context? Why is it important to include the three levels individual, state and international in the evaluation and monitoring process? What are the risks posed to the transparency and objectivity of the evaluation framework in its methodology and what are its benefits?

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[45] Ibid, 125.

1.4. Research Objectives

- Providing a conceptual analysis of the creation of the Armed Force in a newly independent state through the examination of the transformation prospects and strategy;

- Analysing the complex relationship of the international organizations from two points of view: first, their presence in Kosovo and second, the aspirations and primary objectives of Kosovo to become part of exactly these organizations such as the EU, NATO, UN, OSCE.

- The development of an innovative tool, namely the "Evaluation Framework" for the National Security Strategy monitoring and evaluation based on the existing security theories with practical application, relating theory with practice in terms of formulation and evaluation of the National Security Strategy. The creation of a new evaluation method independent of interference from political actors or other influential powers, such as stronger states or corporations that might push for policies in the strategy advancing their interests. This method will boost inclusion of the different actors of security, particularly professionals and experts in the monitoring and evaluation process through the "Evaluation Framework".

1.5. Hypotheses

Recently, the Government of Kosovo has taken and approved the decision to transform the Kosovo Security Force into a fully-fledged army. The decision as such provoked different reactions: while the US and some other allies supported the creation of the army, NATO on the other hand, was against this move claiming that it is happening at the wrong time. Nonetheless, the Government of Kosovo was firm and irreversible in its decision. The decision as such would also entail a wide range of changes not only in the law as in the internal political developments but also *vis-a-vi* the regional and international context related to security that leads us to the following hypothesis:

Hypothesis 1:

After the decision for forming the Army has been approved by the Kosovo Assembly, the transformation process of the KSF is undertaken through three laws: Law on the Kosovo Security Force, Law on KSF Service and Law on the Ministry of Defence that were adopted by the Parliament of the Republic of Kosovo. In accordance with the Constitution, and with

the latter law, the Ministry of Defence will draft and implement general state defence policies at the strategic level and will exercise its functions and competencies. As such, this transformation is legal, legitimate and not problematic. The creation and development of the KAF through this transformation has laid robust foundations of security, as they should be in an independent state, consolidating its sovereignty and improving the overall security situation by increasing the trust of the people in the state and its institutions, as it begins the transformation of Kosovo from a security consumer into a security provider.

Hypothesis 2:

International organizations have played an essential role in the creation and structuring of the security architecture in Kosovo. Shaping and direction of the security policies in Kosovo after the end of the war has been conducted mainly by the international actors that was gradually transferred to the Kosovo security institutions. As an outcome and after years of continuous efforts with the support of international organisations, and NATO in particular, the Kosovo Security Force has begun a process of transformation into a fully-fledged Army. Given that the security situation has improved progressively, NATO has been gradually adjusting KFOR's force deployment towards a smaller and more flexible force with fewer tasks. The more security is strengthened and provided by local institutions, the less becomes the need for international presence. Given that Kosovo's national security is closely related to regional security and Euro-Atlantic security, the Republic of Kosovo is committed to promote the advancement of its path towards accession in NATO. Kosovo aims to strengthen its security sector through a cooperative policy in the field of defence and security with NATO, the EU, and clearly through cooperation and integration with regional security initiatives. Evidently, integrating into these structures would improve the security situation in Kosovo significantly. However, due to the specific political situation, such as the fact there are several non-recognizing states within these organizations, this integration seems highly unlikely for the time being as well as for the foreseeable future.

Hypothesis 3:

The legal changes would also affect the Kosovo Security Council (KSC) as a main body in charge of drafting the National Security Strategy. The KSC is also in charge of the monitoring and evaluation of the respective strategy. It is advisable to include an "Evaluation Framework" for the strategy formulation of Kosovo because the current process does not have a special mechanism or instrument for the proper evaluation and monitoring of the strategy. As such, the

process lacks objectivity and transparency, by having a very limited number of stakeholders of security both in the evaluation process and the subsequent formulation of the new security strategy. Embracing the "Evaluation Framework" includes stakeholders from the three levels into the evaluation process and as such offers them a degree of influence over the formulation of the following strategy, as well as improves the transparency and objectivity, and increases professionalism in the whole process. The inputs given by the three levels all contribute to the improvement of the security situation in their own way. The inputs from the first level improve the security situation through bridging the gap between what the population of the country perceives to be important and what issues the state recognizes as threats to security. The second level's inputs shed light on possible patterns of threats to security as perceived by the state and state-level experts. The third level allows for international actors to reflect what the effects of the strategy and its policies are on the region and international arena, improving the security situation by helping the next strategy avoid pursuing policies that aggravate the security in the local, regional and international context. This inevitably makes it possible for every following strategy to take into account the strong points and shortcomings of previous strategies, making each one more effective, transparent and contextually fit than the other.

1.6. Research Methodology

To carry out a thorough research and analysis, collection of data and developing of a new applicable instrument for evaluation of the security strategy, I have used the mixed-methods research. The application of the mixed-method was adequate for this study as it enables the integration of quantitative and qualitative data and as such builds up the consistency and augments the analysis while allowing for flexibility in the use of several methods accordingly.[46] Moreover, it allows the application and development of quantitative tools that provide accurate assessments within the given context.

Incorporation of a quantitative along with qualitative approach in this study had a theoretical drive as its basis that helped in the development of an instrument that will be applied in practice with the aim of evaluating and enhancing the security strategy.

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[46] Kai M. Thaler, "Mixed Methods Research in the Study of Political and Social Violence and Conflict," *Journal of Mixed Methods Research* 2, no. 1 (2017): 59-60, https://doi.org/10.1177/1558689815585196

The research is based on information obtained from a wide variety of sources that are used in a manner that employed critical examination of the theories of security where applicable parts to Kosovo were embraced:

a) **Theoretical part** – This part is obtained from different books, journal articles and expert reports related to the topic. The foundation and the main arguments of the paper are built around these sources.

b) **Primary Source Materials** – The materials such as documents, laws, regulations, strategies, analysis, reports from both local and international organizations, recommendations, proposals, reviews, are used and analysed in detail as they provide a highly important input not only for the construction of the theoretical framework but also for the development of the "Evaluation Framework". Access to many internal documents and reviews was priceless as it enabled me to study the matter in-depth and not only have superficial information. These primary source materials have been examined through critical and content analysis and are complemented by the secondary source materials for providing a clearer picture on the issues.

c) **Interviews and expert consultations** – Interviews present a highly important part of this work as they significantly contribute to the overall analysis.[47] Since the part with qualitative methods as well as the practical part involving quantitative methods have been constructed on the basis of the theory that includes three levels of security: individual, state and international, the interviewees represent all the three levels. They come from the civil society, political and international level. The state level, apart from the political, entailed professional interviewees, as well. Even though I have prepared structured interview questions, during the interview process, depending on the flow and the dynamics of discussion, sometimes I would get a more extensive insight than expected. At times, I encountered difficulties as some of the interviewees would commit to reply in written, thus not allowing me to take notes or record them, but never did so. It is worth mentioning that not all interviews were merged into the text of this study.

d) **Quantitative approach** - Deriving from the theoretical knowledge, expert discussions, and personal participation, observation and experience, I developed an evaluation tool, through employing quantitative methods. The aim of the creation of this tool is to make

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[47] See the list of interviewees in annex 1.

it applicable in practice. Given its comprehensiveness and the fact that it encompasses a number of components, this tool was named the "Evaluation Framework".

The "Evaluation Framework" comprises of a novel survey and an evaluation scale that is used in the respective survey. In addition, there are three statistical categories to be able to process data deriving from the survey:

- Substantial
- Implementational
- Budgetary

The development of the "Evaluation Framework" and its foreseen practical use will be elaborated in detail in Chapter 6.

The referencing style used throughout this work is the Chicago Manual of Style, more specifically the 17th Edition. In addition, due to the large amount of sources that are accessible online, yet are not websites but rather texts in the form of pdf, e-books, and other, as well as sources that are not publicly accessible and do not fall within the category of books, journals, online articles, or other common formats, they have been referenced in the same way as books and e-books. If the hyperlink was available it was included much like an e-book, along with essential information about the source, i.e. if it is a report, pamphlet, brochure, etc., or if it is publicly available, if it has no date, etc. As is seen in the 17th Edition of the Chicago Manual of Style, e-books do not require an access date[48] as their nature prevents them from changing within the same edition. The same logic applies to pdfs and other such documents, that unlike Online Websites, do not get updated on the same hyperlink, usually in an e-book or pdf form, which is often not the case with other referencing styles which might require access times to online sources regardless of their nature. I chose to use Chicago, and especially the 17th Edition, in this form, as I believe it provides in-depth information about the source used in ways that are very coherent and compatible with the overall research method of this work.

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[48] "Notes and Bibliography: Sample Citations," E-books, The Chicago Manual of Style *Online,* accessed July 28, 2019, https://www.chicagomanualofstyle.org/tools_citationguide/citation-guide-1.html#cg-ebook

1.7. Structure of the Thesis

The thesis consists of seven main chapters along with sections that elaborate on the related chapter topics.

Chapter one starts with a comprehensive introduction and problem definition to continue with the review of the relevant literature encompassing the most recent literature on the security strategy formulation, especially that which is applicable to the case of Kosovo. Then research questions, research objectives, hypothesis and methodology are presented. Given that the study employs a mixed-methods approach, the rationale of the used methods has been provided. Along with qualitative methods, quantitative ones have been integrated which helped in the development of an innovative tool that will have a practical application.

Chapter two introduces a theoretical framework. The latter will encompass a sequential analysis of the theories of security starting from realism to continue with liberalism and constructivism in the context of their application and compliance in the case of Kosovo as a newly independent state. The brief analysis of these theories is undertaken for the contextual relevance of this research to comprehensively determine the grounds why some of these theories are not applicable to our study while substantiating applicability of the theories of the Copenhagen School. *The latter has been used as the foundation of this work.*

Chapter three serves for a better comprehension of the security context in Kosovo, as it gives an outline of the recent history that led to the security related expansions in the present time. The main developments are described through content analysis in a chronological order, starting from the passive resistance as a security tool, to military upraise of the Kosovo Liberation Army, to the NATO intervention, to continue with the international protectorate namely the United Nations Mission in Kosovo. Further this chapter presents the course of the transformation stages starting from the demilitarization of KLA, creation of Kosovo Protection Corpse, formation of Kosovo Security Force and finally its transformation into a fully-fledged army.

Chapter four is dedicated to the critical analysis of the key organizations that had an impact in the development of the security architecture of Kosovo, given the importance of the international organizations in the security sector, including their role in the institution building, the legal infrastructure as well as their impact in developing security policy. The United Nations Mission in Kosovo however, for the sake of the inter-relation of the events, has been elaborated in the previous chapter. The role of NATO has been examined while different

academics' and practitioners' views on the humanitarian intervention were analysed. Further, its role in terms of cooperation and support of the KSF was analysed and appraised. NATO still continues to be the main security provider in Kosovo through its KFOR mission. Given that the institutional building of Kosovo has reached a phase of consolidation and the international subjectivity of Kosovo is strengthened through the participation in different regional and international organisations, the rapport of Kosovo and NATO has been examined along with Kosovo's aspirations to become part of it. The roles of ICO and OSCE have been thoroughly analysed as well, and having worked for these two missions in Kosovo, I have also added a personal insight. EULEX as the biggest CSDP Rule of Law mission has been studied for its importance and its possible impact in the security dynamics of the region.

Chapter five shortly talks about the security legislation in Kosovo and the importance and of the harmonization with the EU and NATO. It gives a view of the Euro-Atlantic integration from the Foreign and Security Perspective. Consequently, it gives a short glimpse of the shaping of the national security strategy of Croatia. The latter has not been chosen for the purposes of comparison, as the dynamics of developments and political context of the two countries differ, and since Kosovo lags behind in the integration processes, but merely as a model of a newly independent state that is already part of Euro-Atlantic structures. An important part of this chapter is the analysis of the first Security Strategy of Kosovo as it identifies the drawbacks and highlights the importance of their omission in the forthcoming strategy.

Chapter six presents the core work of this thesis in terms of originality and contribution to knowledge. It describes in detail its development of the "Evaluation Framework" that is based on theories from the Copenhagen School as described in Chapter 1. The first section starts with the depiction of the format of the "Evaluation Framework" while consecutive sections describe the entire content of the "Evaluation Framework" through its explicit rubrics: the justification, the reasons, inputs and suggestions, processing the data, the layout of the evaluation report to conclude with the final part which is the evaluation of the National Security Strategy. Given that the evaluation as such employs a quantitative method, very simple graphs are shown to illustrate the supposed results of the evaluation and a sample of the evaluation and a hypothetical report are shown.

Chapter seven is highly important and coherently starts with the Kosovo Security Council and its role as the competent mechanism to apply the developed "Evaluation Framework" in practice. Not only this, KSC is also a mechanism in charge of preparing and drafting the

National Security Strategy. Consequently, this chapter will provide an overview on the state of play of the new National Security Strategy of Kosovo which at the time of writing of this thesis, is being finalized. Procedural advantages and constrains will be reflected while from the information obtained and analysed, based on theory and different approaches to security strategy shaping, the summarised conclusions along with some practical recommendations will be provided.

CHAPTER 2 - Theoretical Framework

2.1. Defining the Complex Meaning of Security in the Framework of this Study

One of the most significant parts of this study is the exertion to bridge the gap between theory and practice or more precisely, to apply theoretical knowledge in the foreign and security policy shaping that will find a practical use in the institutional life. Hence, in this chapter I will give a sequential analysis of the key security theories and their position but most importantly, their limits to the applicability in the case of Kosovo. The respective theories are examined in the context of this research and reveal the significance of the chosen theory that derives from the Copenhagen School which has served as the foundation of this study and has proved to be the most adequately applicable in the case of Kosovo.

Security is a concept whose importance in contemporary societies grows with each passing day. While it is thoroughly discussed in national and supranational structures, highly mediatized around the world, the concept is often discussed without being defined. This gives the impression the word is well understood, however, like many concepts concerning our society, it is a complex and ever-evolving notion. In order to understand the different issues that emerge from the concept of security, the analysis of the word "security" is worthwhile. In the majority of dictionaries, security is inherently linked, or even dependent on, threat. The Oxford dictionary for example, defines it as: 1. *"The state of being free from danger or threat; 1.1 The safety of a state or organization against criminal activity such as terrorism, theft, or espionage; 1.2. Procedures followed or measures taken to ensure the security of a state or organization; 1.3. The state of feeling safe, stable, and free from fear or anxiety; 2. A thing deposited or pledged as a guarantee of the fulfilment of an undertaking or the repayment of a loan, to be forfeited in case of default; 3. A certificate attesting credit, the ownership of stocks or bonds, or the right to ownership connected with tradable derivatives."*[49]

As indicated above, the definitions of security vary from espionage, to feeling free from anxiety, illustrating the different meanings the word can take, and the varying fields it can be present in. Yet, the common denominator of all these definitions is that of the "threat" that is opposed to the concept of security. However, even this common denominator has a multitude of forms and types, as emotional anxiety and terrorism cannot be said to be synonyms. The ambiguity found in the very definition of this word is clear, and a word with an ambiguous

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[49] "Security | Definition of Security in English by Oxford Dictionaries," Oxford Dictionaries, accessed February 8, 2019, http://www.oxforddictionaries.com/definition/english/security.

definition often lacks intrinsic meaning,[50] and relies upon its factors to build it up. Furthermore, its inherent connection to the notion of threat makes it dynamic. Thus, the notion of security cannot exist alone, in the sense that if threats were to not exist, security and the studies of it might become redundant. Yet, its current importance in the world evidently suggests we are far from reaching such a point. The reason behind that might be because security and threats are both based on our societies, which are dynamic, giving both notions endless room and need for evolution. If society evolves, threats and the consequent need to protect against them, evolve with it. This leads to the inevitable evolution of the notion of security.

Thus, this notion bases its existence on its referents, or the body/bodies being protected against the threat. Yet, looking back at the dictionary definition of security, the referents do not appear to be the same. In fact, there is a clear distinction between the definition where the state is the referent, and that where the individual is the referent. This division sheds light upon the different approaches, or schools, of security studies, and its evolution.

Evolution is a particularly vital word in the theory of this field due to the dynamic nature it has.

As it is indicated above, the first three definitions are closely interrelated with the relationship of the individual with the state whereas other definitions are linked with different fields from the emotional state of the individual to economic status which brings us to a conclusion that defining the concept of security is not an easy undertaking.

In fact, it is key to underline that the history of security studies is a rich one, and its birth does not coincide with when the term was coined. That is to say, security had been studied far before security studies was born as a field, as the question of being "safe" or away from threat had preoccupied thinkers throughout history, due to humanity's long history of warfare, conflict and instability. Security was surely thought of even when it was not codified and written, often translating into war strategies, i.e. defence strategies, as by definition, these strategies aimed at protecting the clan, tribe, or given group in case of attack/threat. Security as such becomes codified and enters literature later, in the context of more state-like structures, such as with Machiavelli in city-states. However, security studies as we know it today, finds its foundations in three main theories and their branches that develop over the course of a century. These theories are realism, liberalism and constructivism, and they will be developed in the following chapter, always in the context of the case of Kosovo.

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[50] Barry Buzan and Lene Hansen, *The Evolution of International Security Studies* (New York: Cambridge University Press, 2009), 19.

In terms of security studies, the definition of the notion of security, and that of threat, depends on the approach or doctrine it is viewed from. In order to understand security, and set the theoretical foundations of this work, we will look at the main theories of security and international relations, as well as one particular school of thought, the Copenhagen School that combines these theories to create the most appropriate theoretical basis for this work which will be later developed and enshrined in a practical evaluation tool that will be utilised for pragmatic usage.

2.2. Realism and Neorealism– Limits of Applications in the Case of Kosovo

Studies of security present a field which had a very short lifespan on its own. Namely, security studies were treated as a field on its own for a very short time, and was for a long time absorbed into the field of International Relations. Thus, many of the founding theories in security studies are also imminent theories of international relations, as international security is, for the most part, a by-product of international relations and its dynamisms. Since international security is based on the interaction amongst states, it is safe to say the first theories date back to the time state-like structures were founded. This gives way to the first, and classical, theory of international relations and international security: classical realism.

As the name suggest, classical realism is one of the more "traditional" theories of IR and ISS. Its basis is built upon the historical analysis of power relations between states. As the Stanford Encyclopaedia of Philosophy puts it, it is possible to even argue that we come across this conception of IR and ISS as far back as the time of Thucydides and his book History of Peloponnesian War,[51] however the "classical" form to it did not form then, but later. As is the case often, the realist doctrine finds a base for argumentation on 'human nature' which it presumes to be egoistic and power-centric; it presumes that states are thus ran by egoistic power-oriented goals, which entrains a continuous power struggle between them. One of the founding fathers of this type of doctrine is Thomas Hobbes in his long and famous work "Leviathan". Hobbes uses this voluminous work to strongly and coherently counter the idea that humans act against their own benefit when the benefit of others is in question. The construction of the idea of a human nature is done by taking the reader to a time where there is a total state of nature, or a natural state where there is nothing above man: no government, no law, and no sovereign. Hobbes goes on to claim that in these states the individual is absolutely

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[51] "Political Realism in International Relation," Stanford Encyclopedia of Philosophy, accessed February 10, 2019, https://plato.stanford.edu/entries/realism-intl-relations/.

inclined to war and conflict, either to try to and gain more resources, so for a kind of an invasion, for security, so to be the one that attacks rather than the one attacked, or for a biblical-sounding reason of pride or glory.[52] So, from a security perspective, Hobbes' example suggests that in a scenario of nature and anarchy, the individual must live all the while bearing in mind that an attack by someone else is imminent. *In a way, the individual lives in a constant state of perceived threat.*

To be able to subdue this threat, the individual must come to the conclusion he must be the first attacker, so to have the upper hand both in war and in terms of domination over limited resources. This then translates into logics of states, where a state constantly fears an invasion by other states, so it is constantly preparing for such an invasion. As other states abide by the same logics, it means they are also preparing for such scenarios, creating an atmosphere of power struggle. This is certainly not applicable in the case of Kosovo, first because currently the main security provider is KFOR and the presence of NATO, the EU and other organizations in the region continues to be a factor of sustainable peace and regional stability, or at least eliminates the threat of an invasion. Whereas, according to this theory, this power struggle is often believed to be in a way a power balance, where states hope to limit each other's military advances, so to secure their own security by being outside threat of an attack by a stronger state. This theory sees the state as its referent for security and it exist in a realm where there is nothing regulative not only above the individual but also above the state, a realm of no international government. Thus, the power-centrism of states, the anarchy, and egoistic behaviour leaves little to no room for morality in their political values and actions. This gives way for realists to either outwardly reject the moral duties of a state, or manipulate the term in a way that would fit their beliefs, often creating "special" moral values that apply to states only and not individuals. Such narratives tend to fit well within the doctrine of super-powers, as they present the possibility of excusing stronger states for their lawless domination of weaker states. Furthermore, it births the conceptions of double ethics that are still strong today, namely private and public. An extreme example of this is that of Machiavellianism, who believed that one of the main problems posed to security was that of human nature being egoistic and conflict oriented. While he admitted that actions of the state could be evil, Machiavelli strictly believed the state was not subjected to ethical consideration, as long as the actions it pursued served its interest. The state ought to pursue power, and it was its duty to always try to expand such

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[52] Thomas Hobbes of Malmesbury, *Leviathan or the Matter, Forme, & Power of a Common-wealth Ecclesiasticall and Civill* (London: Green Dragon in St. Pauls Church-yard, 1651), 77, https://socialsciences.mcmaster.ca/econ/ugcm/3ll3/hobbes/Leviathan.pdf.

power, because that is its sole *raison d'état*. This birthed the conception of power governance, and set the basis of what was to become "realpolitik".[53] This train of thought became very popular amongst many European leaders, as it allowed them to conceive their states' agendas, and in a way set the basis for modern political strategy.[54] However, this train of thought also led to the abandon of traditional ethics both in international relations but also in war, allowing for mass atrocities to happen, including the staggering death rates of the two world wars, as well as the rise of Nazism and other fascist ideas as the *raison d'état* found it relatively easy to translate into politics of *Lebensraum*.[55] However, it is important to stress the fact that while Machiavellianism has a power-centric side that has inclinations to be extreme and often engaged in war, Hobbes has a much more security linked approach as a classical realist, where he does not deny the existence of international law, or that states will still abide to reasonable rules that favour peace, however that this will not be able to prevent the power struggle between states ultimately.[56]

While these were the foundations of realist thought, defining human nature as egoistic—battling traditional morality that was before believed to favour an approach where states were power-centric, anarchic and prone to power struggle—the theory itself evolved even more after these key thinkers. Furthermore, the nuances and differences that were already present amongst these founding figures, like Hobbes and Machiavelli, led to the development of different branches of realism, especially in the 20th century.

In his book about the Peloponnesian War, Thucydides offers the reader the possibility to hear two very different, even opposing, doctrines about the war and ultimately about theories of security. However, even if he seems to be a little more on the realist side, the book is not written in order to disprove of one of the theories, which can be argued to be the case with Hobbes and Machiavelli. Challenging ideas of morality or idealism seems to be engrained in the realist tradition, as this trend is also highly present in the 20th century when classical realism forms fully amongst many thinkers in the developed world. Namely, their main driving force seems to have been the rise of inter-war idealism, which also gave rise to international organizations like the League of Nations.[57] In a way, the atrocities caused during the First World War had pushed a number of thinkers, amongst which some world leaders like Woodrow Wilson, to

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[53] Stanford, "Political Realism."
[54] Ibid.
[55] Ibid.
[56] Ibid.
[57] "League of Nations: International Organization," Encyclopaedia Britannica, accessed February 10, 2019, https://www.britannica.com/topic/League-of-Nations.

want to avoid another atrocity of the same scale by creating an organization that would limit the rights of sovereign states, including the right to make war,[58] by appealing to *universal morals* or *universal ethics*.[59] To some classical realists of the era this claim to universal ethics seemed totally unfounded, and so they made it part of their academic mission to prove it wrong.

This is the case of the famous 20th century liberal-turned-almost-Marxist E. H. Carr.[60] Carr saw these ideal ideas of society, or utopian forms of society, as being an infant or primitive stage of political theory and science, as they did not concern themselves with reality in the factual sense, but rather with visions of the future void of contextual consideration.[61] He constructs his arguments in dichotomies, like utopia and reality or left and right, the opposition of which already marks the tone of his theory of international relations and international security.[62] This dichotomy also appears when he refers to the very foundations of the ideal thought, stating that morality is not universal but relative, thus firmly rejecting idealism in its core.[63] The arguments are often built up on the idea that what is seen as universal morals by one group is in fact the interest of said group being imposed on the groups that do not have the power or position to impose such values, moral or otherwise. The line of argumentation is indeed based on the Marxist theory that dominant ideologies assert themselves over others.[64] So, through this line of argumentation, the basis of the 20th century power-centred realism are set in very direct opposition to the idealism and its bodies of the time. When considering his arguments from a security perspective, especially a national security perspective, Carr teaches us to be weary of sacrificing one's interests for the sake of "universal morals" as these morals are simply set by more powerful nations and might not contextually benefit all countries, maintaining a status quo that could even be considered harmful for some. These less powerful countries will naturally strive to become the ones in power, maintaining the idea of power-struggle that is central to the realist doctrine, and that often foresees a continually existent threat to a state's values, a process that impedes the reign of total security. Furthermore, this approach of asserting the interests of the dominant group also implies that the national interests will be defined by such interest groups. So, for Carr the security problem lies within this conflict of

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[58] Ibid.
[59] Stanford, "Political Realism."
[60] Jonathan Haslam, *The Vices of Integrity: E.H. Carr, 1892-1982* (London: Verso, 1999), 54.
[61] Edward Hallet Carr, *The Twenty Years' Crisis 1919-1939: An Introduction to the Study of International Relations* (London: Macmillan and Co., 1946), 5.
[62] Ibid, 11-19.
[63] Ibid, 21.
[64] See in the online archive below:
Karl Marx and Friedrich Engels. *The German Ideology* (Moscow: Marx-Engels Institute, 1932) ch.1, *https*://www.marxists.org/archive/marx/works/1845/german-ideology/ch01b.htm.

interest.[65] Even if, for the sake of "stability" that profits the ruling group, the country is considered relatively safe in terms of lack of military threat within and outside its borders, it does not mean the people inside the borders are not under any threat, i.e. as was the case with some marginalized or minority groups in the middle East before the Arab spring, that were in constant threat from the regime, yet the country was considered to be stable and safe from an international perspective. However, this is not to mean that morals do not exist at all, but simply that their formulation is done by those who wish to push their agendas forward. The subsequent failure of the bodies upholding idealist values and the very fact the Second World War happened, came as a strong blow to idealism, and produced a newly found support for classical realism. The notion that ignoring the importance of power on the part of the idealists is not only erroneous but also harmful happens to come up also in the writings of one of the most influential thinkers of the era—Hans J. Morgenthau, who like Machiavelli believes one of the principle problems of security is human nature.[66] It is precisely this realist that systemizes the doctrine of realism into a fully-fledged theory of international relations.[67] He systemizes the realist school of thought through claiming politics is subjected to a set of objective laws that are derived by human nature and its inclination to power, and lays down 6 basic principles to illustrate the dynamics and interactions between rationality and politics.[68] These principles are predictably centred on notions of power struggle, but it is important to stress that he defines power quite directly in terms of interest,[69] which is somewhat reminiscent to Carr's argument that the groups that are capable to push their interests can do so because they are, in a way, powerful. However, Morgenthau uses this definition to remove the sphere of politics from other spheres, claiming that with this definition the foreign and security policies of a state can be understood regardless of the motives or ideologies of the state or its actors; he creates a frame for analysis where the policy has little to do with the policy-maker, and claims that trying to study the policy maker and his beliefs and ideologies is not only not helpful, it can even work against the cause of understanding the policy.[70] This separation between the policy itself and the motives of the politician begins to draw a picture that policies abide by their own logics, or as the first principle suggests, by their own objective laws.[71] The same principle continues to

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[65] Stephen M. Walt, "Realism and Security," *International Studies Association and Oxford University Press* (December 2017), https://doi.org/10.1093/acrefore/9780190846626.013.286.
[66] Ibid.
[67] Stanford, "Political Realism."
[68] Hans Joachim Morgenthau and Kenneth W. Thompson, *Politics among Nations: The Struggle for Power and Peace,* 6th ed. (Beijing: Peking University Press, 2004), 3-17.
[69] Ibid, 5-10.
[70] Ibid.
[71] Ibid, 4-5.

argue that realism is the theory that attempts to present politics through these objective laws and rational facts, rather than through opinions.[72] This is further stressed with the second and fourth principles where the notion of prudence in politics is introduced, fortifying the thesis that the policy or action of the state has, and should have little to do with ideology; a rationalization of the policy is created through the establishment of this plane of objectivity in policy. This plane of objectivity becomes an autonomous sphere, which is introduced in the last principle.[73] In this autonomous sphere, where objectivity and rationality are key, there is a presupposition that some policies are more successful at reaching maximum benefit while also minimizing their risks. This means there are some policies that are good and some bad regardless of their ideological implications and the motives of its makers, and that these "good" policies can be reached through the exercise of prudence in all political decisions made.[74] This theory has a direct spill-over in security, meaning that there are also *good* or *bad* security policies a state can make, both on the foreign and domestic plan. Yet, the ideological void this theory argues can only exist in the security theory where the state is the most important referent, and not when the individual is accorded a high importance, as contextually speaking, ideology plays a strong role in security when the individual is involved.

Another factor of these 20th century classical realists that draws them apart from the ranks of Machiavelli is that they do not abide by the logic that morals and ethics are to be totally overlooked by states. Namely, Carr even recognizes that just because the *universal values* formulated by idealists are no more than values that fit the interests of the dominant groups, there still are some values, or a Utopia that people seek to build, which will be corrupted once formed or 'crystalized', but that it is a kind of cycle that must continue, so realism does not stand alone.[75]

As for Morgenthau, he dedicated whole parts of his principles in explaining the role of morals and ethics in politics. Like Carr, he did not share the Machiavellian idea that there ought to be no consideration of morals in the foreign and security policies of states, but he insisted that these moral considerations had to undergo contextual adaptation and transformation, meaning that the universality to it was not so universal *per se,* as he argues in his fourth principle.[76] However, Morgenthau, in his fifth principle, warns that some countries are prone to equate the

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[72] Ibid, 4-5.
[73] Ibid, 13-17.
[74] Ibid, 5-13.
[75] Twenty Years' Crisis, 93.
[76] Morgenthau and Thomson, *Politics,* 12-13.

need for moral consideration of state-action with thinking their actions and nation are morally correct, often equating their actions with divine endorsement, which he claims is totally erroneous.[77] This sort of mistake is too familiar for someone from Kosovo, as it seems to fit well as a description of our Northern neighbour.

Yet, while both Carr and Morgenthau offer a very well-elaborated theory for understanding international relations and international security, both these thinkers have limits that can reflect the limits of the realist thought. First, Carr's analysis of international relations and foreign policy contributed in one way or another to the Second World War. Namely, as Carr approached the era with a degree of mistrust towards the interest groups that were powerful, which happened to coincide with the groups that had helped form the League of Nations, he regarded the countries that were *weaker* in terms of pushing their interest as the same. So, essentially, for Carr, Hitler's Nazi Germany was merely a country that was not part of this *winner's club*, and that it deserved to be appeased, as it would mimic the same will for international order and relative peace if it were to enter this exclusive club.[78] Not only was this belief and policy proposition on the part of Carr literally disastrous for Europe, it also shed light on the fact that the realist doctrine he so proudly presented as the only true theory to understand reality was not too ready to cope with the consequences of its own actions; if you will, realism had not fully grasped reality.[79] Limits like this are particularly harmful for Kosovo as trusting a country will mimic others and simply follow some toned-down interest cost Kosovo years of oppression and a period of ethnic cleansing by Serbia.

Following this very similar logic where countries are all similar in that they pursue their interest despite ideology, Morgenthau's theory is to be criticized on that it does not offer as clear and set idea of power as it pretends, but rather allows power to be two things: a means or an end.[80] This not only throws down his own point that a continuum in foreign policy despite the leader is the case, it also shows that if power is a means than motive indeed plays a role in the actions of the state.[81] Furthermore, a Kosovar criticism to Morgenthau from my personal experience is that the motives and character of a leader makes a considerable difference regarding security and domestic policy. While Kosovo Albanians were persecuted continuously all throughout their modern history, the military oppression and ethnic cleansing cast by the regime of

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[77] Ibid, 13.
[78] Stanford, "Political Realism."
[79] Ibid.
[80] Ibid.
[81] Ibid.

Slobodan Milosevic was a distinct one in its obvious aggression that is attributed to him and his followers.

While Morgenthau and his school of thought were gaining both momentum and criticism, there was another branch of realism stemming in the post-Second World War era. This new branch also did not abide by the logics of idealism, yet began recognizing factors that classical realists refused to take into account, such as the rise of the non-state actors, both on the public and private sectors. Furthermore, this new school wanted to detach itself from the normative and non-positivist approach that relied heavily on the traditional ways of developing theory, to introduce a degree of *science* or methodology in it. Yet, this approach still maintained some basic notions of classical realism, such as anarchy. This new approach became known as neorealism, and one of its founding fathers was Kenneth Waltz who is one to deal with the international system almost exclusively, in ways that are often not very applicable to domestic politics, as it is a highly descriptive approach aimed at providing a picture of the international system, and explaining general international trends, rather than producing domestic policies.[82] Waltz's theory is based on ideas from microeconomics, explaining the interaction of states in the international system as the interaction of firms in an economic plane. As with most economic theories, there are many presuppositions made that render the empirical or scientific process to prove or disprove theories possible. In the case of Waltz's international system, anarchy is presupposed on the international level as one of the defining systemic features, states are the actors or units in this system, and power is a capability each of these actors/units has.[83] Waltz argues the distribution of power among states is uneven, and that it is the powerful states that use their power to create a world order that fits their interests, an argument similar to that of Carr's about values. As a result of this unequal distribution of power there is a system of polarities created in the world which depends on the number of superpowers controlling it, meaning it can be unipolar, bipolar and multipolar.[84] Waltz does not share the neoliberal idea that states cooperate, or the classical realist idea that states concentrate on expanding their powers, but argues that states are predominantly preoccupied with security, which is why cooperation is difficult as it means it increases dependence and so the risk of insecurity.[85] Yet, much like Carr, Waltz failed to make reliable predictions about the future, as he also claimed

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[82] Ibid.
[83] André Munro, "Kenneth N. Waltz: American Political Scientist and Educator," Encyclopaedia Britannica, accessed February 12, 2019, https://www.britannica.com/biography/Kenneth-N-Waltz.
[84] Ibid.
[85] Kenneth N. Waltz, *Theory of International Politics* (Boston, MA: McGraw-Hill, 1979), 107.

the USSR would persist in its existence maintaining the bipolar world order of the Cold War.[86] From a security point of view, Waltz adds his famous system-level analysis to the picture, stressing that the reason behind war can be analysed on three levels: the individual, the state, and the international system, which he refers to as the three images, and to understand international relations we must look at a combination of the three, rather than each alone.[87] The first image which deals with the individual, or *man,* maintains the realist tradition that human nature is prone to causing war and conflict.[88] On the second image, Waltz somewhat strays away from Morgenthau's conception, theorizing that wars also happen due to the internal built of states, or other internal factors such as unrest, meaning that the state will seek war in order for it to battle its domestic instabilities (as states in war have a tendency to become domestically united).[89] The third image is the one that the rest of his theory is built upon as he maintains that conflict derives from the anarchic nature of the international system and all it entails.[90] So for Waltz, the most important problem of security is that of the very nature of the international system being anarchic.[91] Yet, neorealism also has its manifold criticisms, ranging from scholars that see it as rigid and unable to follow change as it ignores the proper analysis of historical processes, to those who believe that it is too exclusive in its science concentrated methodology.[92]

So, while realism and its different evolutions and branches consist the foundations of International Relations Theory and Security Studies, they entail their limitations and short-comings. While the teachings of this theory at any of its points preach approaching politics in the broad sense of the word with a high degree of consideration for power, they sometimes begin missing the goal of being applicable. Namely, classical realism definitely has the potential to become very theoretical, and concentrate on the *big picture* in the sense that it concentrates on such large, historical patterns argued through philosophy, that it becomes very difficult to try to apply its teachings domestically, especially in the case of an emerging, weaker state like Kosovo where pushing the right policies could make a considerable difference.

On the other hand, neorealism has the tendency to become so specific in its scientific methodology, that in order to be able to draw lessons from it, and apply it to newly independent

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[86] Ibid, 176.
[87] Kenneth N. Waltz, *Man, the State and War: A Theoretical Analysis* (New York: Columbia University Press, 2001), 14.
[88] Ibid, 3.
[89] Ibid, 81.
[90] Ibid, 159-163.
[91] Walt, "Realism and Security."
[92] Stanford, "Political Realism."

states like Kosovo, one would have to either try to conduct research from scratch in order to build the theory to fit the country profile, or to make many assumptions putting the specificities of it aside, which would then lack in accuracy to say the least.

Thus, while realism has its undebatable value when it comes to lessons about interest and power, other theories also need to be considered when discussing the security strategy of newly independent states, if the specificities of these states are to be addressed correctly. Perhaps, realism ought to be the general consideration to have when analysing, evaluating and drafting the security strategy, while other theories might be useful when looking at the policies and formulation of the strategy more specifically.

2.3. Liberalism in the Context of a Newly Independent State

While realism places the state as the referent of security, and looks at global patterns from this state perspective, liberalism takes an almost opposing approach by making the individual the referent. While liberals often still disagree on the very definition and delimitation of liberalism, they all agree the individual is of utmost importance for the doctrine. Yet, they still place a high degree of importance on states, which they believe to be one of the key factors regarding outcomes on security and foreign policy. However, liberals, unlike classical realists, insist that the type of state determines highly how successful or competitive the state will be on the international system.[93] So, for liberals a successful state is one that makes the individual more safe, as the individual is the most important factor of the theory. This concentration on the individual is what created the notion of "individualism". The notion explains states, and all other groups, as an ensemble of many individuals, meaning that the decisions of these groups are also made by said individuals.[94] Another key concept is that these individuals have the liberty of choosing their actions. This liberty of choice and individual based approach is what allows liberalism the premise that states can cooperate on the international system to create an order that favours peace. This theory does not ignore power or interest groups, but instead chooses to see that these interest groups are indeed made up of individuals, meaning their behaviour is not a set pattern, and so can be highly influenced. This puts forward the assumption that the state exists to serve its people, meaning that if people no longer see a point in having a state, or the state as it is now, it can disappear or be modified. This also supposes that if there are institutions that will be more favourable to the individual, for instance if other institutions

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[93] Walt, "Realism and Security."
[94] Ibid.

will facilitate the economic and human security of the people as well as secure their right to commerce, these institutions will prevail. These institutions do not have to be domestic, and liberalism is an avid supporter of international organizations in all fields, including that of security, as it allows individuals to expand their potential beyond states, while providing structures that make this activity safe. So while liberalism gives a degree of importance to the state as well as the international system, the basic claim is that this importance has its source at the individuals behind each of these groups.[95] Similarly to realism, it is possible to divide liberalism into two main currents: the history and formation of liberalism, and neoliberalism. Unlike realism, much of the traditional liberalism formed with its early thinkers, whereas the more contemporary thinkers contributed predominantly to what we consider today as neoliberalism.

One of the claims of liberalism is that individuals are all somewhat born equal, and that they all have some rights born with them. This claim is one that was born far before liberalism was even conceived as a possible idea, with an example in the Christian notion of all men being equal under the eyes of God, regardless of their social status.[96] This meant that all men could live under the same rule, giving way to the development of the notion of state sovereignty. However, the Christian period of Europe did not knowingly contribute to the liberal doctrine; the liberal ideas traceable to this time merely happen to fit within the liberal framework of security, but no real elaborations as to individualism or modern liberalism were made by scholars of the time, as such considerations were not a preoccupation of the era. While their theories contributed to the creation of the idea of a sovereign state useful in liberal theory, they still considered the Divine to be the most important referent in all matters state and non-state alike. Yet, as the influence of the Divine began receiving criticism and steadily declining with the era of the Enlightenment, the importance of the individual began increasing as many thinkers starting constructing their theories around the individual, or *men*, in different scenarios. In fact, the individual became important in constructing more than one political theory that has considerable influence in foreign and security policy today. For instance, it was through according importance to the individual that Hobbes constructed his argument around human nature in the *state of nature*.[97] Yet, in terms of security, as discussed before, Hobbes is one of the founding fathers of the realist doctrine in security, and to consider him a liberal from this perspective would be a stretch, especially regarding his position on the powers and (lack

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[95] Ibid.
[96] Present in many passages of the Bible.
[97] Hobbes of Malmesbury, *Leviathan,* 76-81.

of) limits of the sovereign regarding the people. Instead, two of the most famous thinkers of the age of reason and the enlightenment, Immanuel Kant and John Locke, were ones that became the real fathers of the early liberal doctrine as they put the individual on the center of state issues, namely by arguing that the people, so individuals, had a say in matters of peace and war, in the case of Kant,[98] and had the right to protest against the representatives of the state when these representatives were not respecting their rights, or representing them in the case of Locke.[99] Even if liberals, like Kant, were not realists, they were still aware of the realities of the world around them, and the importance of power and states. In fact, it is precisely Kant who theorizes that there are different kinds of states, and that their composition is what ultimately allows for or prevents people from making rational and moral choices. He divides these states into two main categories: those governed by the rule of law, labelled republics, and those governed by non-legal despotic rule, labelled despotisms.[100] Kant, believing that war is a reality in the international system, but also believing people rationally would always choose to avoid it, predicted republics would flourish as they would choose to cooperate with other republics, avoiding war to preserve both their interests. This growth of republics with liberal outlooks not only preserves their peace, their development pushes despotisms to want to adopt their form of government so to mimic this development,[101] implying Kant's liberalism foresees a spread of peace if countries are to adopt a similar form of government. This idea of state cooperation and individual cooperation was quick to transform into theories about the role of economics in this cooperation and in international security, and so liberalism began to take a more structured form. It is around this time that true *classical liberalism* is born, and prominent thinkers contribute to it such as Adam Smith, David Hume, etc.[102] Many of these classical liberals construct their argumentation around the freedom of the individual, especially his freedom to trade and make commerce, which becomes a defining feature of countries with liberal institutions. This notion also inherently bears support for a free-market economy, as these thinkers view the freedom of the individual to trade and the right to property as defining features of liberty. Like for realism, the 20th century saw a persistence of the liberal theory, and provided patterns favourable for this persistence. For instance, international organizations, like

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[98] "Kant's Social and Political Philosophy," Stanford Encyclopedia of Philosophy, accessed February 13, 2019, https://plato.stanford.edu/entries/kant-social-political/.

[99] "Locke's Political Philosophy," Stanford Encyclopedia of Philosophy, accessed February 13, 2019, https://plato.stanford.edu/entries/locke-political/.

[100] Stanford, "Kant's Philosophy."

[101] Michal W. Doyle, "Kant, Liberal Legacies, and Foreign Affairs," *Philosophy & Public Affairs* 12, no. 3 (Summer, 1983): 205-235.

[102] Edwin van de Haar, *Classical Liberalism and International Relations Theory: Hume, Smith, Mises, and Hayek* (New York: Palgrave Macmillan, 2009), 19-20.

the League of Nations, came about also as a result of the need to set some common basis for the cooperation of different countries; it was a result of the growing globalization in the world. Furthermore, since liberals were not necessarily idealists, and did not believe peace was to be achieved with ease, they began emphasizing and developing the role of democratic institutions and international law in the 20th century, which was to try to create and maintain a favourable system for cooperation and trade. War disrupts this cooperation, so efforts to maintain peace on an international level were also made. These efforts reinforced the belief in *institutionalism* that had its peaks and low points throughout the 19th and 20th century.[103]

While liberalism was expanding its theory and horizons, the criticism made to it, especially by realists, was also getting stronger. The fact liberals believed that a system where individual rights were of outmost importance made it clear their theory favoured Western-style democracies, and also underlined the fact they saw the very regime or ideology of states to be crucial in the success or failure of states. This came in direct opposition to the realist assumption that foreign and security strategy and policy was all depended on power relations in the anarchic international system, and that state ideology as well as individual state actors had nothing to do with this doctrine. The onset of WWII allowed for these criticisms to grow much stronger as the international-peace-motivated institutions had failed to prevent war and secure peace despite the commitment of several leaders, and so individuals, to be in do so. Realists felt confident in their dissent that the liberal system's theory of cooperation because of common interests and interdependence would be reason enough for individuals to preserve peace had failed, and that it was still power politics that made the most sense. However, a key factor to consider when thinking about these criticisms is that liberalism does not overtly reject the importance of power in politics, and especially the role of states. Liberalism understands the importance of these factors; instead it rejects the realist one-size-fits-all idea of foreign and security policy, which seems fair enough of an argument. Furthermore, the emergence of structures like the European Union showed that countries were indeed looking to cooperate more; the Union's insistence on Human Rights, as well as other individual rights proves that liberal thought not only has survived, it arguably has become embedded in the logics of the EU. Yet, the evolution of society pushed new security problems to the surface, and with them came new streams of liberalism that eventually developed into neorealism.

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[103] Boris Barkanov, "Institutionalism: Social Science," Encyclopaedia Britannica, accessed February 13, 2019, https://www.britannica.com/topic/institutionalism.

2.4. Neoliberalism and its Effects

Liberalism as such was never a true opposite of realism, like idealism, and there were even factors that it embraced or at least considered. The decline of plausibility in liberal theory after WWII and after the harsh criticism by realist thinkers led for the adoption of many more realist, and especially neorealist notions into the new liberalism, namely, neoliberalism. Many neoliberals adopted this approach so to try to corroborate their findings with *facts* in the neorealist, scientific sense, and try to create an approach in which the international system was to be studied from this perspective as well. For instance, game-theory began being applied to state relations, but this time to prove that with the right game-theory circumstances states would choose to cooperate under these logics.[104] Yet, as it is clear to see, neoliberalism also adopted the assumption that *states choose,* implying a degree of rationality amongst states, and a degree of uniformity in decisions that are taken rationally.[105] Yet, in order for some of the neorealist predictions to be fulfilled, the right conditions were a must. These conditions were highly depended on domestic and international institutions which favoured a neoliberal approach both economically and internationally. Not only would these institutions help the flow of cooperation and commerce be smooth, they would also act as a grounds for peaceful conflict resolution. The resolution needed to be peaceful so cooperation could continue, which was key within the theory. Another reason for institutionalism given by Keohane claims the reason for institutions emerging is also economic, as it makes enforcing rules rather efficient.[106] It is precisely this academic, and his colleague Joseph S. Nye, that develop theories on neoliberal institutionalism in depth, which are applicable to institutions as well as international organizations today. For instance, one of the most famous theories developed is that of soft power, which in opposition to traditional military theory, presumes countries can use non-military action to push their agendas forward, such as diplomacy.[107] Soft power was an important theory for security studies as it proved using power did not have to result in war, and that ends could be reached without coercion. For a small state like Kosovo, whose military capabilities are not strong enough for it to base its strategies on it, soft power is a must. So, one will find that organizations aimed at preserving peace, which are supposed to be based on

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[104] John M. Owen IV, "Liberalism and Security," *International Studies Association and Oxford University Press*, (November 2017), https://doi.org/10.1093/acrefore/9780198046626.013.33.

[105] Robert O. Keohane, *Power and Governance in a Partially Globalized World* (New York: Routledge, 2004), Taylor and Francis Group e-Library, 3.

[106] Ibid.

[107] Eric X. Li, "The Rise and Fall of Soft Power," Foreign Policy, accessed February 15, 2019, https://foreignpolicy.com/2018/08/20/the-rise-and-fall-of-soft-power/.

idealist principle, often also have a neoliberal side to them. In addition, new actors started emerging with neoliberalism that did not neatly fit neither in the state category, nor in the individual category: corporations. While corporations had existed before neoliberalism, their importance in international matters grew under this theory. It is no secret that capitalism generated a lot of wealth in a relatively short time around the world, but its distribution (or lack of) made large parts of this wealth to be concentrated in few hands and companies,[108] giving these individuals and companies a lot of direct and indirect influence both in domestic and international matters. However, while neoliberalism and corporations led to a rise in individual consumption, there were also mounting fears about what effect these corporations had on human security. Some big corporations began being linked to human *insecurity,*[109] so there was a push for these bodies to adopt more morally and socially acceptable behaviour, which was branded as corporate social responsibility. This new notion stretched over a number of sectors in corporations, including that of human security.[110]

However, despite this new approach having been taken by neoliberals who tried to fix the issues that were overlooked by classical liberals, like neorealists they failed to address some of the problems that were inherent to the core of their theory. For instance, liberalisms preference for individual and property rights makes it quite directly favourable to states with free-market structures, and to a high extent to democratic republics. Coupled with the other suppositions about liberalism, such as the fact these republics will have incentive to cooperate and as a result there will be security in places abiding by these cultures, a number of criticisms arise. One of the more notable ones is the fact liberalism seems to apply predominantly not only to states that have these democratic structures and free markets, but also to countries whose past puts them in a more favourable position to begin with. Furthermore, the same factors would mean that societies would prefer individual growth, and so to grow more liberal and individualistic, however the rise of democratically elected illiberal leaders in Eastern Europe proves that this trend is not so linear.[111] Furthermore, as war is becoming increasingly privatized, and arms trade between different countries and contractors generates astronomical sums yearly, it seems it is profitable for some to not have security, but rather keep warfare alive, which a result of the tendency of neoliberalism to transfer competencies of the public sector into the private one.[112]

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[108] Katie Hope, "'World's richest 1% get 82% of the wealth', says Oxfam," accessed February 15, 2019, https://www.bbc.com/news/business-42745853.

[109] Grayson Kyle, "Human security, neoliberalism and corporate social responsibility," *International politics* 47, no. 5 (September, 2010): 500-515.

[110] Ibid.

[111] Ivan Krastev, "Eastern Europe's Illiberal Revolution: The Long Road to Democratic Decline," Foreign Affairs, accessed February 14, 2019, https://www.foreignaffairs.com/articles/hungary/2018-04-16/eastern-europes-illiberal-revolution.

[112] David Isenberg, "The Neoliberal Wars," The Huffington Post, accessed February 14, 2019, https://www.huffingtonpost.com/david-isenberg/the-neoliberal-wars_b_1016328.html.

2.5. Constructivism – Is it Compliant to Kosovo

For the most part of the past century, the prevailing doctrines both in international relations and security studies have been those of realism and liberalism, as scholars strived to best understand and analyse the wars, cold or not, that were happening in the world. While there were inherent differences between these two theories, they both set down their assumptions about states, individuals, the international system and went on to build their theories on these assumptions. Even during their evolutions, when scientific concepts were exported to neorealism and neoliberalism, they tried to explain general phenomena from the lenses of their theoretical assumptions. This meant that their approach was largely rigid, with realists assuming that ideology is irrelevant when considering states in anarchy, and liberals assuming countries with liberal democratic structures would behave rationally and according to their best interest. While liberals seemed a bit more willing to consider the fact that states' behaviour can be influenced by different groups, both these theories had a behaviouristic approach toward states and groups, assuming they chose to act in ways that benefitted them either in the security sense or in the economic one. So, these two theories assumed states acted in certain ways either to be safer, or to become richer and so more influential. However, the 1980s and 1990s saw the rapid development of a school that challenged most of these rigid ideas of international relations and security theory, especially the ideas of realism.

This new school of thought was comprehensive, and it applied epistemological logics to assert that notions believed to be established like laws were social constructs affected by the context of the time and the place. This school is that of constructivism and the scholars that coined this term is Nicholas Onuf, who believed that even if we put our subjective world-views aside, there still would be more than one "world".[113] Onuf's predictions of the future are based on a theory that the world as we know it now, which is comprised of two other worlds which are "our world" and "the rest of the world", will collapse giving place to a postmodern world.[114] While his theory is highly controversial, and deeply influenced by Marxist predictions, it sets the basis for the explanation of many constructivist claims. He defines constructivism as a theory drawing on lessons from the main theories in international relations, such as realism and liberalism, but which has the aim to expose the dynamic and ever-changing patterns and situations in the world.[115] But, just like the evolution of social interaction he implies,

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[113] Nicholas Onuf, "Many Worlds, Many Theories, Many Rules: Formulating an Ethical System for the World to Come," *Revista Brasileria de Política Internacional* 59, no.2 (September 2016), https://doi.org./10.1590/0034-7329201600202.

[114] Ibid.

[115] Ibid.

constructivism evolved into many sub-schools of thought in many different fields. When speaking of security, the best phrase to summarize the constructivist thought would be as Jeff Huysmans puts it "security is what agents make of it".[116] This very simple combination of words has incredibly strong implications in security studies as well as international relations. It implies that the dynamism we witness in these fields is a social construct, so a product of the specific context they are in. This approach is in direct opposition with the realist assumption that there are objective laws in how states behave, and that there is a set human nature everywhere and at any time. The second part of the phrase also reveals another key factor in constructivism, which is the importance of agents. Just because this theory assumes that phenomena in security, such as new threats are constructs, they do not believe these constructs simply pop up.[117] The factors relating to context and agents that the theory insists on argue that constructs arise as a result of interactions between different levels or groups of society, such as individuals, institutions, etc. These interactions begin a cyclical process which involves agents or institutions, knowledge about the field, as well as certain future dynamics between different social groups in the society. Constructivists accord importance to an array of reasons which are not traditionally taken into account in security studies, but are parts of subjects such as sociology, anthropology and psychology. For instance, identity is a very key concept in constructivism, and it is often approached from a security perspective, in terms of how the state is defined in terms of identity and sovereignty because a security question or problem that is not dealt with by a political unit threatens the very essence, or *identity* of this unit.[118] This is one way to regard national security and national threat for instance. Another important factor for constructivists is that of the language of security. The nature of constructivism, namely the fact it maintains many conceptions are constructed by society, allows factors like perception and discourse to be very important regarding security. So, language becomes of a particular interest for constructivist as they think it could contribute to the construction of perceptions, as well as entail the risk of securitization.[119] So, constructivists often find that these delicate and political discourses not only influence society but also their own research, which in the cyclical processes assumed by constructivism produces even more knowledge in security that contributes to the initial discourse, which they regard as problematic.[120]

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[116] Jef Huysmans, "Defining Social Constructivism in Security Studies: The Normative Dilemma of Writing Security," *SAGE Journals* 27 Special Issue, (February 2002): 42, https://doi.org/10.1177/03043754020270.
[117] Ibid.
[118] Ibid, 46.
[119] Ibid, 43
[120] Ibid.

This belief in context leads the constructivist theory to not deny institutionalism as it is the interaction between different countries that brought about international law and international organizations. Furthermore, they believe that these institutions have a degree of power to influence states and their national institutions to make them more adaptive to the norms of the community.[121] Many branches of constructivism are avid supporters of such institutions. So, constructivism establishes that international relations and security both nationally and internationally depend on the interaction of different groups, and on the norms of the time. It is important to retain lessons from it. For instance, it is key to recognize the importance of societal perception on security, which can play a role on securitization. Second, constructivism aids newly independent states like Kosovo to consider adapting theories, laws and norms to its own context, and using these laws and theories to try to enforce new international norms. Constructivism, as one of the main foundations of the Copenhagen School which will be elaborated below, is one of the most suitable theories to use when analysing the case of Kosovo, though the Copenhagen School is still the main one.

2.6. The Copenhagen School as the Core Theory of this Thesis

The main theories of security studies and international relations, namely realism, liberalism and constructivism, all provide very useful lessons for the topic of this work which is shaping the foreign and security policies of newly independent states, and more specifically of Kosovo. However, *most of the theories do not seem to fit quite fully with the specific case of Kosovo,* as the criticisms made to them prove. So, a school that combines the different positive factors of each of these theories in a way that fits the case of Kosovo the best was necessary. That is the Copenhagen School of Security and International Relations. This school comprises of some of the modern pioneers of these fields, namely Barry Buzan, Ole Waever, etc. One of the first and main books where the theories of this school are based is Barry Buzan's People, States, and Fear: The National Security Problem in International Relations. To begin with, even the title of the book reveals that it is particularly fitting for the topic of this work, as it deals with National Security directly, which is not really the case with the some other theories. Furthermore, as the title suggest, it regards security not only from the state perspective, nor only from an individual perspective, but through the three main levels. In this sense, Buzan

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[121] Richard Ned Lebow, "The Long Peace, the End of the Cold War, and the Failure of Realism," *International Organization* 48, no. 2 (Spring, 1994): 250-253.

adopts Waltz's three images, which are the *individual, the state and the international system,*[122] to address questions of security not only on the international level, but also on the on the national level. A key distinction of this work from that of classical realists is that it also approaches the issue of national security through the very concept of *security*, rather than those of power and interest.[123] He follows by revealing that the problem of national security has been dominated either by the realist view, concentrating on power and interest, or by idealism, concentrating on peace, the polarity of which has not helped create a holistic view, which his work attempts to bring.[124] Buzan states that the national security problem often has direct implications on international security and international relations, as it can lead to war.[125] The book is of particular importance to this dissertation as it sets the very foundations for the evaluation framework developed later. Namely, Buzan establishes that contrary to the usual theories, security does not have one referent, but many. Depending on whether the referent is the individual, the state, or the international system, the conditions for security change, and different approaches and policies need to be used. Furthermore, he also explains that the security of the levels is interdependent, in the sense that no level can be in security if the others are not.[126] This is the theoretical base for the evaluation framework, which considers each of these levels in both the evaluation and drafting process of the national security strategy. That is because if security is not reached for all three of the referents, then security is not reached for anyone, meaning all three levels should be able to guide the security policies and efforts of the state. The importance of each these levels in the security of the state and in the evaluation process will be explained in depth in the chapter dedicated to this evaluation framework.

Another contribution of the Copenhagen School, and more specifically Buzan, to this thesis is that of the *Regional Security Complex*, which maintains that regions now occupy a very important position in security, especially global security, ever since the end of the Cold War.[127] Through its mixture of materialist and constructivist approaches, this theory assumes that regions have become more important regarding security for the simple fact that the geographic proximity of threats is much closer in regions than further.[128] This proximity can make states

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[122] Munro, "Kenneth N. Waltz".
[123] Barry Buzan, *People, States and Fear: The National Security Problem in International Relations* (Brighton: Wheatsheaf Books LTD, 1983), 1.
[124] Ibid, 1-2.
[125] Ibid, 2.
[126] Ibid, 13-14.
[127] Barry Buzan and Ole Wæver. "Introduction." in *Regions and Powers: The Structure of International Security* (Cambridge: Cambridge University Press, 2003), 3–5, doi:10.1017/CBO9780511491252.004.
[128] Ibid.

susceptible to the same threats, meaning there is incentive for them to cooperate in order to eliminate such threats. Furthermore, the closest risk of attack for a state is often the neighbouring state, meaning the dynamics within regional complexes are often very important for states; indeed, just as, or even more important than is the risk of superpowers intervening directly or indirectly in their security matters.[129]

For Kosovo, this theory bears not only importance, but also substantial truth, as our security is, and always was, linked directly to regional factors because of our particular Northern neighbour. Security in Kosovo can be looked at from a regional perspective, and the security of each level can also be looked at from a regional perspective, as the war not only threatens the individual and the state, but also the stability in the continent, by potentially having a spill-over.

Another theory in the Copenhagen School that ties closely with the dynamic between Kosovo and Serbia is that of securitization. Securitization, which consists of an issue that is dealt with by the state as an existential threat to it—so is the more extreme version of politicization—[130] is a concept that is used often in constructivism. Due to this existential nature of the threat that the state perceives or argues, *securitization* is then used in order to permit the state to employ methods and tools that otherwise are not used because of factors like ethical implications, legality, etc.[131] The term permit here means more than the state creating a legal or procedural permission. It also means the state is permitted by the rest of the population. So, the process of securitization does not only involve a discourse that is aimed at presenting the said issue as an existential threat, it also must include an adoption of this discourse by the general public.[132] Securitization is all too familiar for me as a Kosovo Albanian that lived through the repressive Serbian regime of the 1990s, as this regime often used it as a tool to rid the population of basic rights, and to violently oppress it. In this case, the Albanian population itself was used for securitization, through ungrounded claims that this population wanted to attack and ethnically cleanse the Serbian population there, or as an article from New York Times exalts: "Slobodan Milosevic clung to the notion that all the Balkan destruction he ignited and presided over was no more than a response to aggression against his long-suffering Serbian people."[133] To give it

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[129] Ibid.
[130] Barry Buzan, Ole Waever and Jaap de Wilde. *Security: A New Framework for Analysis* (Colourado: Lynne Reinner Publishers, Inc., 1998) 23.
[131] Ibid, 24.
[132] Ibid, 25.
[133] Roger Cohen, "To His Death in Jail, Milosevic Exalted Image of Serb Suffering," The New York Times, accessed February 14, 2019, https://www.nytimes.com/2006/03/12/world/europe/to-his-death-in-jail-milosevic-exalted-image-of-serb-suffering.html

a taste of realism, the article also asserts that the truth was a "commodity to be manipulated"[134] in order for him to strengthen the "myth of Serbian suffering",[135] gain power, and permit the array of wars that followed. The permission of the people is illustrated in the article as the author states that this "myth held a heady power over many years".[136] Arguably, this myth still holds power, as is proven by Serbia's hysterical reaction to the transformation of the KSF into an Army, by requesting an emergency meeting of the UN Security Council, though Kosovo's army capabilities are far smaller than those of Serbia's and so pose no real threat.[137]

Lastly, one of the innovations offered by the theories of this school is that of extending security *into 5 main sectors*. Traditionally, security issues manifest themselves only in two sectors: military and political.[138] However, as the world evolves, it is clear there are other sectors in which we find security issues and problems, so with it emerge new theories on the topic. Namely, the Copenhagen school believes that regarding the military and political sectors as the only ones to consider for security issues is obsolete, and they propose 3 more: the economic sector, the social sector and the environmental sector.[139] Security issues arise in all of these fields, but in different ways, or through different relationships. The military sector deals with offense and defence capabilities of itself and other states, so relationships of coercion by force; the political one with questions of state structures and stability, including organization and ideology, so relationships of government and authority; the economic sector with the different economic and financial factors that permit the state to have a degree of power and welfare, so economic and financial relationships; the social sector with issues of culture, identity, tradition and evolution of the society, so with relationships between the societal and individual identity; and finally the environmental sectors deals with the maintenance and sustainability of environment in the planetary biosphere sense, so the relationship between humans and this environment.140

These 5 sectors are included in the evaluation framework, as Kosovo, like most other states, has issues in each one of them, so it seemed appropriate to include all rather than only the traditional ones.

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[134] Ibid.
[135] Ibid.
[136] Ibid.
[137] Barbara Surk, "Kosovo Parliament Votes to Create on Army, Defying Serbia and NATO," The New York Times, accessed February 14, 2019, https://www.nytimes.com/2018/12/14/world/europe/kosovo-army-serbia-nato.html
[138] Buzan, Waever and de Wilde, *Security,* 7.
[139] Ibid.
[140] Ibid, 7-8.

Conclusion

In conclusion, this chapter examined the main theories of security studies and international relations, namely realism, liberalism and constructivism given that they all deliver very valuable insights for solicitous grounds in regard to their applicability as well as limits in the policy shaping of newly independent states, and more specifically of Kosovo. While realism and its different evolutions and branches comprise the foundations of International Relations Theory and Security Studies, they entail their limitations and short-comings. Although the teachings of this theory at any of its points preach approaching politics in the broad sense of the word with a high degree of consideration for power, they sometimes overcome the real goal in terms of practical applicability. Namely, classical realism by concentrating on large historical patterns, and the larger picture, makes it rather difficult for a state to believe it can significantly change its situation by having the right individuals or experts in positions of policy drafting, making it almost deterministic for smaller states with far fewer military or power capabilities.

On the other hand, neorealism has the inclination to become so explicit in its scientific methodology, that in order to be able to draw lessons from it, and apply it to an newly independent states like Kosovo, a comprehensive research from the very beginning is needed in order to build a theory that would fit the country profile, or to make many suppositions putting the characteristics of it aside, which as a consequence would be inaccurate.

Realism as elaborated here, has unquestionable significance in relation to lessons about interest and power, however, given that I wanted to discuss distinctive features of the security strategy shaping of the newly independent state of Kosovo, I employed other theories for the purpose of exposing their applicable, and not applicable characteristics as appropriately as possible. Conceivably, realism should be taken into consideration when a security theory is analysed, evaluated and drafted, whereas other theories are very useful when the strategy is examined in a more specific way. Similar logics apply to liberalism and constructivism as their applicability and limits have been discussed earlier.

Provided that in this study I try to merge all relevant theories into the best practical use, as elaborated above, the above examined theories in terms of practical utilisation seem not to be the most appropriate for the specific case of Kosovo while those deriving from the Copenhagen School of Security set the foundation for the most essential part of this theses which is the development of a comprehensive "Evaluation Framework" for the National Security Strategy. In conclusion, one of the novelties that Copenhagen School offer is that of expansion of security

into 5 main sectors thus overcoming the traditional manifestation of security into two main ones: military and political. These 5 sectors are included in the developed "Evaluation Framework", given that each one of them is applicable in Kosovo and further. Therefore, all of the sectors are included providing a comprehensive and an inclusive outreaching evaluation report. This is absolutely in line with the world's evolving security dynamics and problems and as such other sectors offered by this school enable proper dealing and addressing security challenges deriving from the respective area.

CHAPTER 3 - Security Context in Kosovo from the Recent History to Present Day

3.1. A Short Outline of the Security Context of Kosovo from the Recent History

William T. Johnsen in the study called *Deciphering the Balkan Enigma: Using History to Inform Policy* states that "Policymakers must be cognizant of the background and complexity of issues if they are to make informed decisions".[141] He realistically claims that gaining insights from a historical perspective contribute to inform the formulation of the policy in the future as history sets the context of the actual situation. Therefore, the intention of this chapter is not merely to provide a historical background but rather to shed light on the current rather complex security situation whose root causes go back to the certain historical conditions and developments.

In the post-WWII Yugoslavia, Kosovo was an autonomous province, the status of which gradually enhanced between the Federal Constitution of 1946 and the one of 1974; the latter made Kosovo a constituent federal entity of Yugoslavia.[142] Since 1974, Kosovo had the rights of veto at the federal and Serbia's level while its consent was required for all decisions: legislative and judicial as well as executive. Principally, Kosovo's status as an autonomous province of Yugoslavia was practically the same as that of other constitutive republics, except it lacked the right to self-determination, and it remained part of Serbia only nominally. However, in 1989, Kosovo's autonomy was abolished by Belgrade.[143] Consequently, a repressive police and military regime was established. Kosovo Albanians responded to the Serbian regime's oppression through a peaceful resistance. Under the leadership of Ibrahim Rugova, who reacted against this state ordered policy of repression with a non-violent resistance, parallel governmental institutions were created.[144] As the previous paragraphs suggest, Serbia's involvement in Kosovo in its contemporary history is evident, immense, and, at times, omnipresent. It is precisely this involvement that shaped the efforts of security and resistance in Kosovo, as the security efforts often came as a reaction, or rather defence, to the policies and persecution casted on the Albanian population by the Serbian authorities. However, the role of Albania as a state is less clear and direct. Namely, as Ilir Kalemaj states: "Albania has lacked a consistent approach towards the ethnic Albanians of (former) Yugoslavia

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[141] William T. Johnsen, *Deciphering the Balkan Enigma: Using History to Inform Policy,* Strategic Studies Institute (Carlisle PA: U.S. Army War College, 1993), 1.

[142] Tim Judah. *Kosovo: What Everyone needs to know* (New York: Oxford University Press, 2008), 57.

[143] Ibid, 57-61.

[144] Ibid, 69-74.

in general and the Albanians of Kosovo in particular."[145] The Albanians of Kosovo, which consist the majority in its territory but were always considered an outlier in the Slavic setting and a minority not worthy of their Republic, found refuge in the idea of joining Albania not only because of the systematic ethnic persecution but also because it seemed to be the natural progression to make after the historically unjust separation that had happened at the downfall of the Ottoman Empire. However, this will was mainly domestically created and spread, since Albania did not have a very comprehensive and coherent approach towards the Kosovo Albanian population, due to the heavily isolationist dictatorship that was in power for the second half of the 20th century.

The method of peaceful resistance of the 1990s, given the circumstances of the time, was very ingenious because it did not accept the repression of the Serbian regime but at the same time did not expose the population to a security risk with which it would not be able to cope. However, this peaceful resistance failed to provide a political solution while the repression and violence at the hands of the Serbian regime was increasing. Consequently, this whole situation culminated in an armed conflict in 1998 with the emergence of the Kosovo Liberation Army (KLA) earlier. Armed conflict began in 1998 between the Serbian military and police forces and the KLA, and by April 1999, 1 million Kosovars were displaced, with over half a million becoming refugees, and the rest remaining internally displaced.[146] This was a clear attempt to ethnically cleanse the territory of Kosovo of its Albanian majority, similar to what had been attempted in Bosnia just a couple of years prior, and as the situation escalated it rose serious concerns on the side of international community because of its humanitarian consequences, as well as the threat for spill over in other countries.[147] The conflict ended in June, after the military intervention of NATO beginning in the March of 1999, with a total of at least 13000 civilian deaths,[148] around 20000 victims of systemic rape,[149] massacres, and infrastructural destruction that left thousands without a home to go back to. After the end of the war, Kosovo

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[145] Ilir Kalemaj, *"Albanian-Kosovo relation: Quo Vadis?,"* (Pristina: Friedrich Ebert Stiftung, 2014), 13, http://library.fes.de/pdf-files/bueros/albanien/11322.pdf
[146] "Kosovar Refugees," *Migration Refugees* 6, no. 5 (May 1999), https://migration.ucdavis.edu/mn/more.php?id=1801.
[147] NATO Kosovo Force United in Commitment – Conflict Background available at: "Conflict Background" NATO Kosovo Force, accessed February 15, 2019, https://jfcnaples.nato.int/kfor/about-us/history/conflict-background
[148] Milka Domanovic, "List of Kosovo War Victims Published," Balkan Transitional Justice, accessed February 15, 2019, http://www.balkaninsight.com/en/article/kosovo-war-victims-list-published.
[149] Edlira Bllaca, "Kosovo War Rape Survivors See Hope in Reparations, but Justice Remains Elusive," Voice of America News, accessed February 15, 2019, https://www.voanews.com/a/kosovo-war-rape-survivors-see-hope-reparations/4202346.html.

came under an international protectorate through the U.N. Security Council Resolution 1244, which administered it until the declaration of Independence in February 2008.[150]

When the Socialist Federation of the Republic of Yugoslavia was formed in 1945, the Kosovo Albanians found themselves yet again separated from Albania, and under their Slavic neighbours, which they did not necessarily want.[151] Their scepticism towards the state was indeed well-founded as what followed in the first twenty-something years under this regime was wide-spread oppression at the hands of this regime, as most of the institutions dealing with security and defence in the province were monopolized by Serbs, who often used this power to repress the Albanian population by raiding villages, etc.[152] This established a level of discontent among the population, that remained not too expressed until dissent seemed more acceptable, which came with the elimination of the head of the security structures in Kosovo, Rankovic.[153] The historic year of 1968 had its manifestations in Kosovo as well, where manifestations for an enhancement in rights came with the demonstrations in 1968 through 1969.[154] As the manifestations had gained a high degree of support among the population in Kosovo, the heads of the Federation had decided to appease the demonstrators by granting them new rights in the new Constitution that was voted in 1974.[155] From a security perspective, this move consisted of a typical appeasement strategy in order to keep the situation from escalating into potential violence and unrest, and given the ethnic nature to it, to prevent the threat of a spill-over to the rest of the Republic, which was comprised of several ethnicities and religions. The ethnic nature to the demonstrations is attributed to the fact the demonstrators were asking for rights that touched them directly as Albanians, such as Albanian becoming a first language in the higher education institutions of Kosovo. This new constitution accorded the province a set of other rights, including that of the veto on a federal level, an Assembly, a Constitutional Court, and other rights giving it the possibility to influence the decisions taken on the local and federal level. While these new rights almost put Kosovo on the same level as the Republics of Yugoslavia, one very important fact to mention is that Kosovo was not given the right to

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[150] As seen on the country report by Bertelsmann Stiftung's Index, which demands to be cited as seen below: Bertelsmann Stiftung, BTI 2012 — Kosovo Country Report. Gütersloh: Bertelsmann Stiftung, 2012.

[151] Judah. *Kosovo,* 51.

[152] Ibid.

[153] Ibid, 53.

[154] Holm Sundhaussen, "Rruga e gjatë dhe e përgjakshme e Kosovës: nga një vilajet osman nëpër territorin serb te pavarësia," Dialogplus, accessed February 15, 2019, http://dialogplus.ch/rruga-e-gjate-dhe-e-pergjakshme-e-kosoves-nga-nje-vilajet-osman-neper-terrorin-serb-te-pavaresia-51428.

[155] "Kushtetuta e 74-ës siguronte autonomi, aktualja e bënë vendin jofunksional," Kosova Press, accessed February 15, 2019, http://www.kosovapress.com/sq/lajme/kushtetuta-e-74-es-siguronte-autonomi-aktualja-e-bene-vendin-jofunksional-65624/

proclaim its independence, which the other Republics enjoyed with this new Constitution. So, maybe for the first time since the creation of the Federation, Kosovo Albanians controlled most of what went on in Kosovo, and with the elimination of Rankovic, the instances of repression decreased significantly. It is possible to say that a significant part of the Albanian population began feeling safer, regardless of the fact these new rights angered the Serbs who now felt they did not have enough of a say in the matters in Kosovo.[156] This allowed for a renaissance in many social spheres in Kosovo, including culture and arts. Furthermore, there was a wave of modernization which was most needed as Kosovo was the most under-developed part of the Federation. This modernization was not only infrastructural but also in fields like education, where by the end of the 1970s and beginning of 1980 the number of undergraduate students had surpassed 35000 and the number of postgraduate students was over 15000,[157] all of who attended the University of Pristina.

Yet, in terms of economic and infrastructural development, Kosovo still was the example *par excellence* of the inequalities that were to be found within socialist *utopia* that was hailed for not being a Stalinist style regime by many in the West. Namely, Kosovo remained the least developed in Yugoslavia, and the differences between it and the most developed republic, Slovenia, not only were stark, they were deepening each passing day.[158] Predictably, this caused a lot of dissent among the educated youth, who on March 11th 1981 manifested demanding further socio-economic improvements for the province, as well as for Kosovo to become a Republic.[159] The protest quickly became popular among the rest of the society, and so it grew. This was regarded as a direct threat to the integrity of the Federation, and so it deemed it necessary to crush the protests employing 300000 soldiers,[160] as well as tanks, which lead to hundreds of civilian causalities, which was downplayed by the regime to 57 deaths.[161] In hindsight, this event foreshadows what was to come in the near future, including the future before Slobodan Milosevic since as many as half a million people found themselves being arrested or questions in the years that followed until 1989.[162]

This period also marked a significant rise in Serbian nationalism, which peaked with the event of Slobodan Milosevic becoming head of the Central Committee of Serbia in 1986. Milosevic

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[156] Judah. *Kosovo,* 57.
[157] Sundhaussen, "Rruga e gjatë."
[158] Ibid.
[159] Judah. *Kosovo,* 58.
[160] Sundhaussen, "Rruga e gjatë."
[161] Judah. *Kosovo,* 58.
[162] Ibid.

began building his political persona directly through securitization in this very period. Namely, as Tim Judah notes, the emigration of Serbs out of poorer regions of the Federation, such as Bosnia or Kosovo, to more economically and socially attractive places in Serbia was a constant, and after losing their privileged position in Kosovo which followed with the rise of educated Albanians who found themselves equipped with new rights and a more favourable political climate, the pattern of leaving grew stronger.[163] So, Milosevic, and other Serbian nationalists began feeding a discourse which claimed there to be a situation of ethnic cleansing of the Serbs in Kosovo at the hands of the Albanians. This discourse was further diffused by a memorandum in 1986, signed by members of the Serbian Academy of Sciences and Arts, supporting these claims, which was largely successful at creating a public perception of this apparent "threat" the Serbs faced from the Albanians.[164] So, abiding by the logics of securitization, this allowed Milosevic to use an increasingly violent discourse about Albanians, as well as to increase his repression on Kosovo. Milosevic's discourse translated into legal action in 1989, when the autonomy of the province of Kosovo was abolished.[165] Coupled with dismissing workers from factories and mines, this led to strikes by the Trepca miners. Following the strike, the miners were fired and the mine, which was their property due to Yugoslavia's special property system, was taken from them to be state property.[166] The Trepca strike made an echo throughout Kosovo, as I remember thousands joined on a march to Pristina, which was totally peaceful. This marks the spirit of peaceful resistance that was to follow in the 1990s.

3.2. Peaceful Resistance as a Tool for Security

The 1990s started a period that was particularly hard for Albanians in many ways. The autonomy of Kosovo was abolished that year, and the securitization efforts that had begun in Serbia regarding their claim of an Albanian threat to Serbs in Kosovo[167] had a culminating event in its discourse: the Gazimestan Speech. Namely, this refers Milosevic's speech on the anniversary of a battle which allied Balkan peoples, including Serbs, Albanians and others,

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[163] Ibid, 59.

[164] See Memorandum below:

Kosta Mihailovic and Vasilije Krestic, *Memorandum of the Serbian Academy of Sciences and Arts: Answers to Criticisms,* ed. Miroslav Pantic, trans. Margo and Bosko Milosavljevic (Belgrade: The Serbian Academy of Sciences and Arts, 1995), https://www.rastko.rs/istorija/iii/memorandum.pdf.

[165] Judah. *Kosovo,* 67.

[166] Bob Myer, "Shaft of light in Kosovo," The Guardian, published November 1999, accessed February 15, 2019, https://www.theguardian.com/theguardian/1999/nov/25/guardianletters2

[167] Mihailovicm and Krestic, *Memorandum*.

which was lost to the Ottomans 600 years prior, the battle of Kosovo.[168] Politically, this speech is considered as one of the key dates in the history of Yugoslavia, as it marks one of the official dates where the prospect of armed conflict was presented by the Serbian regime, through Milosevic's suggestions that while the conflicts happening currently were not armed, that was not to be excluded.[169] In a way, this was a warning as to what actions would be the result of this mounting securitization of the Serbian emigration from Kosovo. On a side note, a similar tendency for politicization, and even securitization might be the case with the recent visit by the Serbian President to Kosovo, Aleksandar Vucic, who made many manipulative and provocative statements during this visit.[170]

Despite Milosevic's suggestive statement regarding armed conflict, war did not come to Kosovo until the end of the 1990s, arriving first in Slovenia, Croatia and Bosnia and Herzegovina.

The period between 1989 and the start of the armed conflict, which in my opinion must be considered as a period of *not armed conflict* rather than peace, is of particular importance to Kosovo in terms of security. After Gazimestan, and the loss of autonomy, other repressive measures followed, including the sacking of thousands of Albanians that worked in public institutions. As a result of this repression, under the lead of Ibrahim Rugova, the Albanian people of Kosovo created parallel structures. This led to a situation reminiscent to that of the apartheid in South Africa, and many Human Rights Watch Dogs documented and reported human rights violations and continuous discrimination.[171]

These violations included a black-listing and persecution of Albanian politicians, attacks to press and free speech, mysterious deaths of Albanians doing their conscription in the People's Yugoslav Army, etc.[172] This pushed the Kosovo Albanians into unofficial structures, as the institutions were re-monopolized by Serbs. Even though the parallel structures were unofficial and illegal in the eyes of the Serbian regime, they were still highly structured. Kosovo Albanians went to declare independence, adopt a constitution, and elected Ibrahim Rugova as their leader.[173]

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[168] Fitim Salihu, "From Gazimestan to Gazivoda," Kosovo 2.0, accessed February 15, 2019, https://kosovotwopointzero.com/en/from-gazimestan-to-gazivoda/
[169] Judah. *Kosovo,* 67-68.
[170] Salihu, "From Gazimestan."
[171] Sundhaussen, "Rruga e gjatë."
[172] Ibid.
[173] Judah. *Kosovo,* 69-71.

Evidently, all of these acts were considered illegal by the Serbian regime, and were done in relative secrecy. Secrecy, or rather being discreet, was a defining feature of the parallel structures regarding the activities that were made inside the country to sustain these structures. It was a necessary measure in order to avoid being found out and persecuted by the Serbian authorities, as the parallel structures also included parallel schools and a parallel economy made up of diaspora remittances. If discovered to be in relation with any of these, one risked prison as well as other harsher repercussions.[174] So, during these years, security was at one of its lowest points. The only time it was lower was during the war. Yet, Rugova insisted on a non-violent approach to the Serbian regime during these years. This was also coined a civil resistance, and soon Rugova bean being branded as a Ghandian politician.[175] The insistence on peaceful, non-violent resistance was fortified in 1992 when Kosovo refused to open a second front against the Serbs at the request of Croatian President Franjo Tudjman.[176]

Choosing to avoid violence was a security strategy in the parallel institution era of Kosovo. Having understood Serbia's securitization strategy, and being aware of Kosovo's (lack of) military capabilities, Rugova opted to undermine the securitization efforts of Milosevic by not giving them a pretext or reason to take out of context. The Albanians not only could not take up violent resistance, if they were so much as to try to arm themselves in the early 1990s, they would run the risk of creating a situation that Serbia could interpret as a security dilemma, and abiding by realist logic, they would potentially be able to use it as a reason to go in and neutralize the threat. Rugova chose to avoid a situation in which there would be a reason for Serbia to use its military extensively in Kosovo, as it would mean mass scales of causalities,[177] and in my opinion, genocide like in Bosnia and the total ethnic cleansing of Kosovo Albanians, as in the war which followed in 1990. Rugova deemed the asymmetry of power much too big to even attempt taking a risk without having allies to protect or stand up for Kosovo. So, it is possible to say Rugova understood the real implications an armed conflict would bring from a realist, power centred approach.

However, knowing that the Albanians of Kosovo could not continue to live in parallel structures, imminent danger and lack of future prospects indefinitely, Rugova had to offer some sort of solution for the situation. This solution took the form of an attempt to internationalize

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[174] As a university student during these parallel structures, I remember it being dangerous if the Serbian police were to discover our student cards, in which case one risked maltreatment.
[175] Judah. *Kosovo,* 71.
[176] Ibid, 70.
[177] Ibid, 71.

the Kosovo issue, through an attempt to raise awareness about the repression and human rights violations happening, which would hopefully mobilize the international community to prevent genocide and other atrocities. In this way, Rugova tried to use idealist tools in order to improve the security situation in Kosovo, namely by trying to appeal to the international community and institutions. This appeal was made on basis of universal ethical violations that these institutions had sworn to try to avoid or prevent, like the violation of *jus cogens*. The 1990s were a dark time for these international institutions and their supporters, as they had stood by while two genocides had happened, in Rwanda and Srebrenica.[178] So, for Kosovo to hope they would intervene to save them seemed like a long shot, which might explain the insistence on non-violent and non-provocative resistance so to buy time to raise enough awareness. From a realist perspective, being in an unfavourable position domestically and internationally due to lack of power, Kosovo tried to gain more powerful allies that would significantly improve its chances of survival and development. This can be used to draw general conclusions that in some cases, places which have a clear military disadvantage opt for other, non-confrontational methods of dealing with conflicts, in order to avoid complete annihilation by the stronger power or state.

However, when analysed holistically, Rugova's security strategy of peaceful resistance was short to reach its goal in many senses. For one, looking at it from each of Buzan's 5 sectors, security was not reached in any. The lack of a Kosovar military force, and constant threat from the Serbian/Yugoslav military attack made so that from this perspective security was absolutely not reached. Political security was closely tied to military sector, and since Kosovo was not legally regarded as a Republic by most countries in the world during this period made the situation worse, as what was happening in Kosovo was considered a national (Serbian) issue that other states ought not interfere with. Living under parallel structures, including parallel schools, hospitals and a parallel economy, meant security was not present neither from a social nor from an economic perspective. Regarding the environmental sector, no real deterioration was made to it, meaning it could arguably be considered in relative security, but due to its irrelevance to the whole period and situation it did not make a difference on the overall (in) security situation.

So, the overall security situation in Kosovo during the Rugova years was not particularly well, as there were grave problems in almost each sector, and threat was imminent in all. Yet, looking

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[178] Derek Chollet, "The shame of Srebrenica," Foreign Policy, accessed February 15, 2019, https://foreignpolicy.com/2015/07/09/the-shame-of-srebrenica-bosnia-iraq-war-libya-syria/.

at the different factors from the realist perspective, a minimum level of security, namely the survival of the Kosovo Albanians, and their language and culture was preserved, which was arguably under grave threat of being completely wiped out. Still, the repression of the period ultimately culminated with armed conflict, as people could no longer abide by logic of peaceful resistance while violent repression was rising at the hands of the Serbian regime. This led to the rise of the Kosovo Liberation Army, the war, and the NATO intervention.

3.3. The Rise of the Kosovo Liberation Army

The KLA was established as a guerrilla organization to respond to the mounting violence cast over the civilian population by the Serbian regime. It was a small organization, amounting to 150 active members in 1997, which did not attract much attention until the Dayton conference.[179] Its *modus operandi* in the beginning was to cast attacks against Serb-ran police stations, as is the case usually with these types of revolutionary organizations when fighting a stronger and bigger opponent. This led to an increase in both repression and security forces in Kosovo by the Serbian regime.[180]

From a security perspective, the KLA can be considered a by-product of the total lack of security and constant threat surrounding Kosovo Albanians for years. As the name suggests, this army had formed to *liberate* Kosovo from the Serbian regime. In this sense, the KLA abided by revolutionary logics, asserting that the Kosovo Albanians were *the dominee* while the Serbian regime was the *dominant.* As such, in 1997 the KLA called for the support of the Kosovo Albanians during the funeral of some murdered Kosovo Albanians.[181] Support for the KLA was high among the population that was tired of doing nothing against the daily repression, however, this violence brought about consequences.

Between spring and autumn 1998, Serbian forces attacked villages in Kosovo where KLA members came from or were affiliated with. This included the massacres committed against the Deliaj clan where over 15 women, children and elderly were murdered, and some mutilated by the Yugoslav forces, which by this date were completely under Serbian command. Other bodies were burned, and some shot by death squads in neighbouring villages.[182] The gruesome murders of a 7, 5 and 4 year-old who were escaping from the army with their mom, and the

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[179] Sundhaussen, "Rruga e gjatë."
[180] Ibid.
[181] Ibid.
[182] Jane Perlez, "Massacres by Serbian Forces in 3 Kosovo Villages," The New York Times, accessed February 15, 2019, https://www.nytimes.com/1998/09/30/world/massacres-by-serbian-forces-in-3-kosovo-villages.html.

mutilation of a murdered pregnant woman, showed clearly that the army had total disregard for the Geneva Conventions and ethics, but displayed a total readiness for the destruction of the Kosovo Albanians, of which by that time 250000 had been forced to flee.[183]

This prompted a reaction from the UN Security Council which called for Serbia to terminate these hostilities.[184] From a security perspective, this pointed towards some main trends. First of all, some of the predictions set forward by Rugova were happening as the violence cast by the army in these villages, and after the emergence of the KLA was now more systemic and extremely ruthless. On the other hand, the international institutions, such as the UN, seemed to show some willingness to stop the repression. However, their lack of willingness to intervene, other than with forensic experts and observers, showed that arguably they still thought intervention would be a bold move, due to considerations for Serbia's autonomy. This means these organizations maintained the state as the most important body in 1997, rather than the individual, especially when considering security.

However, there was a turning point where arguably the individual becomes more important regarding security and policy for the international community.

In January 1999, over 40 civilians were killed by Serb forces in the village of Recak, sparking outrage among the international community.[185] The Chief of the OSCE Kosovo Verification Mission Ambassador William Walker categorized it as a massacre, which he claimed was unspeakably atrocious and possibly a crime against humanity.[186] However, Milosevic claimed that the victims, all in civilian clothing, were KLA 'terrorists', a claim disproven by the international forensics expert.[187]

The massacre was internationally condemned by several governments and international organizations. This made the international community (particularly NATO) push harder for negotiation between the two sides, which culminated in the Rambouillet talks of the 7th of February 1999.[188] The talks, ended on the 23rd of February, with a termination that the international community found less-than-ideal. No deal was signed by either party, especially

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[183] Ibid.
[184] Sundhaussen, "Rruga e gjatë."
[185] Barry James and International Harold Tribune, "U.S. and EU Denounce Massacre in Kosovo as NATO Ponders Next Move," The New York Times, accessed February 16, 2019, https://www.nytimes.com/1999/01/18/news/us-and-eu-denounce-massacre-in-kosovo-as-nato-ponders-next-move.html.
[186] Ibid.
[187] Ibid.
[188] Judah. *Kosovo,* 85-87.

as the Albanian delegation did not agree to sign a deal allowing for *some* Yugoslav forces to remain in Kosovo, and for Kosovo to remain an autonomous province. Yet, this original proposal allowed Kosovo's future to be decided by a vote, or as the agreement saw it, a will of the people, which would have predictably led to Kosovo becoming independent due to its demographic composition.[189] The talks resumed two weeks after the first termination in March, where the Albanian delegation had decided to sign the first agreement. But, the Serbian delegation came with a new agreement, which removed the part allowing the will of the people, even though Serbia had far less leverage given the massacres that had already happened in Kosovo and the genocide in Bosnia. The international leaders felt they could not take a chance on another genocide, and Milosevic's regime was not to be trusted not to commit one. They now urged Serbia to withdraw troops, stop the repression and sign the agreement, which Milosevic refused to do, leading to the NATO bombings of Serbia, Kosovo and parts of Montenegro that began on the 24th of March 1999.[190]

From a security perspective, the changing attitudes of the political leaders, as well as the change in approach towards the Kosovo conflict after the Recak massacre implies constructivist theories are needed to understand this issue. The fact perception by the public and by different states, as well as the international community changed after this terrible incident, shows that indeed contextual dynamics play a strong role in security outcomes. Furthermore, the fact the Srebrenica genocide and the Rwandan genocide had a very strong effect on this perception and change of approach to Kosovo fortifies the thesis that how we view many security issues depends on the social norms and constructs of the given time, regardless if these norms are affected directly and only by us or not. In a way, the logics that constructivism abides by can be argued to have played a huge role to end the war in Kosovo, and save the Kosovo Albanians from further terror and repression.

3.4. United Nations Mission in Kosovo (UNMIK)

Following NATO's military campaign against the Federal Republic of Yugoslavia (FRY) on 10 June 1999, the United Nations Security Council adopted Resolution 1244, authorizing the

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[189] "Kosovo Air Campaign (Archived): Operation Allied Force," North Atlantic Treaty Organisation, accessed February 16, 2019, https://www.nato.int/cps/en/natohq/topics_49602.htm.
[190] Ibid.

United Nations Interim Administration Mission in Kosovo (UNMIK) to start an extensive process of peace building, democracy, stability and self-government in Kosovo.[191]

It is important to emphasize that Resolution 1244 for many scholars presents one of the most disputable and paradoxical resolutions of the UN. One of the strongest arguments put forward is that since the FRY ceased to exist, this makes Resolution 1244 extraneous and consequently it makes Kosovo independent by default.

In accordance with UN Security Council Resolution 1244 (1999) and the Constitutional Framework and the original standards statement, approved by the Security Council, a policy document under the name "Standards for Kosovo" was developed. This document set out a number of standards that Kosovo had to accomplish. As Bernard Knoll indicates, "These standards reinforce Kosovo's parallel progress towards European standards in the framework of the EU's Stabilisation and Association Process, based inter alia on the Copenhagen criteria. The standards describe a multi-ethnic society where there is democracy, tolerance, freedom of movement and equal access to justice for all people in Kosovo, regardless of their ethnic background".[192]

Since summer 2002, UNMIK has submitted regular baseline reports on standards implementation to the UNSC. Knoll describes that "since early 2003, the benchmarking process has been reinforced by the Tracking Mechanism for Kosovo, through which the European Commission tracks the development of standards and provides sector-specific recommendations for different policy areas. Under the Tracking Mechanism, Kosovo is obliged to gradually bring its legislation and institutions into line with the EU acquis, and receives access to the EU market in return."[193]

The unrest of March 2004 certainly presented a drawback in the process. Furthermore, it damaged the reputation and the credibility of UNMIK and KFOR. The inter-ethnic violence of March 2004 showed a clear indicator that proved that the international community's efforts to create a harmonious multi-ethnic society in Kosovo had failed, or as the report on the international commission in the Balkans puts it: "A multi-ethnic Kosovo does not exist except

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[191] You may access the resolution in the official UN language in the following link:
"Document Retrieval: Security Council Resolution 1244 (1999) on the situation relating Kosovo," United Nations Peacemaker, accessed February 16, 2019, https://peacemaker.un.org/kosovo-resolution1244.
[192] Bernhard Knoll, "From Benchmarking to Final Status? Kosovo and The Problem of an International Administration's Open-Ended Mandate," *European Journal of International Law* 16, no.4 (September 2005): 4-12, https://doi.org/10.1093/ejil/chi140.
[193] Ibid.

in the bureaucratic assessments of the international community. The events of March 2004 amounted to the strongest signal yet that the situation could explode."[194]

On 23 May 2005, Secretary General Kofi Annan appointed Mr. Kai Aide of Norway as a Special Envoy to undertake a comprehensive review of the situation in Kosovo in order to assess if the conditions were ready to start the political process that would determine the future status of Kosovo. Kai Aide supported the commence of the status process. He concluded that although the standards implementation in Kosovo had been uneven, the *status quo* was unsustainable and the time had come to move to the next phase of the political process and launch negotiations on future status of Kosovo.[195]

On 1 November 2005, Kofi Annan appointed former Finnish President Martti Ahtisaari as a Special Envoy to lead the political process that would resolve the future status of Kosovo. Martti Ahtisaari's appointment signalled the commencement of the last part of the international administration of Kosovo in its present form, furthermore it signalled that the time for European Union's intense engagement in this issue had come.[196]

On February 2nd, 2007 UN Secretary-General's Special Envoy Martti Ahtisaari presented the plan for the future status process of Kosovo. According to this proposal, the minority communities were to be granted special protection while the municipalities would undergo a process of decentralisation in order to ensure that the rights and interests of non-Albanian communities were protected. In this light, Kosovo would govern itself under international supervision but would have the right to enter into international agreements, including membership of international bodies. The Secretary-General, Ban Ki-moon considered the proposal as fair and balanced. Additionally, the proposal entailed the deployment of an international civilian and military presence that would supervise the new arrangements and ensure peace and stability. A European Union (EU) Special Representative would act as an International Civilian Representative, with ultimate supervisory authority over civilian aspects

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[194] International Commission on the Balkans, *The Balkans in Europe's Future,* Report, Robert Bosch Stiftung, King Baudouin Foundation, German MARSHALL Fund of the United States, Charles Stewart Mott Foundation (Sofia: Secretariat Centre for Liberal Strategies, 2005), 19.

[195] A letter sent from the Secretary-General of the UN addressed to the President of the Security Council, in which the report by Kai Eide on Kosovo:
Kofi A. Annan, *Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council,* report no. S/2005/635 by Kai Eide (New York: United Nations, October 2005), accessed July 12, 2019,, https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S2005%20635.pdf.

[196] "Secretary-General Appoints Former President Martti Ahtisaari of Finland as Special Envoy for Future Process for Kosovo," United Nations, United Nations Meetings Coverage and Press Releases, accessed February 16, 2019, https://www.un.org/press/en/2005/sga955.doc.htm.

of the settlement, including the power to annul laws and remove officials whose actions are determined to be inconsistent with it.[197]

On April 3, 2007 Ahtisaari presented to the UNSC his final package of proposal recommending that Kosovo should become an independent state with a period of international supervision. Kosovo accepted the proposal while Serbia rejected it. From April to July, 2007, a number of draft resolutions based on Ahtisaari's plan were rejected by Russia in the UNSC. Consequently, Ban Ki-Moon authorized a time-limited round of negotiations between Pristina and Belgrade led by the EU/US/Russian Troika. The unsuccessful diplomatic efforts of the Troika to bridge the gap between the parties on Kosovo's status eventually led to the unilateral declaration of independence of Kosovo, in coordination with the major powers.

3.5. Demilitarization of KLA and the Creation of the Kosovo Protection Corps

On June 9, 1999, a Military Technical Agreement between NATO and Yugoslav military officers was concluded. This agreement led to the withdrawal of all Yugoslav forces from Kosovo, which at that point were almost exclusively Serbian forces. On the 10th of June, the Resolution 1244 was approved by the U.N. Security Council. Accordingly, on June 11, KFOR began to enter Kosovo (see KFOR deployment in Kosovo in annex 3) while the Serbian withdrawal was completed as foreseen on June 20. Consequently, on the 20th of June, the KLA and NATO signed a document[198] on the demilitarization of the KLA. This agreement assigned KFOR with overseeing the process of demilitarization within the next 3 months. The agreement aimed at the integration of KLA combatants into civilian life.[199] This process was followed with the establishment of KPC, a civil emergency organizational mission.

Following the 90-day full demilitarization of the KLA, on September 1999 the agreement for the establishment of the KPC was signed, not as a military force but mainly as an emergency force that would react in case of natural disasters. The agreement was signed between KFOR commander, Lt. Gen. Mike Jackson and Hashim Thaçi, political chief of the KLA.[200]

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[197] See it below:
United Nations Office of the Special Envoy For Kosovo (UNOSEK), "Comprehensive Proposal for the Kosovo Status Settlement," Kuvendi Kosovës (February, 2007), July 16, 2019, https://www.kuvendikosoves.org/common/docs/Comprehensive%20Proposal%20.pdf.
[198] Find the agreement on the demilitarisation and transformation of the UCK below:
"Document Retrieval: Undertaking of Demilitarisation and Transformation by the UCK," United Nations Peacemaker, accessed February 16, 2019, https://peacemaker.un.org/kosovo-demilitarisationuck99.
[199] Ibid.
[200] Ibid.

The agreement amongst others foresaw that the KLA works in accordance with the terms set in the UNSC Resolution 1244 while the international community takes into consideration the contribution of the KLA during the Kosovo crises. Thus, members of the KLA throughout the process of transformation would join the Kosovo Police Service and administration. They were to disengage and not take part in conflict zones while demilitarizing subsequently and integrating in the civil society in line with the conditions of the UNSC Resolution 1244 pursuant to the obligations taken by the Kosovo Albanian delegation at the Rambouillet accords.[201]

Further, the KLA would take the initiative to give up using force, to comply with the directives of the COMKFOR commander and to resolve issues related the implementation of this initiative in a peaceful manner. The demilitarization as such was an easy task for NATO as the latter did not want to provoke negative reactions from Kosovo Albanians with its first activities in Kosovo.[202] Yet, the KLA demilitarization and demobilization was a challenging undertaking because of the fact that after the fighting, Kosovo Albanians went through many sacrifices. Thus, the KLA was not only considered a main liberation force, but also a political one that had the credits of changing the developments and powers in Kosovo, including the merits for NATO intervention, placement of Kosovo under an international protectorate and above all the defeat of the Serbian jurisdiction over Kosovo.[203] Thus, during the demilitarization process, NATO had to act in two directions, first was to focus on the implementation of the activities of the formal KLA demilitarization agreement and creation of the KPC, and the second was to extinguish the informal armed structures and disarm them, that could threaten the stability of Kosovo and the region.[204]

KFOR and the KLA had different visions for the future, as the KLA wanted to keep some kind of standing formation that could be transformed into an army in the future, while KFOR aimed at demilitarizing it as part of its mandate.[205]

In addition, NATO, namely KFOR, made two outstanding concessions. First was to recognize the KLA-led Provisional Government of Kosovo as legitimate and second, there would be an

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[201] Ibid.
[202] Bejtush Gashi and Dario Molnar, "The Role of NATO in the demilitarization of Kosovo Liberation Army and in establishment of Kosovo Protection Corps and Kosovo Security Force" *Iliria International Review* 2, no. 2 (2012): 48, https://doi.org/10.21113/iir.v2i2.143.
[203] Ibid.
[204] Ibid.
[205] International Crisis Group, "What Happened to the KLA," Crisis Group Report, published 3 March 2000, accessed February 16, 2019, https://www.crisisgroup.org/europe-central-asia/balkans/kosovo/what-happened-kla.

"*army on the lines of the US National Guard" for Kosovo in the future.*[206] However, KFOR and the UN did not clearly state that the KPC would not advance into a future army of Kosovo. This refusal was done deliberately in order to suppress the aspiration of the KPC to become a future security force or army. The immediate goal and necessity of the time was to establish security at the expense of a long-term durable solution.

The mandate of the KPC is based on the following legal documents: UNMIK Regulation 8 (1999); the Commander KFOR Statement on principles for KPC; Paragraph 7 of the Constitutional Framework of Kosovo; The Benchmarks of the SRSG; and The Standards for Kosovo. Other documents in which the KPC is not mentioned as such but that have relevance are: The UN Security Council Resolution 1244; and The 'Undertaking of demilitarization and transformation by the UCK'.[207]

US Army LTC John W. Wiseman in his work *Transformation of the Kosovo Liberation Army: A Way to an End* considers that the transformation of the KLA into the Kosovo Protection Corpse was a way without means therefore suggests in the future the transformations of insurgent armies should "clearly link the transformation to a well-defined political end".[208] According to him, this was not the case with the KLA transformation while *it created an emerging concept of the United Nations for transforming armies after conflict.* Transformations as such should be consistent with final state objectives of the conflict. Due to the strong influence of the international community and the fact that Kosovo was under the auspices of the UN, there were neither well defined end goals nor a proper planning for the future.

Finally, the resolution of the final status of Kosovo determined the new security arrangement. The declaration of the independence and the adoption of the Constitution of the Republic of Kosovo brought a new situation and the necessity for the reconfiguration of the security system. In coordination with Brussels and Washington, the Assembly of Kosovo *adopted the Declaration of Independence on the 17th of February 2008, declaring Republic of Kosovo a sovereign and independent state*. Kosovo adopted the Constitution on the 15th of June, 2008

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[206] "Document Retrieval," United Nations Peacemaker.
In the document, there is the following article:
article 25, b states: The formation of an Army in Kosovo on the lines of the US National Guard in due course as part of a political process designed to determine Kosovo's future status, taking into account the Rambouillet Accord.
[207] Erik Petersen, *The Kosovo Protection Corps In Search of a Future*, Field Notes (Groningen: Centre for European Security Studies, 2005), 6-8.
[208] John W. Wiseman, *Transformation of the Kosovo Liberation Army: A Way to an End?*, Strategy Research Project (Carlisle PA: US Army War College Press, 2001), 13.

that fully enshrined the provisions of Ahtisaari's proposal. Consequently, the Assembly invited the European Union to deploy its rule of law mission EULEX and the establishment of the International Civilian Office (ICO) to supervise the implementation of Ahtisaari's plan, the latter formally ended the supervision on September 10, 2012 that is considered a successful and historic milestone for Kosovo.

To date, Kosovo is formally recognized by 116 UN member states, including the United States of America, 22 EU states, the United Kingdom, Japan and Canada. With exception of Serbia, Kosovo is recognized by its immediate neighbours, Albania, Macedonia and Montenegro. Most importantly, the International Court of Justice with a compelling vote of ten to four, on 22 July 2010, advised "that the declaration of independence of Kosovo adopted on 17 February 2008 did not violate international law".[209]

Article 154 of the Constitution of Kosovo[210] predicted abolishment of KPC within one year after the constitution enters into force while article 126 foresaw the creation the organization called Kosovo Security Forces (KSF) as a national security force of Republic of Kosovo.

While the Republic of Kosovo is grateful for the significant role international institutions have played in the development of Kosovo's security sector, and most importantly in maintaining a safe and secure environment, being an independent and sovereign state, Kosovo is seriously liable to provide security for its citizens and its territory. Kosovo recognizes the importance of the process of gradually assuming responsibility for its security. It is important to underline that in March 2012, the Government of the Republic of Kosovo initiated the Strategic Security Sector Review (SSSR), a complete review of the governmental security institutions.[211] The review aimed to conduct a comprehensive analysis of all security related aspects of the Republic of Kosovo with the intention of estimating current and future security challenges. Another purpose was to clearly define the roles of each institution in the security sector to avoid a duplication of efforts while optimizing the capabilities of the institutions. Through this analysis, the SSSR made strategic level policy guidance and concrete recommendations for the

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[209] The Advisory Opinion of the International Court of Justice, for which the official citation is:
Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion, *I.C.J. Reports 2010,* p.403
 Paragraph 123 (3).
[210] See the Constitution of the Republic of Kosovo available on the webpage of the Assembly:
"Constitution of the Republic of Kosovo" Republic of Kosovo Assembly, accessed February 16, 2019,
http://www.kuvendikosoves.org/?cid=2,1058.
[211] Government of the Republic of Kosovo, *Analysis of the Strategic Security Sector Review of the Republic of Kosovo* (Pristina: Government of the Republic of Kosovo, 2014), 1-22, July 13, 2019, http://www.kryeministri-ks.net/repository/docs/Analysis_of_Strategic_Security_Sector_Review_of_RKS_060314.pdf.

security sector of Kosovo. The vision of the Republic of Kosovo is to promote stability and security, not only for its citizens, but also for the region and Europe. The aspirations of the Republic of Kosovo are to be part of regional and global security structures, with a special focus on the EU, NATO, OSCE and the UN. Kosovo opts to keeping and promoting good neighbourly relations to enhance stability and confidence building between people in the region. It is determined to provide a peaceful, prosperous and multi-ethnic state that guarantees human rights and freedom to all its citizens as enshrined in the Constitution. The ultimate goal of the Republic of Kosovo is the integration into Euro-Atlantic structures, which remain the most powerful commitment for Kosovo, as well as an indication of willingness and confirmation to become an exporter of regional and international security. Indeed, Kosovo's national security is closely related to regional and broader Euro-Atlantic security.[212]

The following chapters will provide a chronological analysis of the evolvement of the security institutions starting with the Kosovo Security Force.

3.6. Kosovo Security Force towards a Fully-Fledged Army

The Kosovo Security Force (KSF) was formally created in January 2009, based on the provisions of the *Ahtisaari Plan* and within the wider context of the ongoing security sector reform in Kosovo while it reached its operational capability in September 2009 with the mentoring of NATO's KFOR.[213] The KSF was established as *a professional, uniformed, and lightly armed body*, tailored to represent the multi-ethnic structure of Kosovo. The Constitution of Kosovo entered into force on the 15th of June 2008. In the framework of the constitution, the Law on the Ministry of Security Force of Kosovo, the Law on the Security Force as well as the Law on the Service on the Security Force of Kosovo entered into force. Based on the provisions of this Constitution, the KSF will serve as *a national security force* for Kosovo eligible to send its members abroad in full accordance with its international obligations.[214] KSF will protect all communities living in Kosovo based on the competencies ensured by law. The Ministry of the Kosovo Security Force is an integrated ministry (consisting of civil servants and uniformed officials within a unified organizational structure) that bases its function on the model of the

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[212] Ibid.

[213] Giorgos Triantafillou, *Kosovo Security Force: Quo Vadis?*, Briefing Note 14 (Athens: Hellenic Foundation for European & Foreign Policy (ELIAMEP), 2013), 1-4.

[214] Ministry for the Kosovo Security Force, *Stand-up, Challenges and Success,* Report (Pristina: Ministry for the Kosovo Security Force, 2010), 7, https://www.mksf-ks.org/repository/docs/Broshura%20ANGLISHT%20%20-%20finale%207.02.2011.PDF?fbclid=IwAR2otcb_4TEDQo9OrzDO46hC4gMu09kVfwOhy2I_FbxbdIXxbAgr DRrSdj0.

same ministries in respective NATO member states. Thus, the Ministry of the KSF is responsible to exercise civil control upon the KSF including management and administration and as such, through the prime minister reports and is responsible to the Government of Kosovo. An important contribution in the establishment and development of the KSF has been given by the NATO and KFOR advisory teams. Given that the Euro-Atlantic integration is one of the key objectives of Kosovo, the Ministry of the KSF has worked and cooperated closely with the NATO member states with the aim of adhering to the regional and international security organizations. Consequently, the main focus of this ministry has been to set up the KSF in line with NATO requirements.[215]

NATO advisory teams and KFOR have supported the Ministry of the KSF amongst others to formulate policies and strategies, to develop a planning, budgeting and programming system, and to be able to act in an international environment and as a force for peace and security in the region. Furthermore, financial support for the development of the KSF in the form of donations came from NATO member states through a NATO Trust Fund that was established in 2008. The accorded funds were used to accomplish basic training and capacity building in order to achieve the Initial Operational Capability. In addition, the Ministry of the KSF has signed cooperation agreements with countries of the region as well as NATO members.

So far, agreements of cooperation have been signed with the UK and Northern Ireland in 2009, Lithuania in 2009, the Netherlands in 2009, Turkey in 2009, Albania in 2010, Macedonia in 2010 and Montenegro in 2010.[216] A special importance has been given to the training and capacity building of the KSF staff, whereas these trainings were provided by partner countries such as the USA, the UK, Albania, Turkey, the Netherlands, Lithuania and Japan.[217] All of these steps were taken to reach the standards that would approximate the KSF with NATO standards. Last but not least, the hierarchy structure of the KSF is based on the NATO military system. Moreover, based on NATO standards, the KSF has met all the criteria to become a member of PfP, which would have opened the path towards integration in NATO as well as proved that the KSF can be a reliable security contributor in the region and wider.

Below I will present the legal framework enshrined in the groundwork of the KSF:

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[215] Ibid.
[216] Ibid.
[217] Ibid.

Table 1: Legal basis and framework[218]

Internal framework

Constitution of the Republic of Kosovo	
Law on Gender Equality in Kosovo (2004)	Administrative Instruction No. 4/2007 on Human Rights Units in the Government of Kosovo o Convention on Elimination of all Forms of Discrimination against Women, which has become a part of the Constitution of the Republic of Kosovo
Law Against Discrimination (LAD)	Law on Mediation o Administrative Instruction on the Implementation of LAD
Action Plan on the Implementation of LAD	Government Programs on Gender Equality
Administrative Instruction on Equal Opportunity Procedures	Law on the Use of Languages
Law on the Freedom of Religion	Law on Cultural Heritage
Law on the Promotion of Rights of Communities and their members	

Table 2: External legal framework[219]

Universal Declaration of Human Rights (UDHR)	**Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) of United Nations Security Council Resolution 1325 "Women, Peace and Security"**
European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)	International Covenant on Civil and Political Rights (ICCPR)
Framework Convention for the Protection of National Minorities o Convention on the Elimination of All Forms of Racial Discrimination (ICERD)	Convention on the Rights of the Child (UNCRC)
Convention against Tortures and other Cruel, Inhuman and Degrading Treatment or Punishment (UNCAT)	Framework Convention for the Protection of National Minorities (FCNM)
European Charter of Regional and Minority Languages (ECRML)	

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[218] Ministry of the Kosovo Security Force, "Annex 1," *Legal Basis and Framework,* Publication (Pristina: Ministry of the Kosovo Security Force, n.d.), https://www.mksf-ks.org/repository/docs/Policy%202011-08-25%20-%20Annex%20I%20-%20Eng.pdf.

[219] Ibid.

Table 3: Institutional mechanisms[220]

MKSF and KSF have the following mechanisms inside their organizational structure:

Human Rights Unit	Community Affairs Unit
Legal Department of KSF Inspectorate	KSF Land Forces Command has a Gender Equality Officer in the Personnel Department

Table 4: (G1) **Institutional Legal Mechanisms (Existing Mechanisms)[221]**

The following have been established on local and central level:

Office of Good Governance in the Office of the Prime Minister	Gender Equality Agency of Human Rights Units in every Ministry
Gender Equality Officers in every Ministry of the Government	Inter-Ministerial Group on Gender Equality
Gender Equality Unit within the Office of Kosovo Statistics	Commission on Human Rights, Equal Opportunities, Gender Equality and Missing Persons at the Assembly of Kosovo
Gender Equality Officers in 30 Municipalities of Kosovo	Ministry for Communities and Returns
Community Office in the Office of the Prime Minister	Committee on Rights and Interests of Communities and Returns
Committee on the Use of Languages	Communities Consultation Council at the Office of the President
Human Rights Units in Municipalities with Community Officers of Community Committees in Municipalities	

In conclusion, the Ministry of the KSF and the KSF consists of a military and civil personnel of a total 3535, out which 2500 are military, 235 civil and 800 reservists. The Ministry of Security Force has applied policies that are in full compliance with those of NATO whilst all developments that are related with the KSF have followed the same line. In the context of the joint path of the KSF and NATO's Mission, namely KFOR, significant results have been achieved in the factorisation of the KSF locally and internationally. During this period, the KSF has empowered its bilateral partnership with the US, EU countries as well as with countries of the region. In the framework of this cooperation, the KSF has implemented a Partnership Program with the National Guard of the state of Iowa and has taken part several times in a

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[220] Ibid.
[221] Ibid.

humanitarian mission in the flooded areas of Albania. Being a modern force and fully built with NATO standards, the North Atlantic Council on July 9, 2013 stated that the Kosovo Security Force (KSF) has achieved full operational capabilities and is fully capable of conducting tasks defined within its mandate and standards set by NATO. Kosovo is continuing to develop capacities in the area of security and defence through the evolution of the mandate of the Kosovo Security Force (KSF).

3.7. The Transformation of the Kosovo Security Force into an Army

On December 14, 2018, the Kosovo Assembly unanimously approved the transformation of the Kosovo Security Force into a fully-fledged army. The Assembly officially decided to establish the country's military with 106 votes in favour and no counter. This action was backed by the United States as well as by the United Kingdom, Belgium, France, Germany, Italy, Netherlands, Poland and Sweden. In addition, these eight European countries sent a letter to the UNSC in support of the creation of the army underlining that it is the right of Kosovo to undertake this action.

The members of the parliament of the Kosovo Assembly voted for the Draft Law on the Ministry of Defence, the Draft Law on the Kosovo Security Force and the Draft Law on Service in the Kosovo Security Force. *These three laws[222] enabled the transformation of the KSF into the Army*. These laws foresee that the Kosovo Security Force develops as a force with new competencies and tasks, new organization and functioning and the transition of the Ministry of the KSF into the Ministry of Defence.[223]

The draft law on the Ministry of Defence received full support, as well. With this law, the Ministry of the KFS is reorganized and transferred to the Ministry of Defence within the Government of the Republic of Kosovo for the purpose of overseeing and democratic civilian control over the KSF with its organizational structure that ensures the full functionality and fulfilment of its responsibilities.

The Ministry of Defence will draft and implement general state defence policies at the strategic level, and will exercise its functions and competencies in accordance with the Constitution.

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[222] See the three approved laws in Official Gazette of Kosova, accessed July 15, 2019 available at: https://gzk.rks-gov.net/default.aspx?index=1.
[223] See the organogram of the newly formed Ministry of Defence in annex 4.

Also, this draft law defines in detail the competencies of the Ministry, the competencies of the Minister of Defence, as well as the powers of the Secretary General. It is important to underline that the draft law on the Kosovo Security Force determines the competencies, organization and functioning of the army as a multi-ethnic, professional, armed and authorized force to serve in the country and abroad, in accordance with the constitutional and legal mandate in defence of territorial integrity, citizens, property and interests of the Republic of Kosovo which is subject to democratic civil control. However, the challenges to create such a force are evident especially in the sociological and cultural arena. As Edona Maloku-Berdyna—a social psychologist that specializes in reconciliation in post-conflict societies—stipulates, groups with boundaries are drawn amongst the Kosovo population on ethnic lines, especially among the Albanian and Serb populations, as she explains these ethnic categorizations and divisions eventually form an "essentialized identity".[224] She continues to assert how such notions that ethnicity is set and cannot be changed pose a challenge to the creation of new group identities,[225] which consequently will impact the formation of this multi-ethnic force, and its perception by the people. These divisions also shed light on the different influences other countries have over Kosovo. While Albania does not interfere much with the Albanians of Kosovo, Serbia makes active efforts to assert its dominance over the Serb populated territories of Kosovo, effectively undermining the sovereignty of the state. These ethnic divisions and the effects of them on the army are well proved by the fact many ethnic Serbs that used to be part of the KSF left the force upon its transformation into an army, with allegations that they were pressured to do so by Serbia or its authorities.[226] As one can assume, these factors also undermine the reconciliation process between these two communities, and have a profound effect on the socio-cultural developments of Kosovo, namely creating a sense of division, alienation, etc. These sociological factors, like that of a sense of division, alienation or inequality within any of the communities are extremely significant from a security perspective, as they create a perception of fear and mistrust towards the institutions, which then contributes to undermine the security infrastructure of the state, which can lead to increased real or perceived insecurity and threat. In addition, this situation prevents the consolidation of a

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[224] Edona Maloku, "The Shaping and Reshaping of Kosovo Identity," Pristina Insight, accessed July 18, 2019, https://Pristinainsight.com/the-shaping-and-reshaping-of-kosovo-identity/
[225] Ibid.
[226] Die Morina, "Belgrade 'Pressured' Serbs to Quit Kosovo Security Force," accessed July 18, 2019, https://balkaninsight.com/2018/09/19/belgrade-pushed-kosovo-serb-ksf-members-to-resign-report-finds-09-19-2018/

Kosovar identity which all communities identify with first, before their ethnic identification, undermining the state and nation building processes.

The draft law on the KSF Service also received full support. This draft law regulates the general terms of service in the KSF as a service built on the principle of legality, professionalism, command, discipline, respect, honour, information retention, communication, non-discrimination and equal opportunities, political impartiality, transparency and accountability. This draft law defines the general criteria for service, service parameters, service duration, career development, termination of service, status of the KSF member, rights and obligations of members and other matters within the KSF service. It is important to note that when the favourable political circumstances are created, the name will be changed through the procedures of the respective constitutional changes.

The transformation of the KSF into a fully-fledged army presented a rather complex and challenging process for the Kosovo institutions given that the international community required that this transformation happens through constitutional changes. The KSF was established based on the constitution of Kosovo and as such designed to represent a multi-ethnic force under civilian control. While the Kosovo constitution provides for the establishment of a professional security force, namely the KSF, it does not proclaim the creation of a national army.[227]

However, changing the Constitution is not an easy process because amending and supplementing the Constitution requires the adoption by two-thirds (2/3) of all members of the Parliament (MPs), including two-thirds (2/3) of the MPs representing non-majority communities.[228]

The numeric and ethnic structure of the Kosovo Assembly is as follows:[229]

There are 120 seats for the entire Assembly of Kosovo out of which 100 seats belong all the political subjects that are voted directly;

10 seats are set aside for the Serb community representatives;

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[227] "Constitution," Republic of Kosovo.
Article 126, in page 47.
[228] "Kushtetuta e Kosovës – një djathë zviceran" *Instituti për Studime të Avancuara GAP* (May 2011):7, http://www.institutigap.org/documents/83795_Kushtetuta.pdf.
[229] See the Kosovo Assembly below:
"Paraqitja numerike e Kuvendit të Kosovës," Republika e Kosovës, Kuvendi, accessed February 20, 2019, http://kuvendikosoves.org/?cid=1,107.

10 for the representatives of other communities namely: 4 seats for Roma, Ashkali and Egyptian communities (RAE);

3 seats for the Bosniak community;

2 for Turk and 1 for Gorani community.

Table 5: Repartition of Seats in the Parliament by Community

Freely elected seats (Kosovo Albanians)	100
Serbian community	10
Roma, Ashkali and Egyptian (RAE) communities	4
Bosnian community	3
Turkish community	2
Goran community	1

Table 6: Pie-chart of Repartition of Seats in Parliament
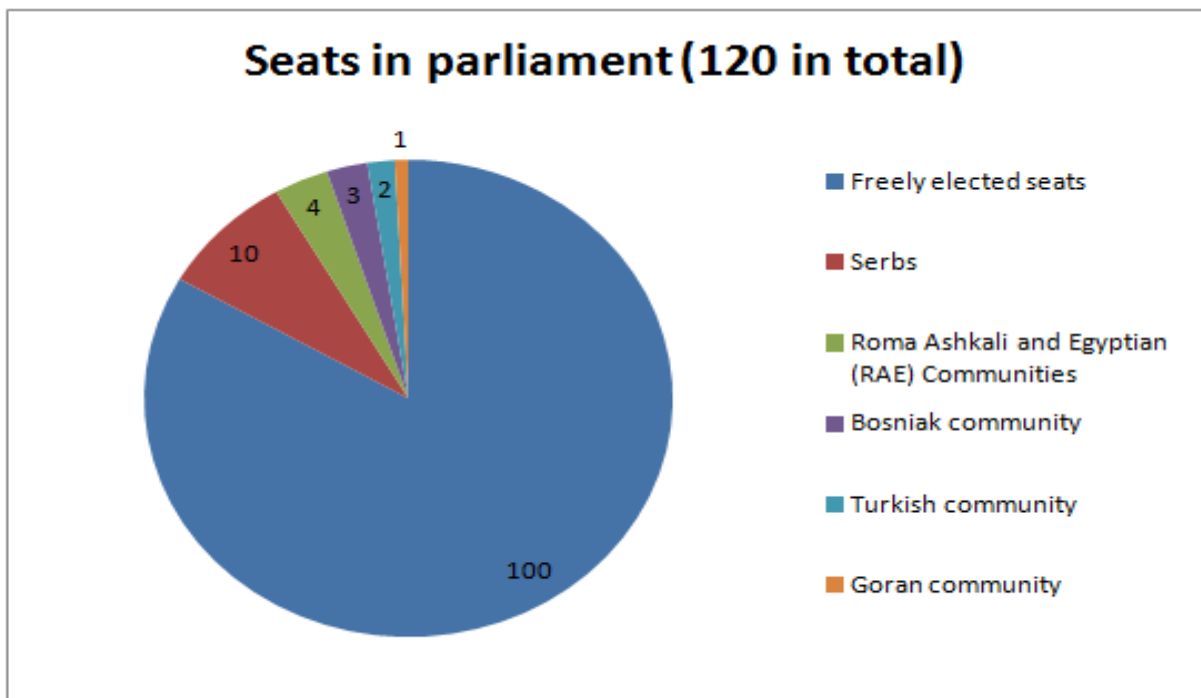
There were several attempts to upgrade the KSF through constitutional changes in the past. The first moves to transform the KSF into an armed force occurred in 2014, shortly after the approval of the Security Sector Review Analysis[230] which was initiated by the decision of the Government of the Republic of Kosovo on March 21, 2012.

In May 2014, the then prime minister, Kosovo's current president, Hashim Thaçi, announced that the Government had decided that the KSF should be transformed into the Armed Forces of Kosovo, proposing some amendments to the Constitution in order for this to take place. However, to vote on these amendments, the Kosovo Assembly had to also have the votes of the Serb MPs, which at the time were from the Independent Liberal Party (SLS), who requested to have their seats reserved for more than the two mandates, which was more than what was foreseen for them by the Ahtisaari Package. While PDK supported this initiative, the opposition parties refused to grant the Serb MPs this request.[231] As a result, these MPs were absent in the session of May 5, 2014, where the establishment of the army had been put in the agenda. Even though it was supposedly postponed, this point was no longer put on the agenda despite the appeals sent to the assembly by the government, while the package with the seats reserved for non-majority communities was passed. This assembly dissolved on May 7th, and the state went to anticipated elections.[232]

When the new coalition government formed in May 2015, between PDK and LDK, the formation of the Armed Force was put back on the agenda. However, representatives of a different party of the Serb community, still known today as the Serb List (Srpska Lista), were against them again, requiring a wider dialogue on this question. They conditioned this transformation with the establishment of the Association of Serb Municipalities, which once more several parts of the assembly were unwilling to accept and vote on. So, due to the risk of non-voting of these amendments by the members of the Serbian community, the Presidency of the Assembly removed it from the agenda yet again.[233]

The last move to transform the KSF started on March 7, 2017, again with President Thaçi, handing a draft law on transforming this Army to the Speaker of the Parliament. The decision to process this draft law was taken the following day, which led to the reaction of NATO

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[230] Government of Kosovo, *Analysis of the Strategic Security Sector.*
[231] "Kjo është historia e rrugëtimit shumëvjeçar të Kosovës për ta bërë FSK'në Ushtri," Periskopi, accessed February 20, 2019, https://periskopi.com/kjo-eshte-historia-e-rrugetimit-shumevjecar-te-kosoves-per-ta-bere-fskne-ushtri/.
[232] Ibid.
[233] Ibid.

Secretary General Jens Stoltenberg against this transformation taking place without constitutional change by saying: "I made it clear that unilateral steps, such as these, are useless and I call on Kosovo authorities to be in close contact with Belgrade".[234]

Shortly after these reactions, on April 4, 2017, the President declared that all possibilities to convince the Serb List had been be exhausted. Once again, the country went on anticipated elections.

After this declaration, a new government formed in September 2017 and it was led by former KLA commander and head of the Alliance for the Future of Kosovo (AAK) Ramush Haradinaj. Yet, a year passed in relative silence regarding the question of the transformation of the KSF into an army. However, after the first half of 2018, some members of the Serb community started to leave the KSF. According to Prime Minister Haradinaj, the attacks and blackmails of Belgrade against the Serb members of the KSF prompted the latter to seek exemption from serving in the KSF.[235] According to the data of the non-governmental organization Kosovo Centre for Security Studies (KCSS), 60 members of the KSF from the Serb community offered their resignations from this institution during the year.

On 13 September 2018, the Government of Kosovo approved and proceeded to the Assembly of Kosovo with three draft laws on the transformation of the KSF into an army as follows:

1. The Law on the Kosovo Security Force defines the competencies, organization and functioning of the KSF as a multi-ethnic, professional, armed and authorized force to serve both in the country and abroad, in accordance with the constitutional and legal mandate in defence of territorial integrity, citizens, property and interests of the Republic of Kosovo, and which is subject to democratic civil control.

2. The Law on KSF Service - This draft law regulates the general conditions of service in the KSF as a service built on the principle of legality, professionalism, command, discipline, respect, honour, information retention, communication, non-discrimination and equal opportunities, political impartiality, transparency and accountability. This draft law also defines the general criteria for service, service parameters, service duration, career development, service termination, status of KSF member, rights and obligations of members and other issues within the KSF service;

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[234] Ibid.
[235] Ibid.

3. The Law on the Ministry of Defence - This Law shall reorganize and transfer the Ministry of KSF into Ministry of Defence within the Government of the Republic of Kosovo for the purpose of oversight and democratic civilian control over the KSF with its organizational structure to ensure full functionalization and fulfilment of its responsibilities.

Following this proceeding, on October 18, MPs of the Kosovo Assembly adopted the three laws. They had also received support from other communities, except for the Serbs who left the assembly hall before voting on these draft laws. Igor Simic, an MP of the Serb List, stated that the proposal of the three laws on the transformation of the KSF is against all acts of international character that are in force, such as Resolution 1244 of the UN Security Council United Nations and the Kumanovo Agreement. According to him, the draft laws are in violation of the Constitution and laws of Kosovo.[236] Apart from the Serb List, this transformation was also opposed by Belgrade. Serbian President Aleksandar Vucic said on September 30th last year that the transformation of the army is in breach of all international agreements.[237] He further called on Kosovo Serbs not to participate in the formation of the Kosovo army, because this army apparently was formed only to make Serbs shoot other Serbs. This destructive reaction of the Serbian President contains a great dose of hypocrisy especially for Kosovo Serbs who used to be committed members of the KSF until the decision for its transformation into a fully-fledged army took place when they decided to withdraw. This withdrawal might have happened due to the threats and blackmailing they received from Serbia. On the other hand, the Prime Minister of Serbia, Ana Brnabić, commented on this transformation on the 5th of December, saying that Serbia will not necessarily use the army but that currently this is one of the options on the table because, according to her, "Serbia cannot just watch another ethnic cleansing of Serbs, another "oluja".[238]

This is a rather ironic, hysteric and even threatening reaction given that it comes from a state such a Serbia that in quite a recent past has exerted ethnic cleansing itself. Moreover, the army of Kosovo is by no means designed to undermine the security of any other state, but it only marks the finalisation of the main pillar of statehood granted by law and in line with NATO

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[236] "Zakloni o tzv. Vojsci Kosova po kratkom postupku; Simić: Uputićemo žalbu," Novosti Online, accessed February 21, 2019, http://www.novosti.rs/vesti/naslovna/politika/aktuelno.289.html:755757-Zakoni-o-tzv-Vojsci-Kosova-po-kratkom-postupku-Simic-Uputicemo-zalbu.

[237] Surk, "Kosovo Parliament defying Serbia and NATO."

[238] M. V., "Brnabić: "I vojska je jedna od opcija, neemo gledati novo etniko ienje Srba i nove oluje"" Dnevnik, accessed February 21, 2019, https://dnevnik.hr/vijesti/svijet/ana-brnabic-i-vojska-je-jedna-od-opcija-necemo-gledati-novo-etnicko-ciscenje-srba-i-nove-oluje---541114.html.

requirements (see the balance of powers in the region in annex 6). Yet, these sorts of hysterical reactions by heads of Serbia are no shock. After Kosovo declared its independence in 2008, in 2009, Serbia filed the case with the International Court of Justice (ICJ) in 2009, claiming that the declaration was illegal. However, the highest United Nations court confirmed the opposite, claiming that the declaration of independence of Kosovo did not violate international law.[239] Following this affirmation by ICJ, the UN General Assembly on 9 September 2010, passed a resolution sponsored by all EU member states as well as Serbia that opened the way for dialogue between Belgrade and Kosovo. The resolution was adopted without a vote and as such, welcomed the European Union taking the lead role in facilitating this dialogue. The initial dialogue was on technical issues aiming to ease the lives of the citizens, and later included political issues as well. So far, 23 agreements were reached even though their implementation was not satisfactory, while the process as such experienced hindrances deriving either form the inner political tensions or the tensions between the two countries. Regardless of all the difficulties, the dialogue proceeded and has entered its final stage, yet is currently in stalemate. The EU has made it clear that in a short run, it expects the parties to reach a legally binding agreement (what exactly this means, no one is able to tell at this stage) that would advance the EU integration path. Currently there is a stalemate as Kosovo has imposed a 100% tax for the Serbian products as a reciprocity measure for Serbia's continuous undermining behaviour *vis-a-vi* Kosovo, a behaviour that was not in line with the spirit of the dialogue, and good faith. Serbia on the other hand, made the utmost use of the created situation, using it as a "justification" not to continue dialoguing with Kosovo and portraying Kosovo as uncooperative. Consequently, Serbia is conditioning the continuation of the dialogue exactly with the abolition of this tax. The appeal or even pressure to suspend the tax has been exercised on Kosovo by the US and some EU countries while the PM of Kosovo, Mr. Haradinaj, regardless of many divergences within the political spectrum related to this very issue, is willing to continue the dialogue but is also very firm on the Government's decision not to remove the tax. The relations are very tense and thus, the reaction of Serbia for the transformation of the KSF into an Army is not only expected, but I believe it will do its best to gain politically from this situation, potentially getting a guarantee for membership in EU, an achievement that will be easily "sold" to its population.

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[239]*Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion*, I.C.J. Reports 2010, p.403.
See the detailed advisory opinion here: https://www.icj-cij.org/en/case/141,

So, when the transformation was taking place in 2018, NATO Secretary General Jens Stoltenberg reacted again. This transformation, according to him, "happens at an inappropriate time, is contrary to the advice of many NATO allies and may have serious consequences for the future Euro-Atlantic integration of Kosovo".[240] The EU also estimated that it was not the appropriate time for such a thing. Following this statement, Prime Minister Haradinaj assured Stoltenberg that the transformation will be transparent and in close cooperation with NATO. Kosovo could not have waited indefinitely for this to happen. *In an ideal scenario the transformation of the KSF should have happened with constitutional changes*. However, due to how the constitution is written, this means that literary every change depends on the Serb members of the Kosovo Assembly. This would not have been a problem if they would not be instrumentalized and manipulated by Serbia, which, as it is historically proven, has no constructive approach vis-à-vis Kosovo.

Serb President Aleksandar Vucic expressed indignation over the vote of the Kosovo Parliament, calling it an action that endangers the stability of the whole region. While the President of Kosovo, Hashim Thaçi, said that the Kosovo Army will be a contributor to stability in the region and that the decision for the army is irreversible. The only threat to the region, according to Thaçi, "are irrational calls for conflict and war from the northern neighbours"[241]; he said that the army brings more peace and stability while claiming that this step is not a message against anyone. Taking this indignation further, Serbia requested an emergy United Nations Security Council meeting to "discuss" the decision of the Kosovo Parliament to transform the KSF into the future army of the country.[242] The UN responded to this demand, which is quite paradoxical given the fact that currently in some parts of the globe there are emergent security situations for which UN is far less reactive. Yet, as in 2009, this international plight backfired, as powerful countries, like Germany, affirmed that the creation of this army was well within Kosovo's sovereignty and was a rather natural step to take.[243]

[240] "NATO chief, too, has message about Kosovo army," b92, accessed February 21, 2019, https://www.b92.net/eng/news/world.php?yyyy=2018&mm=12&dd=05&nav_id=105690.

[241] "Këshilli i Sigurimit për ushtrinë. Thaçi: Asgjë e jashtëzakonshme," Top Channel, accessed February 21, 2019, http://top-channel.tv/2018/12/18/keshilli-i-sigurimit-per-ushtrine-Thaçi-asgje-e-jashtezakonshme/

[242] Filip Rudic and Die Morina, "Thaci and Vucic Spar at UN Over Kosovo Army," Balkan Insight, accessed February 21, 2019, http://balkaninsight.com/2018/12/18/thaci-vucic-clash-at-un-over-kosovo-army-12-17-2018/

[243] Ibid.

Overall, the decision was backed by the United States, Britain and Germany, the new US ambassador to Kosovo, Philip Kosnett, said that it is more than normal for Kosovo, as a sovereign and independent country, to have self-defence capabilities.[244]

The Kosovo Army is not and will not be a threat to anyone (see the transformation proposal in annex 5). Surely, the establishment of the Army is not intended to duplicate the NATO mission in Kosovo, which continues to take care of security since joining Kosovo in 1999. Even though the transformation will take a couple of years, the news as such brought much joy amongst the population as it satisfied their sense of statehood and patriotism.

According to the Analysis of the Strategic Security Sector Review of the Republic of Kosovo published by the Kosovo Government in 2014, the future Kosovo Armed Forces will consist of a maximum *of 5,000 active personnel and a maximum of 3,000 reserve personnel*. The KSF has developed all the necessary preparations to start implementing the recommendations addressed by this review and thus is ready to begin implementation, namely the transformation of the KSF. The process of the development of these forces will be transparent and it is foreseen to take place in three phases.[245] For the sake of a more comprehensive analysis, we will present these phases below:

During Phase I, which is expected to happen between 2014-2016, the analysis foresees drafting and finalizing the doctrinal and conceptual basis essential for the new force from the constitutional and legislative point of view. This phase will concentrate on training, on the development of operational and tactical doctrine, professionalism, institution building and recruitment. It will provide a timeframe for decisions related to material acquirements, with a priority in homeland defence. The KSF will maintain roles and missions that will respond to emergencies on a national level until they are transferred to other relevant institutions in the Security Architecture which may not be completed until the upcoming phase. This phase also foresees the continuation of enhancement of military cooperation with allied countries with the purpose of training and acquiring skills that will enable eventual joint operations with regional and international organizations including but not limited to the EU, NATO, OSCE, UN.

The second phase, between 2017-2019, will put an emphasis on the improvement and further command modernization, on the competencies on control and communications, on the

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[244] "U.S. Backs Kosovo's Plan To Create Army, Says Process Will Take 'Many Years'," Radio Free Europe, accessed February 21, 2019, https://www.rferl.org/a/us-backs-kosovo-regular-army-plan-nato-serbia/29641890.html

[245] Government of Kosovo, *Analysis of the Strategic Security Sector.*

procurement of crucial individual and collective equipment and on the creation of additional skills and operational capabilities required by the new force that would serve its constitutional mission.[246]

The third phase, between 2020-2024, foresees the uppermost force development efforts. Each of the major commands will reach their full manpower and equipment authorizations during this phase. Furthermore, the major commands will achieve competence in their assigned missions, thus completing the long-term development plan.[247]

It is important to underline that there is no constitutional obstacle stating the change of mandate could not occur through law but only through constitutional changes. The Constitution of Kosovo does not specify the competencies of the KSF and their change can be done through regular legal proceedings at any time. During the process of transformation, the stance of the Serb community representatives has been heard. After exhausting all efforts, the Government of Kosovo has determined in the legislative plan that the draft law on KSF and two other draft laws will be processed and approved by the Kosovo Parliament. These draft laws are the result of a long, objective and professional process of the Strategic Security Sector Review, concluded since 2014.

The Ministry of Defence will draft and implement the general state defence policies at the strategic level and will exercise its functions and competencies in accordance with the Constitution, and with this law. The draft law in question also defines in detail the competencies of the Ministry, the competencies of the Minister of Defence, as well as the powers of the Secretary General.

This new defence infrastructure, which will have 5000 active members, is based on a mission of protecting the territorial integrity, citizens, property and interests of the Republic of Kosovo, a vision that promotes stability and security not only for the internal needs of Kosovo but also for the region and beyond. This force will be multi-ethnic and professional, which will enhance regional security and stability, will contribute to European integration of Kosovo and alignment with Euro-Atlantic values, and will enable the Republic of Kosovo not to be a consumer of security but become a provider of regional and global security. Kosovo's national security is closely related to regional security and Euro-Atlantic security, so Kosovo is interested to become part of the Partnership for Peace as soon as possible and to formalize its contractual

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[246] Ibid.
[247] Ibid.

relations with NATO. Thus, Kosovo aims to strengthen its security level through a cooperative policy in the field of defence and security with NATO, the EU, and by participating in and cooperating with regional security initiatives.[248]

3.7.1. Roadmap of the Process of Transformation of the Armed Force

Due to the fact the transformation of the Armed Forces of Kosovo is ongoing, the roadmap of the process is largely outlined by an unpublished and unfinished Draft Defence Strategy Document[249] that lays down hypothetical formats of the functioning and organization of the KAF. So, this chapter will be mainly based on an analysis of this draft document as the basis of the transformation, even though its unpublished and unfinished nature makes it susceptible to change in case of change within state structures.

According to this draft, for the future, the KAF will have to engage in the development of a myriad of different goals, visions, concepts, principles, projects, such as defence system projects, strategic defence, etc. This strategy derives from the Constitution and the Security Strategy, as well as Kosovo's engagement for peace and Euro-Atlantic integration. The expectations of a dynamic security environment and the role and objectives of the KAF are specified through a common denominator. It also specifies the available resources for defence in the medium and long term. The main point of the strategy is to state that the KAF, as other armies, as a priority has the protection of the sovereignty, territorial integrity and independence of Kosovo. Hence, the development of the Armed Forces is oriented around the quality of capabilities and capacities, namely around increasing professionalism, and shall be inoperable with strategic partners and NATO.[250]

The draft document also stipulates that the principles of organization and functioning are based on the defence policies of the country. Namely, the KAF will be an army with integrity, high morals and credibility, which it shall attain through being professional, voluntary, inclusive and multi-ethnic, and subject to democratic civil control. In addition, the KAF is centered on defence, is in line with NATO standards, and has a modern system of training with an integrated

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[248] Internal document of the Department for NATO and Security Policies of the MFA of Kosovo:
Department for NATO and Security Policies, *Transformation of the Kosovo Security Force,* Internal Document of the Ministry of Foreign Affairs (Pristina: 2018).
[249] Ministry for the Kosovo Security, *Strategy of Defence*, Draft Internal Document of the Ministry for the Kosovo Security Force (Pristina: 2018).
[250] Ibid.

command system capable of having a rational use of resources through being a flexible and deployable force.

The structure and functioning of the defence system of the army is defined in accordance with the goals, requirements as well as defence concept and capabilities of Kosovo's NSS, in which protection is integral. The integrated defence system of Kosovo means that the joint action of KAF and other security institutions is of utmost importance. Thus, as a system it relies on the cooperation of the military and civilian authorities not only in the times of peace, but also in times of crises and war. In order to achieve this, it also relies on and integrates the support of its partners and allies in terms of collective defence commitments, security sector cooperation and crises management.[251]

In this light, the main institutions of the defence system of the Republic of Kosovo are:

- the Assembly of the Republic of Kosovo,
- the President, the Government,
- the National Security Council, the Ministry of Defence and the
- Kosovo Armed Forces

The same draft document lays out the leadership and command of the Armed force in times of peace as well as in times of war, in line with the law and the Constitution. Namely, the Assembly, the President of the Republic, the Prime Minister and the Minister of Defence exercise leadership at the political and strategic level, while command-control at the military-strategic level is exercised by the Chief of Defence of the Armed Forces in times of peace, and by the Supreme Commander, i.e. the President of the Republic. The command-control and exercise of leadership are based on some basic principles, namely the civilian control of the Armed Forces, the political impartiality of said forces, the implementation of hierarchy in the chain of command, as well as a unified command.[252]

Of special importance for this research is the capacity, development and modernization of KAF. The draft stipulates the Armed Forces will have continuous and gradual exercise as well processes that are conditional and synchronised with development plans and other factors, leading KAF to have, or rather develop, fully operational capacities and skills. [253] The pace and duration of this development and modernization depends on the financial situation and

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[251] Ibid.
[252] Ibid.
[253] Ibid.

opportunities. Seeing as the protection of the territory and state of Kosovo is the utmost priority of the KAF, conclusions about threats and areas of concentration will be drawn from documents such as the SSSR, and capacities will be developed to respond to these threats. The development of the Evaluation Framework, and its subsequent application by Kosovo security institutions, would also prove very useful in helping the KAF identify the areas where capacity building and development would be more needed, namely areas of priority. The KAF will be a a C4I force, and it will be "ready for combat support and mission-accomplishing services for all types of combat forces and systems",[254] and at all levels. So, the force is expected to train and generate ready-made, self-sustaining human capacities while receiving logistical and administrative support.[255]

In order to achieve the aforementioned development, the draft stipulates that the KAF will base its efforts on a Long-Term Plan and on the General Doctrine, which is to serve as a guide for the usage of force at the three levels—namely strategic, operational and tactical—and as the basis of other military doctrines, as it is generally agreed upon within security structures that a doctrine is key for the proper development of a security architecture, or in this case of an armed force. The KAF aims to further develop its capacities so it can properly act together with NATO's military forces based on STANAG.[256]

It is important to underline that despite the creation of the army, the presence of NATO is and will continue to be very strong in the near future. While this presence might push Kosovo to be more compliant with the interests of this organization, it also offers a lot of liberty in terms of security and foreign policy. Namely, while having to coordinate interests appears as a limitation, the presence of these troops on the soil of Kosovo makes an invasion by Serbia highly unlikely, as it would be considered a declaration of war to all NATO members, giving Kosovo the liberty to undertake policies without having to worry and concentrate all its time and resource on avoiding or battling an invasion by Serbia.

Finally, in terms of very structure, the KAF will be deployed in accordance with the scenario it is in. This means the structure includes a regiment level for the main fighting and support, a company level, or its equivalent, for the structure of combat and support, while the units will be organized through task forces, with levels depending on the nature of the mission and the tasks themselves. The draft also underlines that the standardization and modernization of

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[254] Ibid.
[255] Ibid.
[256] Ibid.

systems and equipment is of great importance, while the basic basis for this will be administrative, operational and material standardization.[257]

With this new context in light, KAF will adjust its interoperability with NATO depending on a number of factors such as the compatibility of systems, equipment and technology, and it will create and implement a clear state policy regarding the balance of expenditure on modernization of the systems, equipment and infrastructure, which shall use state financial resources, alongside rising investment spending. [258] This shift towards clear policies of state spending on the development and modernization of the KAF and its systems and equipment is one that marks Kosovo's willingness to begin transforming itself into a security provider, rather than consumer, by demonstrating its readiness to provide state funding for the development of the army. Another factor that illustrates the willingness of the state to become a security provider in line with some of the most developed countries and organizations of security, i.e. NATO, is the fact the Ministry of Defence will develop professional military education in line with the national education system, but also in line with that of NATO members, in a way that responds to operational needs and the conditions of the security environment. The KAF will also conduct research in the fields it is competent in, like security and defence, and modern methods of combat preparation. [259]

Given that the KAF transformation process is foreseen in a 10-year timeframe which has started now, with the intention to become a security provider and not merely a consumer, it would be advisable for this force to also seek expertise from regional organizations or even states, such as R-SOOC or Hungary, especially in the field of training the special forces, which both are leading in. This is of particular importance because of two factors: first, receiving training from experts in the region, as well as maybe joining the regional security initiatives makes it clear to Serbia our force is there to maintain peace, rather than disturb it; second, the new threats to security that appear internationally because of the adverse effects of climate change are not traditional in the sense that they are not controlled by states, and they do not respect artificial state borders. To combat these threats, countries in different regions must establish very close ties and cooperation, because the nature of climate change increases security interdependence among states dramatically.

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[257] Ibid.
[258] Ibid.
[259] Ibid.

Conclusion

The real understanding and an extensive comprehension of the current security context in Kosovo would not be possible without the examination of the key recent security related historic developments examined in this chapter. Hence, the events presented here do not represent simply a chronicle of suppressions or merely historic events, but on the contrary, they shed light on the chain of events that signify the root causes of the problems and most importantly reveal the geneses of the existing security context of Kosovo today. This analytic reflection of the past events leading to the current ones is important as it helps to gain real insights not only for informative purposes but for positively impacting the strategic thinking as well as the policymaking process.

Thus, the entire set of events examined in this chapter have in a way preceded or more precisely have triggered one another similarly to a *domino effect* with a significant impact on the actual security context. In the recent history, from the security point of view, Kosovo underwent different phases that required different stances and approaches depending on the given circumstances, like the period of the repressive regime of the 1990s, where *peaceful resistance as a security tool* was chosen to avoid violence. This security strategy for the given time was very well thought having estimated both Serbia's securitization strategy and Kosovo's then military capacities and capabilities. Rugova was aware of the power asymmetry therefore avoided attempts to take risks without ensuring that allies will protect or stand up for Kosovo.

Personally, I believe the peaceful, non-violent resistance as a security strategy was not only borne out of ideological and doctrinal conviction, but also depended strongly on the context. As such, the case of Kosovo points to a higher pattern: countries often will choose to apply security strategies that are applicable to their given context, even if ideologically they would want to opt for others. This is especially the case for smaller, less powerful countries such as Kosovo or others in the region as well as globally, that do not possess the power to set global trends. Yet, given the repression and human rights atrocities, it was to be expected that the peaceful resistance will give way to the rise of Kosovo Liberation Army.

From a security perspective, the changing of the approach of Kosovo Albanians themselves, but also the approach towards the Kosovo conflict implies constructivist theories to understand this issue. The increased repression by the state apparatus itself changed the perception of the international community that affected the contextual dynamics, tools and actions to prevent the appalling security outcomes. After the NATO intervention and UNMIK protectorate, a new era of security context began in Kosovo. The international community became responsible for

providing security, but also for building the security architecture not exactly with a clear aim of culminating into the creation of a fully-fledged armed force. Based on the provisions of the *Ahtisaari Plan* KSF was created with the mentoring of NATO's KFOR. NATO and KFOR advisory teams have provided an important contribution in the establishment and development of the KSF. Consequently, policy and strategy formulation as well as budged and planning development have been continuously assisted by the NATO advisory teams and KFOR while supporting the Ministry of the KSF amongst others to be able to act in an international environment, as a regional peace and security force which consequently led to a process of transformation into a fully-fledged army. The latter, despite its rather small defence capacities and capabilities and the fact that it caused different reactions from the international community, noted an important moment for the new state of Kosovo and its population as it marked the creation of one of the most important pillars of defence and security, which ultimately gave more weight to the statehood subjectivity.

So, from an inductive perspective, keeping in mind the lessons from this case, it is possible to say that in some newly independent states, while the first two levels of security are favourable to the creation of an armed force, the reaction of the third level is more diverse, and harder to predict. Namely, the security context and the degree of involvement of the third level on this context are the key factors regarding the favourability of this level to the creation of an armed force. There is a degree of reluctance for the main security provider to share the exclusivity of provision of security, while bilaterally, other states (with the exception of few depending on context) see this as a natural and legitimate progression.

Furthermore, in the case of Kosovo, the fact the main security provider remains an international organization even after the creation of the army is a benefit rather than a limit, due to the fact it neutralizes the threat of Serbian invasion, allowing for the army to develop in other areas with the possibility to seek expertise in the training of its special force so it can fight future threats, like those created by the adverse effects of climate change, effectively and in partnership with the region.

CHAPTER 4 - The Role of International Organizations in Kosovo

4.1. The Importance of International Organizations in Kosovo

Pursuant to the UNSC Resolution 1244, following the war and the NATO bombing campaign, Kosovo was placed under an international administration, by the United Nations Mission in Kosovo (UNMIK). The course of the security policies in Kosovo after the end of the war has been directed mainly by the international actors. Basically, the security sector was non-existent, whereas the international military and civilian presence was responsible for the security of Kosovo's borders and the protection of public order. The responsibility for security thus belonged to the international community and was progressively transferred to the Kosovo security institutions. While in the beginning, the taking over of security from the international community was a necessity in order to provide peace and stability, the prolongation of taking the ownership from the side of the local institutions, created disadvantages in terms of timely and professional development. During international administration, the undefined political status of Kosovo influenced the security sector as a reserved area for the international community.

Based on the United Nations Security Council (UNSC) Resolution 1244 (1999) of June 10, 1999, given that the final status of Kosovo was not resolved, Regulation 2001/9 on establishing a Constitutional Framework for Provisional Self-Government in Kosovo was promulgated for the purposes of developing an essential but provisional self-government. Through this constitutional framework, UNMIK delegated significant responsibilities to the local institutions in "the legislative, executive and judicial field through the participation of the people of Kosovo in free and fair elections."[260] However, some very important areas including the security sector, continued to be the direct authority of UNMIK namely the international presence in Kosovo.

The inclusion of Kosovo institutions in the security sector started after the commencement of the security sector review process.

The Kosovar Centre for Security Studies defines three key periods of Security Sector Reform (SSR) along with overall political developments.[261] The first period entails the years 1999-

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[260] UNMIK/REG/2001/9. *On a Constitution Framework for Provisional Self-government in Kosovo.* Regulation no. 2001/9. Pristina: 2001. http://www.unmikonline.org/regulations/2001/reg09-01.htm, Accessed July 16, 2019.
[261] Kosovar Center for Security Studies (KCSS). *Chronology of Security Sector Reform in Kosovo.* Pristina: KCSS, 2009. http://www.qkss.org/repository/docs/Chronology_of_Security_Sector_Reform_in_Kosovo_609982.pdf.

2005 and it signifies the Security Sector Building (SSB) phase which includes the efforts made towards building security institutions such as the Kosovo Police Service (KPS), Kosovo Protection Corps (KPC) and other relevant bodies.[262] This is the period where security related responsibilities were reserved for the Special Representative of the Secretary General whilst only limited responsibilities were vested to locals. The second period covering the end of 2005 till beginning of 2008 notes the beginning of the handover of responsibility from the international community to the locals.[263] In this period, the major significance lies with the Internal Security Sector Review (ISSR) given it notes not only the creation of the new security architecture, like the establishment of two rather relevant ministries, the Ministry of Internal Affairs and the Ministry of Justice in Kosovo, but also asses the state of play of the security sector of that time. The third period is related to the declaration of Independence as well as the entry into force of the Constitution of the Republic of Kosovo indicating that the new security architecture in Kosovo permits the creation of new security institutions such as the Kosovo Security Force (KSF), Kosovo Security Council (KSC), Kosovo Intelligence Agency (KIA) including police reform and emergency services. Furthermore, the SSR referred to the gradual transformation of the KSF into the Kosovo Armed Forces (KAF) whose mission will be the protection of the territorial sovereignty and integrity of Kosovo, whereas the MKSF will be turned into the Ministry of Defence (MoD) that will exercise civilian and democratic control of the KAF.[264]

The role of international organizations in the creation and structuring of the security mechanisms has been indispensable while the local ownership was evidently deficient. The shaping and direction of the security policies in Kosovo after the end of the war has been conducted mainly by the international actors as responsibility for security belonged to the international community and was progressively transferred to the Kosovo security institutions. While the taking over of security from the international community was a necessity in order to provide peace and stability, the prolongation of the transfer of ownership to the local institutions created disadvantages in terms of timely professional development.

According to the US State Department Diplomacy in Action – International Support for Kosovo, the US is committed to work with the Government of Kosovo and the European and international partners for the continued progress and development of Kosovo for the benefit of its citizens while amongst other, identifying the following organizations: United Nations

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[262] Ibid.
[263] Ibid.
[264] Ibid.

Mission in Kosovo (UNMIK). International Civilian Office (ICO), OSCE Mission in Kosovo (OMIK), NATO's Kosovo Force (KFOR). [265] Each of these organizations has a particular role and will be analysed mainly from the security perspective and the impact they had in building the security architecture, legislation and policy.

4.2. International Steering Group (ISG)

The ISG was created by a group of 25 recognising states, on February 28, 2008, so after the Declaration of Independence of Kosovo, following the request of its leaders. Its mission was one of the supervision of the mandate of the International Civilian Office (ICO) for the full implementation of the Comprehensive Proposal for the Kosovo Status Settlement of UN Special Envoy Martti Ahtisaari of March 26, 2007, by providing staff so to make the ICO operational.[266] At the beginning, the ISG consisted of states that had recognized Kosovo instantly after the declaration of independence, and they were involved in the status negotiations as well. Namely, these states were Austria, Belgium, Czech Republic, Denmark, Finland, France, Germany, Hungary, Italy, Slovenia, Sweden, Switzerland, Turkey, United Kingdom and the United States.[267] The recognitions of Kosovo continued to rise after the first few months, and more states were keen to offer their help and support in the nation-building mission, and join the ISG. So, finally the membership of the ISG included Austria, Belgium, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Slovenia, Sweden, Switzerland, Turkey, United Kingdom and the United States.[268] The International Steering Group (ISG) formally concluded its supervision of the state of Kosovo on September 10, 2012. Consequently, it rendered the responsibilities to Kosovo for its own governance. [269]

4.3. International Civilian Office (ICO)

As stated before, the mission of the International Civilian Office (ICO) was that of the supervision of the implementation of the Comprehensive Settlement Proposal from the side of the Government of Kosovo. The head of the ICO had been appointed by the ISG, and served

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[265] "International Support for Kosovo". U.S State Department of State, Diplomacy in Action. https://2009-2017.state.gov/p/eur/ci/kv/c27789.htm, Accessed July 12, 2019.
[266] Ibid.
[267] International Civilian Office (ICO), *State Building and Exit: the International Civilian Office and Kosovo's Supervised Independence 2008 - 2012* (Pristina: ICO, 2012), 8.
[268] Ibid.
[269] "International Support," U.S State.

at the same time as the European Union Special Representative. This International Civilian Representative was Pieter Faith.[270] ICO presented a rather a unique international body for the very fact that unlike other international organizations present in Kosovo, it was not status neutral and did not have UNSC limitations but was supportive of the independence of Kosovo and as such, created solid ground and political basis for the state-building in Kosovo.[271] This rather contextual and precise approach of ICO however, presented some sort of paradox and inconsistency on the ground especially after the decision for the deployment of EULEX mission based on the so called UN's six-point plan. The fundamentals basis of the six-point plan that was presented on the Secretary-General Ban Ki Moon's report covered: Police, Customs, Justice, Transport and Infrastructure, Boundaries and Serbian Patrimony.[272]

As for the police, the plan suggested the formation of extra police substations in non-Albanian majority, namely predominantly Serb areas that would be managed by Kosovo Serb Senior Officials, appointed by UNMIK as well as entire policing would be monitored by internationals.[273] This was supposedly in order to for the practices of policing to be community-based, and include and reflect of the society. While in theory this sounded correct, it potentially contributed to the further alienation of the Serb community from the Albanian majority, while feeding the narrative that to be policed by a member of the latter would not necessarily be of "best practice" creating an atmosphere of further division and potentially fear.

Regarding customs, Kosovo was to remain as a single customs area while International Customs Officers to be placed at gates 1 and 31 in Kosovo.[274] The revenues of the customs collected at these gates to be dedicated for the development of the local communities.[275] All of the practices were supposed to respect the procedures and rules agreed upon the 1244 Security Council resolution of 1999, yet they were also expected to be motivated by the European integrated borders. The very fact Kosovo remained as its own and unique customs area in a way already confirmed the fact the international community was building structures that were to ultimately culminate in independence and state building, otherwise they would not help strengthen borders if the plan had been for Kosovo to be put back under Serbia.

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[270] Ibid.

[271] I worked for ICO during 2008 – 2009 as a Religious and Cultural Policy Officer

[272] UN Security Council, *Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo*, S/2008/692 (Serbia: UN Security, 2008), 2, https://www.refworld.org/docid/492e79152.html.

[273] Ibid, 8.

[274] Gates 1 and 31 mark the border with central Serbia which according to 1244 is considered as an administrative line and this is why the report of the Secretary General refers to it as a boundary

[275] Security Council, *Report of the Secretary-General*, S/2008/692, 10.

Concerning justice, given that the Courthouse became functional under the UNMIK control, it applied UNMIK laws, with UNMIK personnel, for a temporary period of 60 days after the opening of the Courthouse, and in the succeeding stages appointed local judges and prosecutors in line with UNSC 1244.

In relation to Transportation and Infrastructure the need for a close cooperation was highlighted in the key areas of infrastructure such as road, railways, water, energy, including practical issues such as the recognition of qualifications. The technical committee that addressed the issues of Transportation and Infrastructure was also expected to address the questions relevant to the management of boundaries, while KFOR was to continue providing security in the entire territory of Kosovo in line with UNSC Resolution 1244 and in cooperation with other International Organizations.[276]

Concerning Serbian patrimony, the report highlights that there was a general support for the principle of protection of the cultural heritage and the patrimony of the Serbian Orthodox Church in Kosovo while international protection would continue as well as arrangements for the measures of protective zones around the main Serbian Orthodox Churches as well as activities for the wellbeing of the religious representatives such as exemption from tax, customs, etc.[277] While the need for the protection of these zones after 2004 was arguably apparent, the fact these parts of patrimony are far more protected than other religious or historical patrimony is rather problematic, as it creates a basis of prioritization of one religion over the other, or one part of the history over the other, especially since during the war period and the 1990s, the Serbian Orthodox Church was far less endangered than historical Ottoman Mosques, for instance, a big number of which were damaged or totally destroyed during the war. In a way, while the events of 2004 posed a real threat to the Serbian Orthodox Church, there was far too little to suggest this was a historical pattern in terms of threat to their existence and security, while there is plenty to suggest other parts of Kosovo history and patrimony were at the heart of destruction efforts by the Serbian regime. Yet, these Orthodox Churches continue to receive the utmost institutional protection in Kosovo, and privileges other religions do not enjoy. The report also mentions the return of the archaeological artefacts.[278]

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[276] Ibid.
[277] Ibid, 10-11.
[278] During the war, Serbia took 1248 artefacts which belong to the ethnological and archaeological heritage of Kosovo

This six-point plan was not supported by the local authorities, namely the president and the prime minister, while they were in favour of the EULEX deployment. The six point plan also triggered protests with the motto "Against the six points, for sovereignty,"[279] that were organized by several non-governmental organizations, including the movement Vetevendosje!. The protestors blamed the government for not firmly refusing the six-point plan but silently implementing it, thus allowing the return of Serbia in Kosovo, in the form of parallel structures.[280] The deployment of EULEX followed the presidential statement at the UN Security Council based on the resolution 1244.[281] While there were protests against the mandate of EULEX as an outcome of the above mentioned six-point plan, this affected the mandate of ICO as well. The latter was expected not only to cooperate, but also to monitor EULEX's work in accordance with laws of Kosovo's Constitution. Therefore, locals expressed concerns about potential difficulties and issues regarding this monitoring or oversight of the EULEX in terms of legal framework. ICO, on the other hand, was firm about its mandate, claiming that regardless of the six-point plan which EULEX was firmly attached to, ICO will continue to supervise the implementation of the Ahtisaari Plan and cooperate with the government. They stipulated the six-point agreement that aimed at reconfiguring the international civilian presence in Kosovo was temporary agreement, and that in fact that that served to pave the way for the deployment of the EULEX mission.[282]

The protection of Serb religious and cultural heritage as set in Annex V of the Ahtisaari's Comprehensive Proposal in terms of security is given a special attention.[283] Article 3.1 specifies the obligation for provision of security: "The Serbian Orthodox Church, its monasteries, churches and other religious and cultural sites of special significance to the Kosovo Serb community shall be provided the necessary security"[284] while article 3.1.1 stipulates that "the main responsibility to ensure the security of Kosovo's religious and cultural heritage shall lie with the Kosovo law enforcement agencies, in particular the Kosovo Police Service (KPS)".[285] The protection of the Serbian religious and cultural sites shall constitute a special operational task of the KPS. The ESDP Rule of Law mission, in consultation with the International Military

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[279] "Balkan Insight: Kosovo Protests UN Six-Point Plan for EULEX," Balkan Insight, accessed February 21, 2019, http://www.balkaninsight.com/en/article/kosovo-protests-un-six-point-plan-for-eulex

[280] Ibid.

[281] "Declaration by the Presidency on behalf of the European Union on the deployment of EULEX" Council of the European Union, accessed February 21, 2019, http://europa.eu/rapid/press-release_PESC-08-147_en.htm

[282] Edona Peci, "EULEX-i neutral (s') kërcënon mandatin e ICO-së," Radio Free Europe, accessed February 21, 2019, https://www.evropaelire.org/a/1354530.html.

[283] UNOSEK, "Comprehensive Proposal for Status," Kuvendi Kosovës, 37-38.

[284] Ibid, 37-38.

[285] Ibid, 37-38.

Presence (IMP), shall monitor, mentor and advise the KPS in the implementation of this task.[286] In fact, Serbs even before the independence had set out their conditions for the Serbian Patrimony which were then embodied in the status proposal of Ahtisaari for which, Kosovo not only agreed but also made commitment to comply fully. As stipulated in Annex V, Kosovo recognizes Serb Orthodox Church in Kosovo as an integral part of the Serb Orthodox Church in Serbia while guarantying the movable and immovable property and other assets of the Church to have full discretion in its management. Further, Serb Orthodox Church in Kosovo is free to accept donations and benefit from other support from any institution within or outside Kosovo in a transparent manner. Moreover, Serb Orthodox Church is offered customs and tax privileges in addition to the privileges enjoyed by all religions in Kosovo. The protection of the religious sites was core responsibility of KFOR, EULEX and Kosovo Police which gradually was handed over to the local institutions as the security situation was improving. The decision taken by North Atlantic Council in March 2010, for the protection of the one of the most important monuments for the Serb heritage - Gazimestan to be handed over from KFOR to the Kosovo Police presented an advancement of the responsibility as well as reflected the confidence that NATO and its KFOR contributing partner nations have in the capability of the Kosovo Police to perform this important task.

This important step was thoroughly prepared and exercised by KFOR while for this important step all stakeholders where consulted including leaders of relevant institutions, communities, as well as of concerned international organizations in Kosovo. The execution of this task would be mentored and supervised and advised by EULEX.

The transfer of lead responsibility from KFOR to the Kosovo Police represented an important initial milestone in the process of protection of cultural and religious sites in Kosovo.[287] The enhancement of the security in this regards was also reflected in the Progress Report for Kosovo of 2014 stating that special police unit engaged in the protection of Serbian religious and cultural heritage sites in Kosovo continues to function well, covering four regions and has 203 Kosovo Police officers in its ranks.[288]

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[286] Ibid, 37-38.
[287] "Kosovo Police Responsible for Protection of the Gazimestan Monument," Kosovo Police, accessed February 21, 2019, http://www.kosovopolice.com/sq/informacione/kosovo-police-responsible-for-protection-of-the-gazimestan-monument
[288] European Commission, *Kosovo* Progress Report,* Report (Brussels: European Commission, 2014), 21, July 13, 2019, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2014/20141008-kosovo-progress-report_en.pdf.

In regards to the legislative agenda, the ICO Planning team provided technical assistance in the constitutional and legislative drafting process; verified compliance with the Ahtisaari proposal; ensured that the opposition and communities participated in the drafting process; established an early warning mechanism that would be able to identify potential problems and to solve them without the use of formal powers. Based on this assistance and advice the Assembly of Kosovo adopted 19 laws that entered into force on 15 June 2008 in the Constitution of Kosovo.[289] It is important to underline that this preliminary package of laws contained important security laws such as: Kosovo Police, Kosovo Police Inspectorate, Ministry for the Kosovo Security Force, Kosovo Security Force- that laid the foundation for the security architecture of the young state. The situation on the ground was very complex internationally, domestically and from the security point of view. UNMIK was regarded as a mission that had fulfilled its mandate once the country was declared independent while "the EU was on the verge of launching its most ambitious security and defence mission, EULEX, an arrangement that would not see Belgrade's cooperation anytime soon".[290]

On 17 March, 2008 the situation in the north of Mitrovica deteriorated with violence when members of the Serb community protested against the declaration of independence of Kosovo in which case, they took over an empty UN courthouse building. UN Police and KFOR soldiers overmastered the courthouse building while the violent confrontation lasted for several hours. Following this violent event, UN and Kosovo Police as well as KFOR withdrew from the north. Their withdrawal created a security vacuum in an area where criminal activity was widespread and extensive while there was an urgent need for constant international presence. This period was a test for the dynamics amid UNMIK, the newly established ICO, KFOR, Kosovo Police and other international actors who were monitoring a tense and uncertain situation. The international community was not unison nor spoke in one voice as to finding the right approach to the north to impede further deterioration of the situation.[291] From my personal experience working with ICO, I could notice that even within ICO there were divergences particularly over Mitrovica North, a UK diplomat who was deployed there and was very keen to accomplish his mission accordingly, after continuous serious attempts and persistence to succeed, realised that neither the approach and the backup nor the political will was not of the desired level from the other participatory states, consequently, he decided to withdraw.

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[289] ICO, *State Building and Exit,* 10.
[290] Ibid, 13.
[291] Ibid, 14.

As Ahtisaari's Comprehensive proposal was completely enshrined in the Kosovo Constitution as committed without reservations from the Government and passed by the Assembly of Kosovo, with full ICO assistance, it is important to underline the set of legislation that was planned to establish the essential institutions that would exercise the full extent of sovereignty.[292] The most important among these were the Law on the Ministry for the Kosovo Security Force, the Law on Service in the Kosovo Security Force, the Law on the Civil Aviation Authority and the Law on the Establishment of the Kosovo Intelligence Agency and the Law on the Kosovo Security Council. The latter we have analysed in a separate chapter as it has a particular importance for this study in relation to the "Evaluation Framework" as an implementing mechanism.

ICO also successfully concluded of the border demarcation between Kosovo and Macedonia. It played an essential role that contributed to the border security and stability. After a couple of years, when Kosovo faced serious plights to demarcate the border with Montenegro due to the refusal of the opposition, demarcation undertaken by ICO was recalled as a very successful exercise.

The enactment of ICO was in two distinct stages, first that focused on stabilization through establishing and consolidating the main state institutions and the second that sought to enhance local ownership through transferring of responsibilities to the Kosovo authorities and the EU.

As Peter Feith puts it: "Our relationship to the political elite was based on equal partnership, rather than on intrusive international scrutiny that Kosovo had experienced during the preceding decade,"[293] having worked in this organization and almost a decade in other International Organizations in Kosovo, I couldn't agree more. However, while the role of ICO must be appraised for the partnership approach and assistance in state building process and for what was elaborated above, its mandate inopportunely remained unfulfilled given that Ahtisaari Plan endured unenforced in the north of the country, a challenge that ICO foresaw and consequences of which are distressing the sovereignty and security situation of the country to this day.

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[292] Ibid, 20.
[293] Pieter Feith, "Overseeing Kosovo's Conditional Independence" European Council on Foreign Relations, Commentary, Accessed February 21, 2019, https://www.ecfr.eu/article/commentary_overseeing_kosovos_conditional_independence

4.4. OSCE Mission in Kosovo

OSCE Mission in Kosovo (OMiK) certainly presents an important organization given its mandate and its activities in the field. Prior to elaborating the prominence of the OSCE in Kosovo, it is imperative to make a short view of Kosovo Verification Mission (KVM) due to its role in the context of the recent historic developments in Kosovo.

The establishment of Kosovo Verification Mission (KVM)[294] dates back in 1998 following UNSC 1199 authorized by the OSCE Permanent Council that enabled the immediate deployment of KVM. The deployment of KVM happened in a very critical time in Kosovo where human rights atrocities had become overwhelming. The deployment of KVM brought signs of hope for the Kosovo population, they were regarded as envoys of truth that will convey it to the democratic world and influence the |Yugoslav regime to stop the violence. The KVM's tasks included the verification of compliance by all parties in Kosovo with UN Security Council Resolution 1199; maintenance of close liaison with FRY, Serbian and, as appropriate, other Kosovo authorities, political parties and other organizations in Kosovo; Supervision of elections in Kosovo to ensure their transparency and fairness in line with regulations and procedures to be agreed; reporting and making recommendations to the OSCE Permanent Council, the UN Security Council and other organizations on areas covered by UN Security Council Resolution 1199.[295]

On 8 June 1999, the KVM was replaced by the Task Force for Kosovo whose primary task was the preparation for re-deployment to Kosovo and assistance to UN and other international organizations. The Task Force was dispersed on 1 July 1999 and was replaced by the OSCE Mission in Kosovo.

There were continuous diplomatic efforts that were trying to make the Milosevic's regime stop the pressure. An indispensable role in the diplomatic efforts to come to an agreement was run by the American diplomat, Richard Holbrooke who convinced Milosevic to obey with the demands set by the UNSC Resolution 1199. He managed this by using force diplomacy thus Milosevic accepted a series of demands including the decrease of troop levels in Kosovo to that before the violence outburst of 1998, the imposition of a general ceasefire, deployment of an international mission for compliance verification, and a deadline for starting meaningful

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[294] I worked for the Kosovo Verification Mission from their deployment until their evacuation

[295] United Nations, *Security Council Resolution 1199,* Resolution S/RES/1199 (New York: Security Council, 1998), July 16, 2019, http://unscr.com/en/resolutions/doc/1199.

political dialogue that would be based on a revised version of the Hill plan. Thus, the decision for the KVM deployment noted a more invasive international engagement.[296]

As Bellamy describes it, the defining features of this period originate from the nature of the KVM, which was widely perceived in the West as Milosevic's last chance to avoid war with NATO. He further mentions the following characteristics:

- The KVM was a traditional peacekeeping mission in the narrowest sense. It was there with Yugoslav consent and it was widely understood that it could not operate without that consent.

- NATO's co-operation with OSCE verification in the form of the aerial reconnaissance mission, 'Operation Eagle Eye', and the stationing of a European-led NATO 'extraction force' in Macedonia to provide a rapid withdrawal capability for the KVM suggested a growing militarisation of international policy.

- The continuation of negotiations and subsequent revisions of the Hill plan suggested that there was hope of finding an interim political settlement though the portents for failure were also present as deadlines passed without progress.

- The KVM was based on an agreement between the West and Slobodan Milosevic. The Kosovar Albanians were neither included nor consulted during the negotiations.

As a result, the agreement was generally viewed as a positive one but rather in a negative light by the Kosovar Albanian community and elements of the KLA believed themselves not to be associated by the accord though its leadership did conclude a separate ceasefire agreement with Holbrooke.[297]

The above described characteristics by Bellamy describe best the role of and nature of KVM while expectations of the International Community that Milosevic will change its aggression would change did not prove accurate. In contrary, his hostility continued even in the eyes of the international observers.

In the book Kosovo Tragedy The Human Rights Dimensions edited by Ken Booth, it is described how Ambassador William G. Walker, the head of the OSCE Kosovo Verification Mission (KVM), who went to Kosovo in November 1998 to monitor the human rights

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[296] Alex J. Bellamy, "The Kosovo Verification Mission," in *Kosovo and International Society*. Cormorant Security Studies Series (London: Palgrave Macmillan, 2002), 95.

[297] Ibid, 95-96.

atrocities, when giving personal views on the mission's mandate and the difficulties explained that amid its initial difficulties, there was a problem to find trained human rights verifiers as well as the difficulty to maintaining a neutral position after the beginning of the work of the mission. Even though that the Mission eventually failed, Ambassador Walker argues that for a couple of months, it made a difference in regards to monitoring a wide range of human rights violations, together with its 'aggressive' quest of human rights reporting in Kosovo based on facts. These activities of KVM were obviously not perceived as neutral from the regime in Belgrade. The mission's failure at least helped in disclosing the critical human rights violations in the ongoing crises in Kosovo. It achieved some short-term positive results as well as learned some valuable lessons as far as human rights verification is concerned.[298] I was a witness myself, in several occasions, when driving through Serb populated villages with the KVM officers in the orange coloured vehicles, we were very often stopped either by the police or the so-called reservists wearing camouflage uniforms and not treated very politely. This showed that KVM was not only welcome but also regarded as supporter of the Kosovo Albanian Population.

Having worked with KVM at that time, I can confirm that their deployment brought a great dose of hope to Kosovo Albanians who were suffering systematic repression and human rights abuses on daily basis. The mission as such presented some light at the end of the tunnel as people were convinced that at this point, the world will realise that in Kosovo there is a supressed nation from a vicious regime. From the perspective of a local staff, while apprising KVM's role and agreeing with Ambassador Walker for the achievements mentioned above, I can say that their "evacuation policy" or even overall security approach vis-à-vis local staff was appalling. They got evacuated without encountering the risks for the local staff they left behind. Every single local person who worked for KVM was a target of the regime; their names were known to the Serbian MUP authorities and would eventually be subject to interrogations and mistreatments. When KVM left many houses where KVM resided were set on fire, whereas even day-to-day work was not safe at all. I remember to have experienced a direct threat from an armed civilian Serb for driving with "these Internationals" into the Serb village without permission. In addition, I still recall the terrifying experience of seeing very often trucks with weapons distributed to the Serb inhabited areas. The positive side of the coin of this sad experience is that, all these things were all reported and together with the conversion from a

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[298] Ken Booth, *The Kosovo Tragedy: The Human Rights Dimension,* 6th ed. (London: Psychology Press, 2001), 13-14.

peaceful resistance of Kosovo Albanian population to a military one from the side of KLA, created some sort of symbiosis that led to the humanitarian intervention. Hence, we can conclude that KVM was not a typical mainstream OSCE, yet it had its own indispensable short-term contribution that alerted the international community for the atrocities happening in the ground.

OSCE Mission in Kosovo was established in 1999 and it is the second largest OSCE's field operations. It is the only International Civilian Organisation that is present in the entire territory of Kosovo and that monitors closely political and institutional developments as well as the developments in the field of security. It offers tools for systematic improvements needed. In terms of institution building, the Mission has been engaged in establishing many key institutions, like the Assembly of Kosovo, the Ombudsperson Institution, the Central Election Commission, the Office of the Language Commissioner, municipal community protection bodies, etc.[299] The mandate of the mission is determined by the UNSC Resolution 1244 based on the decision of the Permanent Council of OSCE number 305 of July, 1999. This decision enables the Mission to have a lead role in the institution-building, democracy and human rights. OMiK is engaged in three main fields: human rights and communities, democratisation and public safety.[300] It works closely with other OSCE's field presence missions in the Southeast Europe for improving the regional cooperation, dialogue and reconciliation.[301] For the latter, again, having had almost a decade experience of working with this mission, I can say that most of the times, reconciliation projects started either prematurely or targeted the wrong people. Reconciliation projects had very good aims and objectives, however, their long-term impact can be argued for the reasons stated above and above all for the lack of proper needs assessment and above all prioritisation of societal and institutional needs.

Protection and promotion of human rights and community rights are amongst mission's main objectives. Regarding communities' rights, the OMiK deals with matters such as participation in decision-making, security, language rights, returns and other difficulties related to displacement, the protection of cultural and religious heritage, and the rights to property.[302] In regards to the human rights monitoring in the justice sector, OMiK is the main international actor. It issues regular thematic reports along with proposing of concrete recommendations and

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[299] Organization for Security and Co-operation in Europe, *Mission in Kosovo,* Factsheet (Pristina: Organization for Security and Co-operation in Europe, 2017), https://www.osce.org/mission-in-kosovo/143996?download=true
[300] Ibid.
[301] Ibid.
[302] Ibid.

follow up actions about measures that would improve the justice system. The respective reports are also used by the Kosovo Judicial Institute, a body established by OSCE, to develop training courses for judges and prosecutors. Further, OMiK is a member of the Implementation Monitoring Council. This mechanism was established to preserve and protect cultural and religious heritage in Kosovo. Religious tolerance is promoted through the inter-faith dialogue fora that engages youth as well as representatives of all religious communities and institutions.[303] In terms of Democratisation and Good Governance, OMiK works to reinforce democracy, transparency and accountability of Kosovo institutions. It supports Kosovo Assembly to advance relationship with the government to contributing thus to the raising of the accountability of the executive. In addition, The OMiK contributes in increasing cooperation between the Assembly and civil society. Another important objective is the advancements of the free and professional media sector in Kosovo including training of journalists in line with international standards. Support to women's rights groups especially in ending gender-based violence is indispensable. The work with the youth, through different internship programmes with government institutions.[304] The OMiK could be especially ppraised for its work on women's rights.

As far as security is concerned, OMiK supports ministries and law enforcement agencies to review strategies and action plans. These strategies and action plans are related to the fight against different security threats such as organized crime, violent extremism, terrorism, etc. It also contributes to the strategies on intelligence led policing, community policing and safety. It works to expand police-public partnerships through fostering dialogue between communities and police. It has established a number of community safety forums through which the security issues are addressed while working to establish new ones in northern part of Kosovo. OMiK works towards increasing representation of communities and gender in police and other managerial positions. Police is also monitored for the compliance with human rights.[305] The increased rate of women's participation in Kosovo police and not only, could be certainly attributed to the work of OMiK.

The role of OMiK therefore is very important as it runs a wide range of activities such as supporting the functioning of democratic institutions, civic participation in decision-making, promotion of human rights and the rule of law.[306] OMiK deals with the protection of

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[303] Ibid.
[304] Ibid.
[305] Ibid.
[306] "OSCE Mission in Kosovo," OSCE, accessed February 21, 2019, https://www.osce.org/mission-in-kosovo

community rights; protection of cultural and religious heritage; monitors the judiciary; gender mainstreaming; media freedoms and development; promotes anti-discrimination; works on the improvement participation of youth in political and public life; counter terrorism and cyber threats; advanced police training and support to main policing strategies; and provides support to the implementation of agreements deriving from the EU-facilitated dialogue between Pristina and Belgrade. In addition to all these endorsements, the Mission monitors the work of institutions and supports the rule of law. [307]

4.5. Enhancement of Kosovo-OSCE Relations from another Perspective

In this subchapter, we will examine Kosovo – OMiK relations from a different approach while proposing some ideas as to how these relationship could be more advanced and how could Kosovo institutions be more engaged when the programs dedicated to it are defined always suggesting that the initial mandate of OMiK relies on rather obsolete documents while political situation on the ground has noted alternation and development.

The functional mandate of OMiK's thematic departments derives from OSCE's General Council Decision no. 305,[308] approved on 01 July 1999, which explicitly refers to UN Security Council Resolution 1244, thus the mandate of OSCE is defined directly through Resolution 1244. This decision mandates OMiK with a leading role in institution building, democratisation and human rights. Thus OMiK supports the building institutions of Kosovo while continues to be status neutral. Through this reference, OMiK extends its mandate from one year to the other while the relations with Kosovo are quite paradoxical due to its obsolete authorisation of its mandate and this presents one of the main obstacles for coordination, planning and identification of the needs of the Republic of Kosovo vis-a-vi OMiK's programs.

This does not mean that many of these programs and institutions, which have been established by OMiK are not suitable; on the contrary many of these have founded the ground for respect for human rights such as the Ombudsperson, the rule of law efficiency, police academy then affirmation of institutions from modern media standards to accommodating minority rights in the Republic of Kosovo. As stated in the previous subchapter, OMiK is to be appraised for its work on many fields. However, OMiK's referral in 1999's decisions and the completely new

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[307] Ibid.

[308] Permanent Council of Organization for Security and Co-operation in Europe (OSCE), *DECISION No. 305,* PC.DEC /305,237th Plenary Meeting, PC Journal No.237, Agenda item 2, Parag. 6 (Vienna: OSCE,1999), https://www.osce.org/pc/28795?download=true.

situation created in the Republic of Kosovo (especially after independence, and the great advancement of the fundamental definition of the subjectivity and sovereignty of the state of Kosovo within and in the international sphere) are not in line with priorities and needs of the institutions of the Republic of Kosovo consequently, this approach clearly shows the there is a lack of coordination with OMiK's programmatic work in Kosovo that in an ideal scenario would take into consideration the needs of the Kosovo institutions and involve them in the planning process and not only in the implementation phases.[309]

In the political sphere, in the framework of relations with the Permanent Council and the OSCE Secretariat,[310] Kosovo is regrettably formally addressed in full reference to Resolution 1244 and the Decision of OSCE 305 of 1999. As indicated above, not only with regards to the relations with OMiK but also when Ministerial meetings of the member states are concerned, starting from the OSCE Permanent Council to the lowest level fora, the entire correspondence related to Kosovo including official documents does not mention Kosovo Institutions. Despite the fact that OMiK has to stick to the status neutrality and reference to the UNSC 1244, the inability of Kosovo to be represented in these meetings, creates an opportunity of the non-recognizing states, primarily by Serbia and Russia to create their own narrative or rather an opinion about the image and situation in Kosovo by voicing issues of daily politics and processes outside the contextual mandate of OMiK. Despite the fact that OMiK as such was established as a pillar of UNMIK, its stance exceeds that of UN. If we are to compare the UNSC where Kosovo Government is present and reports, this is not the case with the OSCE's Permanent Council. Kosovo is not allowed to participate neither in this reporting nor in any formal OSCE activities even though OMiK is the second largest mission - out of the 16 existing OSCE field missions. This particular approach makes the rapport of Kosovo and OSCE rather odd and this brings as to another important issue which is the eventual membership of Kosovo to OSCE. Indeed, one of the long term objectives of the Republic of Kosovo, is the membership in OSCE and for such an action, Kosovo should persuade member states. In addition, new forms of cooperation that goes beyond the obsolete documents of 1999 should be sought. This cooperation should be based on the needs of the Kosovo Institutions and for the benefit of Kosovo's citizens.

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[309] Department for NATO and Security Policies, *Coordination of Priorities and a Coordinated Technical-Content Modality with OMiK and Proactive Approach to OSCE Member States,* Internal Draft Concept Document of the Ministry of Foreign Affairs (Pristina: 2018).

[310] The Secretariat consists of 57 member states, where over half of them have recognised the independence of the Republic of Kosovo.

If Kosovo was to be member of OSCE, this would have resolved the problems of interaction and as well definition of programs deriving from the necessities of the institutions would have been more adequate. For the time being, this membership is far from reality and is determined primarily by the dynamics of the geopolitics circumstances.

However, given OMiK's yearlong presence and its commitments toward the institution building, at least on a technical level, a practical way of enhancement of the cooperation should be explored. Based on the internal MFA documents and on the discussions with colleagues, we there is an opinion that Kosovo MFA Ministry Affairs of Kosovo could have taken a coordinating role between the institutions of Kosovo and OMiK.

The need for technical co-ordination of the Institutions of the Republic and OSCE for OMiK projects based on the needs identification as well as planning has been constantly raised from the side of Kosovo through its diplomatic representation in Vienna and this lobbying has met positive response and willingness from the side of a considerable part friendly OSCE members states. The cooperation on the ground would been much more productive and beneficial if during the phase of definition and drafting of projects, the declaration of budgets of the member states and the allocation of program funds if Kosovo Institutions are consulted systematically. It is worth to underline though that OMiK is highly cooperative during the implementation phases. If we are to compare this approach with the European Commission in Kosovo, especially in regard to IPA Programs, they are not only very cooperative but their preparation of programs is usually made on the basis of the requirements and priorities of the Institutions of Kosovo. To best illustrate this rather vain approach, is the OSCE Programme Outline 2019 SEC.GSL/65/18 for the OSCE missions,[311] for example the second paragraph of the this document indicates that OSCE will continue to implement its activities in coordination with International Community without mentioning or referring to institutions of Kosovo. Hence to prove this point or rather the concerns raised by the Kosovo side, even this very important document about the work of OSCE does not refer directly to the consultations with the Kosovo Institutions or to a formal orientation along priorities of the Government of Kosovo which are covered by OMiK. In fact this very document would have been a very useful practical exercise for the beginning of a need-based institutional cooperation, avoiding circumvention during the strategic and programmatic planning.

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[311] Organization for Security and Co-operation in Europe, *OSCE—2019 Programme Outline,* SEC.GAL/65/18, Restricted Document (2018), 10.

In conclusion, OSCE in Mission in Kosovo played a crucial role in promoting democracy and human rights and institution building with a special positive impact in the enhancement of the security institutions. It still continues to provide a major contribution to the long-term peace and institution-building, democratisation, human rights and rule of law. However, an enhanced cooperation with the institutions of Kosovo in line with the evolvement of socio-political developments would have made its impact more beneficial and sustainable.

4.6. The Role of NATO in Kosovo – Security and Beyond

Since June 1999, NATO, namely Kosovo Force (KFOR) has been leading a peace-support operation in Kosovo as the main supporter of wider international efforts to build peace and stability.[312] KFOR was established after the air campaign against Milosevic's regime was over. This air campaign was launched by the Alliance in March 1999 to stop the humanitarian catastrophe that was then unfolding. The mandate of KFOR derives from United Nations Security Council Resolution (UNSCR) 1244 of June 1999 and the Military-Technical Agreement between NATO and the Federal Republic of Yugoslavia and Serbia. KFOR operates under Chapter VII of the UN Charter and, as such, is a peace enforcement operation.[313]

KFOR's mandate is to deter renewed hostility and threats against Kosovo by Yugoslav and Serb forces; establish a secure environment and ensure public safety and order; demilitarize the Kosovo Liberation Army; support the international humanitarian effort; and coordinate with, and support, the international civil presence. KFOR continues to help "maintain a safe and secure environment and freedom of movement for all people and communities in Kosovo."[314]

With the passage of time, as the security situation has improved, NATO has been gradually adjusting KFOR's force posture towards a smaller and more flexible force with fewer static tasks. North Atlantic Council decides about all adjustments to the KFOR force posture conditional to the evolvement of the security situation on the ground. KFOR cooperates and coordinates with the United Nations (UN), the European Union (EU) and other international actors to support the development of a stable, peaceful democratic and multi-ethnic Kosovo.[315]

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[312] See the map of the peacekeeper deployment in annex 3.
[313] "NATO's role in Kosovo" NATO, accessed February 26, 2019,
http://www.nato.int/cps/en/natolive/topics_48818.htm.

[314] Ibid.
[315] Ibid.

On March 24, 1999, NATO launched a 78-day air campaign that aimed to force the Yugoslav government and its elected president, Slobodan Milosevic, to stop the human rights abuses that were being carried out by armed Serbs against the majority ethnic Albanians living in Kosovo. This effort was called Operation Allied Force and it ended on June 9 after Milosevic finally agreed to NATO's demands. Consequently, the withdrawal of Serb forces from Kosovo began. Benjamin S Lambeth describes this air war as the "first of that magnitude for NATO and represented the third largest strategic application of air power by the United States since World War II, exceeded only by the Vietnam War and Operation Desert Storm in scale and intensity". In his book he further examines the comportment and results of Operation Allied Force from the perspective of strategically approach as well as operational levels. It elaborates the strategy and force employment issues that resulted from NATO's bombing campaign for Kosovo, implications of the force expansion, air power doctrine, and concepts of operations for joint and coalition warfare.[316]

In fact, the 78-day effort - Operation Allied Force, was the third one in a row during the 1990s, after Operations Desert Storm and Deliberate Force, which proved that the air force was key in which air power proved critical in determining the outcome of this regional conflict. Yet regardless of the ultimate success of the latter, it started as a step that produced a quick compliance against Milosevic but for a while at least, it turned into an outwardly ineffective bombing experiment with no clear end in sight[317]. As the Operation of the Allied Force was at its highest intensity, two personalities flew to Belgrade, former Prime Minister and Russia's envoy to Balkans, Viktor Chernomyrdin and Marti Ahtisaari, Finland's President and EU representative. They offered Milosevic a plan to bring conflict to an end. According to an informed observer, inclusion of Ahtisaari in the process was suggested by Chernomyrdin given that he came from a respected non-NATO country.[318]

That very day, the two envoys put an ultimatum to Milosevic to accept an international peace proposal. This proposal was previously prepared and agreed by the United States, Russia, the European Union and president Ahtisaari. Consequently, Milosevic accepted the recommended settlement. The terms of the proposed agreement were to "accede to NATO's demands for a withdrawal of all VJ, MUP, and Serb paramilitary forces from Kosovo; a NATO-led security

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[316] Benjamin S. Lambeth, *NATO's Air War for Kosovo: A Strategic and Operational Assessment* (Santa Monica, CA; Arlington, VA; Pittsburgh, PA: RAND Corporation, 2001), v-vii, http://www.jstor.org/stable/10.7249/mr1365af.
[317] Ibid, 3.
[318] Ibid, 56-57.

force in Kosovo; an unmolested return of the refugees to their homes; and the creation of a self-rule regime for the ethnic Albanian majority that acknowledged Yugoslavia's continued sovereignty over Kosovo".[319] In case of pending the implementation of o a military-to-military agreement between NATO and Yugoslavia that put as a condition withdrawal of Yugoslav forces, NATO would continue bombing. The agreement was ratified, by the Serb parliament a on the 73rd day of the air effort, namely on 3 June with this rationale of the Socialist Party of Serbia run by Milosevic: "peace and a halt to the evil bombing of our nation."[320]

Martin A. Smith and Paul Latawski claim that the NATO air operations against the government of Milosevic have been among the most controversial aspects of the Alliance's involvement in South East Europe since the end of the Cold War. Many critics and scholars qualified the military intervention in different ways, such as 'humanitarian war', 'virtual war', intervention and 'humanitarian intervention'. Nonetheless, the debate over the use of force was mainly concerned with the legality and legitimacy as well as the ethic basis and its impact on the principle of non-interference in the internal affairs of states. They further argue that these conceptual debates are important not only within the context of European security but for the international system as a whole.[321]

Certainly, the rationale of NATO and its member state was clear, first, all diplomatic efforts and actions were exhausted and second there were imperative humanitarian considerations, military power was employed to support the political aim. Moreover, another crucial consideration was the fact that the conflict could have easily spread in the neighbouring countries with tremendous consequences for the region. In addition, there was clear understanding that Serb actions were in breach of the core values and norms embraced by the "Atlantic Community" namely NATO.[322] Therefore, this intervention was a humanitarian one and its legitimacy could be traced from UNSC resolutions that refer to serious human rights violations committed towards Kosovo Albanian population. What would have happened if NATO did not intervene in Kosovo according to James Gow, ethnic cleansing would have been imminent, KLA weak and relatively unformed and unable to increase operations, whereas Belgrade forces had shown themselves to have the measure of the KLA, irrespective their

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[319] Daniel Williams and Bradley Graham, "Yugoslavs Yield to NATO Terms," Washington Post, June 4, 1999, as quoted in Benjamin S. Lambeth, *NATO's Air War for Kosovo: A Strategic and Operational Assessment* (Santa Monica, CA; Arlington, VA; Pittsburgh, PA: RAND Corporation, 2001), 56-57, http://www.jstor.org/stable/10.7249/mr1365af.
[320] Lambeth, *NATO's Air War,* 16.
[321] Ibid,165.
[322] Ibid.

strategy of brutality that accompanied the majority of their actions they would have defeated KLA easily in direct combat.[323] This conclusion is very accurate as our own experience showed that not only prior to the NATO bombing campaign but biggest atrocities on the ground, in fact happen during the campaign itself.

Martin A. Smith and Paul Latawski further maintain that NATO's response to the crises in Kosovo may suggested to some that a de facto European collective security arrangement arise under the auspices of the EAPC. Kosovo case cannot describe as a collective security action per se given that the FRY was not a member of the EAPC and as such not a part of the Euro-Atlantic Area. This operation was therefore an act of collective defence but against an outside aggression member states – first of its kind in the history of NATO. Yet, this could not be referred to the Article 5 but merely, as in this case the territory was not defended rather common values of the Euro-Atlantic community.[324] This response was the first of its kind and exactly as stipulated in Article 5 however, in addition to defending Euro-Atlantic common values, it aimed to prevent a major humanitarian catastrophe, although large consequences and losses had already occurred to a large extent.

Hence, the background and context of NATO's role in Kosovo is best described by the facts and figures in their official page. Ranging from March 1998 and March 1999, before NATO governments decided to undertake the military action, over 2000 people were killed as a result of the policies of the Serb government in Kosovo; Throughout the summer of 1998, a quarter of a million Kosovar Albanians were forcibly expelled from their homes while their houses, villages and crops were destroyed; In January 1999, a United Nations humanitarian team revealed evidence of the massacre of over 40 people in the village of Racak; The United Nations High Commission for Refugees, by the beginning of April 1999, estimated that the ethnic cleansing campaign resulted in 226,000 refugees in Albania, 125,000 in the former Yugoslav Republic of Macedonia and 33,000 in Montenegro. NATO forces gave assistance in order to ease the refugee situation by providing equipment and building camps to house 50,000 refugees in Albania, expanded camps in the former Yugoslav Republic of Macedonia, offered medical support and undertook emergency surgery on the victims that were shot by Serb forces; transported refugees to safe places; and provided transport for supplies and humanitarian aid; Over 230,000 refugees in former Yugoslav Republic of Macedonia, over 430,000 in Albania

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[323] James Gow, "The War in Kosovo 1998-1999" in *Confronting the Yugoslav Controversies: a scholars' initiative* (West Lafayette, Ind: Purdue University Press, 2013), 335.
[324] Martin A. Smith and Paul Latawski, *The Kosovo Crisis and the Evolution of a Post-Cold War European Security* (Manchester: Manchester University Press, 2003), 11.

and some 64,000 in Montenegro had arrived by the end of May 1999.[325] Roughly 21,500 had reached Bosnia and over 61,000 had been evacuated to other countries. An estimated 580,000 people remained homeless within Kosovo itself; It is estimated that 1.5 million people, namely 90% of the population of Kosovo, had been expelled from their homes by the end of May. Around 225,000 Kosovar men were believed to be missing. At least 5000 Kosovars had been executed; NATO forces provided many thousands of tons of food and equipment into the area. Over 4666 tons of food and water, 4325 tons of other goods, 2624 tons of tents and nearly 1600 tons of medical supplies had been transported to the area, by the end of May 1999.[326]

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[325] "Facts & Figures," NATO Kosovo Force, accessed February 22, 2019,
https://jfcnaples.nato.int/kfor/about-us/history/facts-figures.
[326] Ibid.

Table 7: Facts and Figures about the Kosovo War and NATO aid[327]

1.5 MILLION PEOPLE EXPELLED FROM THEIR HOMES

1998
- **March and ongoing**
- Over 2000 Albanians killed by Serb government

1998
- **June - September**
- 250.000 Albanians expelled from their homes
- Cities and villages destroyed

1999
- **January**
- UN revealed the massacre of over 40 civilians in the village of Recak

1999
- **24 March**
- Operation Allied Force: NATO strikes military targets in Serbia

May 1999
64.000

April 1999
33,000

Montenegro

May 1999:

580.000 homeless people

225.000 missing

5000 Kosovars executed

Other countries:
61,000 Kosovar refugees

Bosnia Herzegovina:
21,500 Kosovar refugees

Albania

April 1999
226.000

May 1999
430,000 refugees

May 1999
230,000

April 1999
125,000

FYROM

NATO

Food	Tents	Medical	Other
4666T	2624T	1600T	4235T

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[327] Ibid.

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Since 1999, the International Community in Kosovo was in charge for security in Kosovo. NATO through KFOR as the main multinational peacekeeping force has been responsible to maintain safe and secure environment while supporting peace and state building process. KFOR operates under the auspices of the UN Security Council Resolution 1244 and through its military ensures peace and also supported the UNMIK, the EULEX Civilian Crisis Management Operation as well as other international organisations. KFOR has always had and has great respect not only from Kosovo's institutions but also from its citizens of all communities because of its role in maintaining peace, security and stability in Kosovo. The role of KFOR is also appreciated because of its civic element; KFOR through many projects has contributed in the construction and reconstruction of many schools, roads and bridges. This contribution has been and continues to be great. During these last years, KFOR and NATO have had another very important task for Kosovo and its citizens and institutions in particular, regarding the professional preparations of the Kosovo Security Force. Assistance in the professionalization of the Kosovo Security Force will be elaborated in a separate chapter. Kosovo intends to move progressively from consumer of security to provider of security.

The role of NATO in Kosovo was multifaceted while its operations evolved from the air war to humanitarian assistance to peacekeeping and peace building.[328] As such, some of the units, such as civil affairs, significantly extended the mission in support of peace operations. Thus, civil affairs soldiers were out every day working with UNMIK to help set up local governments and restore electricity, water and telephone service. In addition, they worked with other international organizations and non-governmental organizations (NGOs) to provide humanitarian assistance and rebuild the civil infrastructure to improve the local quality of life. When the international community and UNMIK were not in a position to provide services, KFOR soldiers were required to fill gaps, to complete duties that were beyond the scope of their mandate and for which the soldiers did not necessarily possessed the adequate training.[329] However, based on my personal experience working with OMiK and having had close cooperation with KFOR civil affairs teams in different projects throughout many years, I can confirm that they made a vast contribution in many civic areas. In fact, from the beginning they were very well accepted by the Kosovo population and institutions with great respect and they still continue to enjoy the same reputation. KFOR is an undisputed and highly rated organization from the people of Kosovo, as it is often amalgamated with a force that brought,

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[328] Larry K. Wentz, *Lessons From Kosovo: The KFOR Experience* (Washington, D.C.: CCRP publication series, 2002), 3-7.
[329] Ibid, 399.

and as a result helped maintain the peace in the country. Yet, this perception, and sense of security due to the presence of NATO in the country is much more present among the Kosovo Albanians who eventually want to integrate the NATO structures as a fully-fledged member, while the strongest opposition to the membership is present among the Kosovo Serbs, as the Kosovo Security Barometer, done by the KCSS for the years 2013-2016 indicates.[330]

The importance of the role of NATO in Kosovo is also significant from two aspects: first and most important for its contribution in the peace and security through the mission of KFOR and second for its impact in the establishment, consolidation and functionalization of the KSF.

Currently, in Kosovo there are around 3600 NATO troops run by KFOR, offered from 28 states (20 NATO members and 8 NATO partners) which continue to contribute in the maintenance of safe and secure environment for all citizens. NATO Advisory and Liaison Team (NALT) has been created by the merge of two elements of NATO that have operated until now in support of the development of the Ministry of the KSF (NATO Advisory Team NAT) and KSF (NATO liaison Advisory Team NLAT).

In the framework of the overall relationship of Kosovo with NATO and the approximation towards integration, of particular importance is the participation of the Republic of Kosovo in the General Assembly of NATO in the capacity of an observer. During the NATO's General Assembly meeting in Riga, Kosovo's Assembly was granted the status of observer in April, 2014. This is a very important step for Kosovo towards integration in NATO. While the observer status is a regular procedure, next step will be the membership in the General Assembly of NATO. In regard to Kosovo's integration in NATO, former Prime Minister of Kosovo Isa Mustafa, had sent a letter for the upgrade of the cooperation between Kosovo and NATO that included the opening of a Kosovo Office in NATO. NATO Secretary General, Stoltenberg, after approval of the programs from the North Atlantic Council, responded to the letter of PM Mustafa. Even though the response did not meet the expectations of Kosovo, it was still regarded as an important step in Kosovo's membership in NATO.[331]

Kosovo will benefit from NATO's programs in Public Diplomacy, Science for Peace and Security, Integrity Building, Cyber Defence, obtain an observer status in Euro-Atlantic Disaster Response Coordination Centre (EADRCC) – a mechanism that coordinates NATO's actions in

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[330] Kosovar Center for Security Studies (KCSS), *Kosovo Security Barometer: Trends of Perception towards Kosovo's Foreign Policy and Dialogue with Serbia Covering Period 2013-2016* (Pristina: KCSS, 2017), 27, http://www.qkss.org/repository/docs/barometri-dialogue-eng_967295.pdf

[331] Department for NATO and Security Policies, *Marredheniet mes Republikes se Kosoves dhe NATOs—Rruga drejt anetaresimit ten je vendi ne NATO,* Internal Document of the Ministry of Foreign Affairs (Pristina: n.d.).

response to crises and natural catastrophes in member and partner states, as well as NATO's assistance in this filed for other states. Another important step in regard to the new Kosovo NATO relations is the accordance for more frequent high level visits from NATO to Kosovo. In the framework of this cooperation, in November, 2017 an International Conference on the topic: NATO and the Western Balkans – Regional dynamics in the era of global security challenges was organized in Kosovo. In this conference high state officials from Kosovo and neighbouring countries participated as well as representatives from NATO and KFOR, USA, UK, EU as well as security experts.[332]

4.6.1. The Importance of Membership in the Adriatic Charter (A5)

Kosovo's strategic goal for NATO membership enjoys broad civic support, with no internal differences, and as such, this goal has been proclaimed to its partners and allies. In this regard, the government has confirmed that integration in Euro-Atlantic structures is a priority objective. NATO integration needs to be achieved through continuous efforts with concrete steps that provide tangible results. Thus, membership in the Adriatic Charter A5[333] represents such a step and it confirms to the citizens and institutions of Kosovo that the goal of becoming part of NATO is not unachievable.

Given that the basic idea of the Adriatic Charter presents the preparation of member states towards NATO membership, for Kosovo, the membership in A5 with full rights is a very important. Regional cooperation and good neighbourly relations are key to security thus, this process would be important for the results it brings in terms of deepening the cooperation with neighbouring countries and for the benefit in gaining region's best practices.

Currently, the Republic of Kosovo has the status of an observer country of the Adriatic Charter while Kosovo's full right to membership has been opened. As Kosovo's Ambassador to Croatia, I had the chance to be present in two A5 ministerial meetings, one of them held in Zagreb the other in Mostar, Bosna and Herzegovina. Back then, and even today, two obstacles towards the realization of this goal were noted, first, Bosnia and Herzegovina objects it and the second, the

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[332] Ibid.
[333] The Adriatic Charter (A5) is a successful regional initiative highlighting the goal of integrating the countries of the region into Euro-Atlantic institutions, based on the spirit of the 1998 US Charter of the Baltic Charter. Member States: Albania (2003), Croatia (2003), Macedonia (2003), Bosnia and Herzegovina (2008), Montenegro (2008).
Observing countries: Serbia (2008), Kosovo (2012), Slovenia.

lack of a strong impetus by the United States. The letter is reserved and prefers to wait for a more appropriate time to address the issue of Kosovo's membership.

Provided that Adriatic Charter is the region's leading security initiative, to get the fully-fledged member status requires support by partners while always looking at creative opportunities for contributing to the region. Since the primary focus of the Adriatic Charter as indicated above is the preparation of member states towards NATO, Kosovo's membership in A5 with full rights would be very important for a number of reasons. First and foremost, it subsidizes to the most important objectives of Kosovo which is integration in NATO, this vision is thus supported by the intensification of internal reforms. As this thesis has indicated, NATO through K-FOR has supported of the build-up KSF with its standards which in a way suggests the path towards NATO. On the other hand, Kosovo, with the observer status since 2012 has proved to be an active and constructive participant in all for a while aspiring the advancement of its status within A5 along with the formalisation of relations with NATO. Second, full membership for Kosovo would provide Kosovo with an opportunity to engage more extensively in the activities and cooperation with NATO. This will enable the shift from a security receiver towards a security contributor. Another reason is the fact the A5 emphasizes the cooperation among member states and intensification of reforms of each member country in different fields, this could be highly important for Kosovo in the context of its aspiration to join NATO. Finally, the Charter further states that member states are committed to strengthen their individual and cooperative efforts to intensify internal reforms that enhance the security, prosperity and stability of the region and this is undoubtedly the ultimate goal of Kosovo.

4.6.2. Partnership for Peace as an Important Step towards Integration in NATO

Following the Brussels Summit in 1994, NATO launched the Partnership for Peace (PfP) initiative. This was an important step towards the advancement of a mutual cooperation between NATO and ex-communist states that were part of the Warsaw Pact. Furthermore, this was a confirmation of the continuous assurance to the transatlantic connection given that NATO also reaffirmed something old and enduring - its strong commitment to the transatlantic link as the basis of the so far most successful Alliance in history: "A strong transatlantic security link is the foundation for the important new steps taken in Brussels".[334]

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[334] "New Europe, New NATO," *NATO Review*. Web Edition 42, no. 1 (February 1994): 12-14.
http://www.nato.int/structur/library/bibref/them0404.pdf.

The role of the PfP has been of utmost importance in the determination of the upcoming Euro-Atlantic processes that Europe would deal with. The PfP as such reflects a spirit of solidarity in line with the North Atlantic Treaty's article 10, and it goes beyond it, it extends its efforts to maintain security not only in the territories of the member countries, but it pledges for a wider cooperation. Thus the PfP can be regarded as the first step that opens possibilities towards integration and membership which in a longer run, provides a secure environment and enduring peace and stability. All Western Balkan countries have joined PfP programme latest being Bosnia and Herzegovina, Montenegro and Serbia in the Riga Summit[335] in 2006 except for Kosovo. The case of Kosovo is rather complex and as Jeffrey Simon puts it:

'The NATO Washington Summit and the war in Kosovo pose serious challenges for the Partnership for Peace (PFP) in implementing reforms among its 24 partners and dealing with the expectations of the nine partners seeking NATO membership'.[336]

One of the key obstacles for the stagnation is considered to be the position of NATO member countries[337] that have not recognized the independence of Kosovo since this lack of formal recognition hinders directly the contractual relationship between NATO and Kosovo. Despite the continuous support that NATO gave to Kosovo as elaborated in this chapter, still, their position in regards to the status remained unchanged: "Following Kosovo's declaration of independence yesterday, NATO reaffirms that KFOR shall remain in Kosovo on the basis of UNSCR 1244, as agreed by Foreign Ministers in December 2007, unless the UN Security Council decides otherwise'.[338] Nevertheless, given the overall political realm and developments in Kosovo these countries do not block the integration *per se* they even contribute to the reaching of NATO standards of KSF through participation in KFOR training programmes. Furthermore, being involved in the "upbringing" process itself, NATO acknowledges that Kosovo has come a long way yet, in regards to PfP membership, the matter is still pending. When Kosovo Prime Minister Hashim Thaçi submitted *the request for Kosovo to join PfP on 11 July 2012*, it was clear that Kosovo and its government were very willing to widen and deepen their cooperation with NATO, to eventually become fully-fledged

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[335] "Riga Summit Declaration," NATO, NATO Press Release (2006) 150, accessed February 22, 2019, http://www.nato.int/docu/pr/2006/p06-150e.htm.

[336] Jeffrey Simon, "Partnership for Peace (PFP)- After the Washington Summit and Kosovo." *National Defence University Strategic Forum Institute For National Strategic Studies*, no. 167 (August, 1999).

[337] Spain, Slovakia, Greece and Romania are NATO members that have not recognised Kosovo.

[338] "Statement by the North Atlantic Council after Kosovo's declaration of independence," NATO, Press Release (2008) 025, accessed February 23, 2019. http://www.nato.int/docu/pr/2008/p08-025e.html.

members.[339] Whereas the response from the NATO spokesman was that Kosovo's request to join the PfP was not discussed yet and that US-Adriatic Charter members should decide who joins their groupings.[340] So, what do this rather contradicting rapport of inclusion and exclusion indicate? Does it diminish hopes and influence on the reduction of efforts to reach the standards and membership? The answer is negative as for Kosovo reforms are as important as the integration itself therefore it should continue to be persistent in its aspiration towards the integration and membership as the invitation for Kosovo to sign the PfP can be a contributing factor of peace and security in the region and ultimately in Europe as such.

EU and NATO in Kosovo are faced with similar challenges in terms of integrating Kosovo into their structures. However, there is a clear scope for complementary support and policy making which gives way to the Euro-Atlantic perspective for Kosovo as described in this thesis.

Security Sector Reform, EU and NATO aligned legislation are processes that Kosovo should persistently work in. Peace and Stability are the key foundation for a sustainable development whereas integration in Euro-Atlantic Structures is an imperative for a enduring security in the region. Integration in EU and NATO is the best alternative and as such should remain the priority of the Government of Kosovo. Over the past years, the International Community has invested enormous capacity building and above all financial efforts for the peace and stability in Kosovo. The EU's policy for an overall support of Kosovo thus ensures an EU perspective that should serve as a catalyst for the continuous reforms compatible with EU standards. The institutions of Kosovo should be maximally engaged in the achievement of the set objectives that would lead the country towards a sustainable political stability, multi-ethnic society, economic development and strong democratic institutions.

The European values are widely accepted by the Kosovo society and those values are reflected in the Constitution of Kosovo. EULEX Mission in Kosovo presents an important contribution for Kosovo offered by EU and it should continue to support the rule of law institutions towards a progress and accountability compatible with EU laws and standards. NATO in the other hand, should without delay consider *the inclusion of Kosovo in the PfP Programme* as PfP could be used as a mechanism to foster regional cooperation peace and stability. Furthermore, to continue to support the Strategic Security Sector Review and most importantly support *the*

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[339] "NATO perspective of Kosovo and Bosnia and Herzegovina," Turkey Tribune, English Edition, accessed February 23, 2019, https://www.turkeytribune.com/2019/02/nato-perspective-of-kosovo-and-bosnia-and-herzegovina/.

[340] Ibid.

creation of a new security architecture in compliance with the domestic needs and context. Therefore, the creation of the Kosovo fully-fledged Army in line with NATO standards and in the service of peace and stability in the region was a necessity and as such will complete the security architecture of an independent and a sovereign state.

4.7. The Role of EULEX in Security Dynamics in the Region[341]

EULEX Mission in Kosovo is characterized by a number of very specific rather complex political circumstances. This overabundance of complexity of the mission has generated difficulties, initially in its deployment, as well as discrepancies in its profile within the CSDP framework, and external coherence, but, it certainly gives enough space for analysis of its discourse from the security point of view.

It is important to underline that EU through its presence in Kosovo supports the integration process driven by the main incentive, which is the regional stability and security. As David. A. Lake and Patrick M. Morgan put it: *'European Integration was initiated to enhance security by eliminating national rivalries and creating an extreme interdependence that would cripple national capacities for modern war'.*[342] They claim that membership in EU by many eastern European countries are regarded as the ultimate guarantee for security.[343]

Therefore, Kosovo's European perspective should not to be perceived as a simple diplomatic and rhetorical discourse; first of all, Kosovo geographically belongs to Europe and as such, a stable Kosovo by default would mean a stable region which is very important for the EU if we take into consideration its increased involvement in providing security as derives from CSDP. EULEX Mission in Kosovo supports Kosovo on its path to a European integration in the rule of law area. Ultimately, the role and the successful completion of EULEX mission will certainly have a crucial impact in the security dynamics of the region. As the representatives of the Copenhagen School, Buzan and Waever, who developed the 'Regional Security Complex' would claim, the security issues are very much linked to territory and that security threats mainly created by states can spread more easily over short distances. In the case of

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[341] This subchapter consists of the author's own paper published in the Journal of Military Science Review (Hadtudományi Szemle) with updates:
Shkendije G. Sherifi, "The Role of EULEX in Security Dynamics in the Region," *Hadtudományi Szemle* 6, no.3 (2013): 102-108.
[342] David A. Lake and Patrick M. Morgan, *Regional Orders: Building Security in a New World* (University Park PA: The Pennsylvania State University Press, 1997), 36.
[343] Ibid.

Kosovo, given the fragile political situation, historic circumstances and ethnic composition of neighbouring countries, an eventual destabilization could inevitably have a domino effect for the entire region. Therefore, EU as a key player and a security 'donor, has a role to play.

Hence, the paper will employ the Regional Security Complex Theory (RSCT) and the corresponding concept of security introduced by Buzan and Waever as a theoretical framework for analysing the role of EULEX on the regional security dynamics.

For the sake of better comprehension of the complexity of historic and political circumstances, I will give a brief overview of the context and main developments prior to the deployment of EULEX Mission in Kosovo.

Following the Western Balkans conflicts in June 1999, the Council of the European Union established the European Security and Defence Policy (ESDP)[344] as a part of the Common Foreign and Security Policy (CFSP). The core purpose of establishing ESDP was to give EU a more significant role in promoting international peace and security thereby becoming a "more capable and credible global actor".[345] This was stated in the Ministerial Declaration ESDP Ten Years – Challenges and Opportunities, the declaration further emphasized that EU decisions be built "around our common values of liberty, democracy, respect for human rights and fundamental freedoms, and rule of law, in conformity with the principles of the UN Charter and international law." The key aim was to "enhance our own security, as well as the security of our neighbours and the wider world."[346]

In April 2009, EULEX became fully operational. The EU Joint Action of February 2008 and Council Decision of June 2010 and June 2012 provide the legal basis for the Mission. EULEX works within the framework of UN Security Council Resolution 1244.[347] EULEX is the largest civilian CSDP mission ever launched with the largest number of international and local staff members and an extensive mandate to monitor, mentor and advise the authorities of Kosovo in the field of police, justice and customs while retaining a number of executive powers.

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[344] ESDP (now CSDP) was created in the wake of the 1998 Franco-British meeting in St.Malo

[345] Alexandra George, *Ten Years of ESDP Missions: The European Way for Attaining Global Peace and Security,* Report (Pristina: EULEX, 2009), accessed July 13, 2019, https://reliefweb.int/report/serbia/ten-years-esdp-missions-european-way-attaining-global-peace-and-security

[346] Council of European Union, *Ministerial Declaration: ESDP Ten Years – Challenges and Opportunities*, 2974th EXTERNAL RELATIONS Council Meeting (Brussels: Council of European Union, 2009), July 12, 2019, http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/gena/111253.pdf

[347] "About EULEX," EULEX Kosovo, accessed February 23, 2019, http://www.eulex-kosovo.eu/?page=2,60

The EU's paradigmatic conceptual relation with Kosovo is that of post-conflict agenda, which is sought to have the development of a sustainable democracy as the end the result. According to Laidi, democracy building agenda in the Balkans gives the EU great leverage and accountability on nation state building.[348] In regards to EULEX as a CSDP Mission, Spernbauer argues that it operates under the somewhat misleading EU label of 'civilian crisis management mission', a term which is not used by the Treaties themselves while its mandate and scope indicate that it is more accurately qualified as a Security Sector Reform and peacebuilding mission.[349]

The literature on CFSP suggests that the EU is still struggling with problems of consistency and it remains sceptical about the capability of the EU to be a coherent actor. Sjursen and Nuttall note that the EU as a global actor suffers from coherence problems both vertically and horizontally. Problems of vertical coherence may occur when the foreign and security policies of individual Member States do not fit together with policies decided at EU level. On the other hand, problems of horizontal consistency are linked to the EU being involved in various external activities that are part of different pillars.[350] When discussing about inconsistency in activities, we refer to differences between EU's discourse on the one hand and EU's action on the other.

The basis of CSDP as stated in CSDP Handbook,[351] is that Europe must speak with one voice, have a clear articulated political aspirations, if European Union is to emerge as a powerful political force at world level, it must think and act as a Union with respect to security and defence. However, in the case of EULEX, EU has failed to reach a common stance on the international status of Kosovo which poses evident inconsistencies and ambiguity especially from the legal point of view. While EULEX operates under the UN umbrella, namely UNSC Resolution 1244 and maintains a 'status neutral' position, Kosovo has its constitution that has been adopted on 15 June, 2008 enshrining provisions of Ahtisaari's proposal. UNSC Resolution 1244 therefore for Kosovo authorities is null and void. While EULEX promotes

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[348] Zaki Laïdi, *EU Foreign Policy in a Globalized World: Normative power and social preferences,* 1st ed. (London: Routledge, 2010).

[349] Martina Spernbauer, *EULEX Kosovo – Mandate, Structure and Implementation: Essential Clarifications for an Unprecedented EU Mission*, the Centre for the Law of EU External Relations (CLEER) Working Papers (The Hague: CLEER, 2010).

[350] Helene Sjursen, "The EU as a 'normative' power: how can this be?" *Journal of European Public Policy* 13, no.2 (March 2006): 235–251, https://doi.org/10.1080/13501760500451667.

[351] Jochen Rehrl, *Handbook on CSDP: the Common Security and Defence Policy of the European Union*, Handbook, 3rd ed. (Vienna: Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria, 2017), 72.

Kosovo's path towards European integration, yet, there are 5 members within EU that oppose Kosovo's independence which throughout the way can hinder the integration process in one way or the other.[352]

Another drawback is the northern part of Kosovo where EULEX, contrary to its mandate, has not managed to exercise its functionality. Nevertheless, EULEX has an important role to play in terms of security not only in the territory of Kosovo but region wise. The success of EULEX can therefore make EU a more credible regional security actor.

Over the recent years, EU has noted an increased involvement in providing security in its 'near abroad'. Here, I will try to employ a rather novel approach in analysis on how EULEX as an EU mechanism within a state can affect or have a role in the security dynamics within a security region, using Regional Security Complex Theory (RSCT) of Buzan and Waever with the conviction that RSCT has the ability to expand and incorporate 'non-traditional' discourse into the structural debate.

RSCT is a theory that deals with regional security in an inclusive approach that involves a number of international relations theories such as constructivism, neorealism. Buzan employs constructivism in a sense that certain security situation is not taken for granted but each and every factor is analysed comprehensively for the accurate findings while maintaining rather neorealist approach in its anarchic views. RSCT maintains that "most threats travel more easily over short distances than over long ones",[353] therefore security interdependence is normally patterned into regionally based clusters.[354]

According to Buzan and Wæver, penetration occurs when a state outside a RSC associates with a state inside the RSC, in this RSC's are linked together, but remain exclusive. In our analysis EULEX will represent an external actor penetrating within a state (Kosovo) thus dictating or rather contributing to the security dynamics of the region. Buzan and Waever argue that for Balkan developments external actors were crucial. They claim that "power differentials in combination with geography allow external actors to shape the developments in the area. This defines the Balkans as potentially a part of the EU-Europe RSC".[355]

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[352] Out of 28 EU member states, 22 have recognized independent Kosovo. Cyprus, Greece, Rumania, Slovakia and Spain do not recognize Kosovo.
[353] Buzan and Wæver, "Introduction." in *Regions and Powers,* 3–5.
[354] Ibid.
[355] Ibid.

As indicated above, in the northern part of Kosovo, so far, EULEX has not been successful, as a result of its ambivalent mandate and incoherence of CFSP. The failure could be as well attributed to the inherited situation from the UNMIK protectorate. Nevertheless, the situation in northern Kosovo is still cause for security concern unless the existing parallel structures are dismantled, and rule of law institutions start to function under the mentoring and support of EULEX, as in other parts of Kosovo. The role of EULEX therefore is crucial in the Northern part of Kosovo in order to eliminate the organized crime, political and legal vacuum and establish a functioning rule of law institutions. Any other scenario such as partition of this part of Kosovo which as a consequence would provoke redefinition of borders given the ethnic composition of neighbouring states would have tremendous causes in the security dynamics of the region.

According to RSC theory, the security interdependence is more intense among the states inside a certain RSC than with states outside of it. As Buzan claims, security is a "relational phenomenon", [356] in order to understand national security properly, the surrounding pattern of security interdependence should be understood first. Two important factors are the enmity and amity among units. These include established relationships between states over time and relating to certain issues, ranging from resolving border disputes, to political ideology, and the establishment of long-term historical bonds (in this contextual political and historic realm we could analyse relations between Kosovo vs. Serbia, Kosovo vs. Albania, Kosovo vs. Macedonia).[357]

From this end, the European perspective offers both a strategic objective and an incentive for transformation and is motivated by EU considerations of regional and international stabilization.

As described here, EULEX Mission in Kosovo has a significant role whose effect in terms of the security dynamics of the region, certainly goes beyond the formal margins of its mandate that includes the territory of Kosovo. The role of EULEX has undoubtedly become e test for a successful CSFP. Even though the mission as such has met a vast criticism since its deployment phase from various political analysts including those from the EU itself, the presence of EULEX mission in Kosovo has considerably influenced the increase of security and stability in Kosovo.

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[356] Barry Buzan, *People, states and fear: an agenda for international security studies in the post-Cold War era,* 2nd ed. (Colchester: ECPR Press, 2007), 157-160.
[357] Ibid.

Kosovo, being a young state and in transition continues to face challenges that could put security at stake therefore the cooperation and coordination of EULEX with local relevant Kosovo authorities have marked evident accomplishments but we have to stress that these accomplishments are still on the halfway. EULEX has contributed in the enforcement of freedom of movement, increase of administrative and institutional transparency, enforcement of rule of law thus making the local population expect that negative streams that affect their security will be fought and diminished with the support of this mission.

As indicated earlier, Kosovo and neighbouring countries are characterized with rather delicate historical, political and ethnic circumstances that for a long period of time have endured the Western Balkans a "hotspot". The mosaic of different communities with different cultural, religious, linguistic and ethnic background make the Western Balkans rather prone security wise, while Albanian population is present in almost every state this region. Apart from Kosovo and Albania where Albanians make the majority, a consistent Albanian minority lives in Macedonia, Serbia and Montenegro. Therefore, thriving implementation of EULEX mandate can positively affect neighbouring countries, as well. It is worth noting that so far, EULEX has successfully guaranteed territorial security within Kosovo while in a rather professional manner has managed to deal with isolated episodes of ethnic tensions, halting thus escalation and negative impact they could have in the region. Despite the discrepancies deriving from the legal implications of its mandate, there were a number of opportunities deriving from the EULEX mission that should be given credits. First and foremost, it supports Kosovo on its path to a greater European integration in the rule of law area, it supports visa liberalization process, it supports Kosovo-Serbia dialogue facilitated by Brussels, it continues to concentrate on the fight against corruption and works closely with local counterparts to achieve sustainability and EU best practices in Kosovo.[358] The successful implementation of the mandate of EULEX as a key mechanism of EU, would have affected positive changes in Kosovo and these changes would have ultimately impacted the security dynamics of the region. However, the mission failed to successfully implement its mandate and thus ending up with a very low reputation amongst local population. This reputation in my opinion is partly attributed to the high expectations Kosovars had from EULEX, thus expecting rapid fight of corruption and organised crime and establishing strong rule of law whereas EULEX itself contributed to the rise of these rather not realistic expectations as in the beginning released "bombastic" statements of the type *we are going catch the big fish* referring to the high level cases of corruption and organised crime. As

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[358] "About EULEX," EULEX Kosovo.

Sinan Geci states, the disclosure of EULEX's own corruption and mismanagement, not only send an appalling message to Kosovars but at the same time it discouraged the whistle-blowers in Kosovo while high level crimes went unpunishable.[359] Lastly, the fact that in the North of Kosovo Serb criminal structures operate freely and that the impunity is in place, suggests that stability of the region can always be at stake. In this regard, Dusan Janjic declared for the Radio Free Europe, that North of Kosovo presents an ideal environment for the criminals as well as corrupted people as well as politicians that want to become rich overnight. He further claims that even though Belgrade thinks to control the situation in the north of Kosovo, it does so through criminal groups, and it is clear that they have an impact on government structures.[360] Finally, if we refer to the recent attempts of some politicians to put the border changes or as they mildly put *border correction* on the negotiation table between Kosovo and Serbia, the stability of region could be indeed be at potential risk. Furthermore, it would mean that EU facilitated dialogue on the normalization process that primarily focused on the integration of Serb-controlled North Kosovo into Kosovo's political and legal system was in vain.

Conclusion

The role of international organisations was indispensable in Kosovo for both, providing security as well as creating the security architecture. The progression of the security policies in Kosovo after the end of the war has been handled and guided mainly by the international actors. Essentially, the security sector did not exist whereas the international military and civilian presence was responsible for securing the borders of Kosovo as well providing public order. This brings us to a rather oxymoron situation if we consider the fact that most of the reports released by the organizations examined in this chapter are very critical on the public institutions of Kosovo while these same organisations were involved in the institution and capacity building of these very institutions. This situation ultimately suggests that part of the responsibility lies on the respective international organisations as well.

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[359] Sinan Geci, "The EULEX in Kosovo: Why The Biggest EU Mission became the Biggest EU Failure? – Part two: Problems of EULEX" Biztonságpolitikai Szakportál, accessed February 23, 2019, http://biztonsagpolitika.hu/publikaciok/the-eulex-in-kosovo-why-the-biggest-eu-mission-became-the-biggest-eu-failure-part-two-problems-of-eulex.

[360] "Ja kush po i kontrollon bandat serbe në veriun e Mitrovicës" Periskopi, accessed February 23, 2019, https://www.periskopi.com/ja-kush-po-i-kontrollon-bandat-serbe-ne-veriun-e-mitrovices/.

Rebecca J. Cruise and Suzette R. Grillot argue that the role of the international community is not over claiming that the EU, NATO and the OSCE must continue to enhance the communication and collaboration at the elite-levels. According to them, these organizations must also continue and build up their pledge to funding and supporting local community through the project development with a special focus on those projects that intend to bridge ethnic divergences through an increased interaction.[361] I agree that there is still a need for the international organisations' support given the fragility of the institutions, inner politicization but also external influences primarily by Serbia. Ethnic divergence is not as big as it is portrayed by the international organisations, most of the time it is an outcome of the political interference that comes from Serbia. In this light, Kosovo should be proactive and more inclusive and work very closely with the local Serbs. The constitution of Kosovo generously grants them all rights and other affirmative actions in line with international standards and as such they should take their fates in their own hands and take decision without interference from Belgrade. Once an extensive local ownership of all communities living in Kosovo is reached, the level of accountability will be increased along with the reduction of eventual divergences. Sonja Stojanovic Gajic rightly finds that in the initial two phases of SSR the coordination of the international community was much better and this is attributed to the executive role of the UN mission as a main pillar that managed to integrate major intergovernmental actors such as the OSCE, the EU and KFOR and more openly defined the distributions of tasks between them. However, in regard to capacity building that would lead to an increased local ownership, there was no coherence in terms of transferring articulate models to local authorities. Much of the work was undertaken by the contingents of the member states or senior representatives of the international organizations, which resulted on the application of their respective national models.[362] She further claims that the partial engagement of local actors in security governance during the stabilization and demobilization phase precluded the development of local ownership.[363] However, after the inclusion of Kosovo institutions in the security sector, the commencement of the security sector review process has developed accordingly along with the overall political developments. Throughout this process the most significant development was the Internal Security Sector Review (ISSR) that gave way to the creation of the new security architecture in Kosovo and most importantly the establishment of two important ministries, the

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[361] Rebbeca J. Cruise and Suzette R. Grillot, "Regional Security Community in the Western Balkans: A Cross-Comparative Analysis" *Journal of Regional Security* 8, no. 1 (2013): 21.
[362] Sonja Stojanović Gajić, *Capacity Building for Security Sector Reform in Kosovo*, EU-CIVCAP Working Paper, No. 02–17, (EU-CIVCAP, 2017), 2.
[363] Ibid.

Ministry of Internal Affairs and Ministry of Justice. Finally, post-independence, the new security architecture in Kosovo the new institutions were created: KSF, KSC, KIA including police reform and emergency services. What is most important, the SSSR referred to the gradual transformation of the KSF to the Kosovo Armed Forces (KAF) whose mission will be the protection of the territorial sovereignty and integrity of Kosovo's whereas the MKSF will be turned into the Ministry of Defence (MoD) that will exercise civilian and democratic control of the KAF. All these developments happened with the support and mentoring and international supervision which lead to the conclusion that the role of international organizations in the creation and structuring of the security mechanisms has been indispensable. However, the question to be posed is: what is the exit strategy for the international organisations in Kosovo? What benchmarks determine their continuation of operation in Kosovo or redefinition of their mandate, which as examined in this chapter should be in line with the needs of Kosovo institutions. The response though politically very complex, is very simple: peace, stability, sustainable development can only be ensured once Kosovo becomes member of the Euro-Atlantic structures and this is what actually sets the basis for withdrawal of the international organizations from Kosovo.

CHAPTER 5 - Foreign and Security Policy driven by EU and NATO integration

5.1. Key Institutions in Charge of Security Policy Making

The following institutions have a crucial role in the security policy making: the Assembly of Kosovo, the President, the Government and the National Security Council. The latter, as the key institution in charge of drafting the National Security Strategy, will be elaborated and analysed in a separate chapter.

The Role of the Assembly of Kosovo - Kosovo has a parliamentary system of governance where the legislative power belongs to the Assembly. Precisely the Assembly of Kosovo has a crucial role in creating foreign and security policies. In addition, the competence of the assembly in the field of security amongst other is the adoption the approval of the national strategy. According to article 65. 12 of the Constitution of Kosovo,[364] the Assembly oversees foreign and security policy. This oversight is in line with the principle of democratic civilian control of the security sector and foreign affairs while the control is realized through the respective instruments such as Standing Committees and Functional Committees:[365]

- Committee on Internal Affairs, Security and Oversight of the Security Force

- Committee on Foreign Affairs

- Committee on Oversight of Kosovo Intelligence Agency

- There are cases when committees for a particular issue, including investigative issues are created at the request of one third (1/3) of all MPs.[366]

The Role of the President - According to article 83 of the Constitution of Kosovo[367] in relation to the security the President has competencies in the foreign and security policy making as well as in its implementation. The president represents the Republic of Kosovo domestically and abroad while guaranteeing the constitutional functioning of the institutions. The President guides the foreign policy of the country. In addition he/she is the Supreme Commander of the

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[364] "Constitution," Republic of Kosovo.
Article 65, in page 20.
[365] "List of Committees in the Assembly of Kosovo" Republic of Kosovo, Assembly, accessed February 23, 2019, http://www.kuvendikosoves.org/?cid=2,110
[366] "Constitution," Republic of Kosovo.
Article 77, in page 25.
[367] Ibid.
Article 83, in page 28.

Kosovo Security Forces whereas after the recommendation of Prime Minister, appoints Commander of Kosovo Security Forces.

The president together with the Prime Minister, appoints the Director, Deputy Director and Inspector General of the Kosovo Intelligence Agency, decides on the Announcement of the Extraordinary State in consultation with the Prime Minister, Further, the President may request meetings of the Kosovo Security Council and chair them at the Time of Emergency.[368] The President takes care of the defence and advancement of the country's interests and hence in the implementation of the country's defence and security policies.

In the area of policy-making, the President is consulted on the creation of the national security strategy, as well as sectorial policies. He is represented at the National Security Council with an adviser from his office. The latter represents the views and suggestions of the President regarding the document presented by the KSC while his role in the KSC is advisory, ie without executive authority but has a permanent status.[369]

Additional competencies of the President in relation to the KSC are elaborated in Chapter VII of this thesis.

The role of Government - According to the Constitution, the Government of the Republic of Kosovo and the President exercise the executive power and are responsible for implementing policies defined by the Assembly of Kosovo. Among these policies, the security policies consist the key ones and as such are almost the exclusive responsibility of the government. The Government responsibilities do not lie solely in the implementation of the national security strategy and respective sectorial policies, but also in their shaping, formulation and drafting. Subsequently, these policies are reviewed and legitimized with the approval from the Assembly of Kosovo.

Article 93 (1)[370] of the Constitution of Kosovo on the competencies of the Government stipulates that the Government proposes and implements the domestic and foreign policy of the

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[368] Ibid.
[369] See the Law on the Kosovo Security Council, article 3.4:
Assembly of Kosovo, *Për themelimin e Këshillit të Sigurisë së Kosovës*, Law no. 03/L-050 (Pristina: Republic of Kosovo Assembly, 2008), https://www.kuvendikosoves.org/common/docs/ligjet/2008_03-L050_al.pdf.
[370] "Constitution," Republic of Kosovo.
Article 91, in page 31.

country as such, the Government has a key role in the foreign and security policy formulation and implementation.

Kosovo Security Council - In addition to the above-mentioned institutions, the Kosovo Security Council is the central institution in charge of the security policy namely the National Security Strategy. Given that in this study we have dedicated an entire section to the role and functioning of the KSC (Chapter VII), for the sake of illustrative comprehensiveness we will put the functional structure below:

In normal situations, the KSC is chaired by the Prime Minister whereas executive members consist of:

- Deputy Prime Minister(s);
- Minister for the Kosovo Security Force;
- Minister of Foreign Affairs;
- Minister of Internal Affairs;
- Minister of Justice;
- Minister of Economy and Finance;
- Minister of Returns and Communities.

Advisory members:

- Representative of the President of the Republic of Kosovo;

Composition of KSC in state of emergency is chaired by the President whereas executive members consist of:

- Prime Minister
- Government Minister

Advisory members:

- Director of the Kosovo Intelligence Agency;
- Senior Security Advisor to the President;
- Security Advisor to the Prime Minister;
- General Director of the Kosovo Police;

- Commander of the Kosovo Security Force;

- Secretary of the Kosovo Security Council;

- Director of the Department of Emergency Management of the

- Ministry for Internal Affairs;

In addition to the above mentioned security institutions at the central level, there are also security bodies at the local level:

- Local Councils and Local Committees for Security and

- Public Safety Committees

Table 8: The Power Distribution of the Security Institutions of Kosovo 1
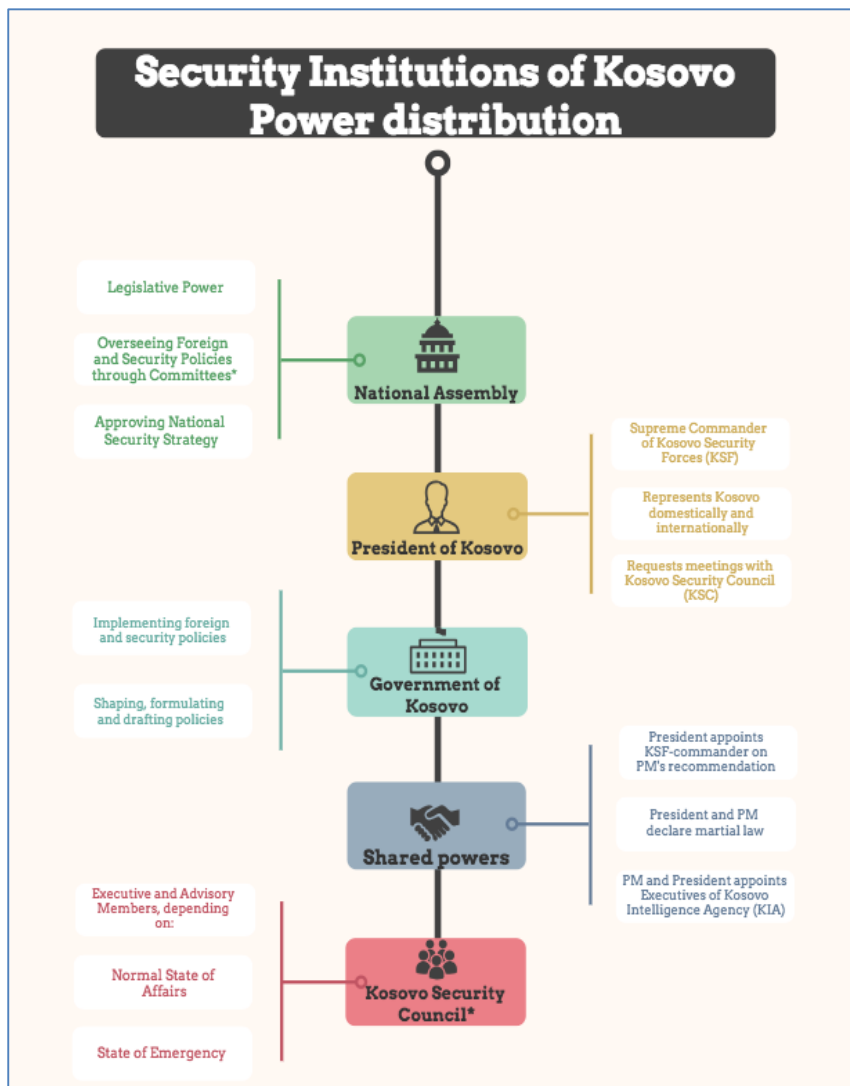
Table 9 (Continuation of Table 8): The Power Distribution of the Security Institutions of Kosovo 2

Parliamentary Committees

Standing and Functional Committees

- Committee on Internal Affairs, Security and Oversight of KSF
- Committee on Foreign Affairs
- Committee on Oversight of Kosovo Intelligence Agency (KIA)
- Issue-specific committees (requires 1/3 of MPs)

Kosovo Security Council

State of Affairs

NORMAL
- Prime Minister (chair) ExM
- Deputy Prime Minister ExM
- Minister for KSF ExM
- Minister of Foreign Affairs - ExM
- Minister of Internal Affairs - ExM
- Minister of Justice ExM
- Minister of Economy and Finance - ExM
- Minister of Returns & Communities - ExM
- Representative of the President - AdM

STATE OF EMERGENCY
- President (chair) ExM
- Prime Minister ExM
- Government Minister ExM
- Director of the KIA AdM
- Senior Security Advisor to the President - AdM
- Senior Advisor to the PM - AdM
- General Director of the Kosovo Police - AdM
- Commander of the KSF AdM
- Secretary of the Kosovo Security Council - AdM
- Director of Department of Emergency Management AdM
- Minister of Internal Affairs - AdM

ExC = Executive Member

AdM = Advisory Member

5.2. Security Legislation in Kosovo - EU and NATO Harmonization Challenges

"The future of Kosovo lies in the European Union", this is a statement that is continuously stated by various EU and Kosovar stakeholders. If we refer to the Program of the Government of the Republic of Kosovo 2017 – 2021,[371] it clearly pledges for the determined perspective of joining the EU and this remains the highest priority of the Government. The Government of the Republic of Kosovo has spent efforts to fulfil the Copenhagen criteria of consolidating democratic institutions, the rule of law, meeting the economic criteria and harmonizing legislation with that of European Union.

The Government has also further committed itself to implement the mandatory reforms that will ensure a rapid integration of the Republic of Kosovo into the European Union and in NATO.

The reform program stands on four main pillars: 1. Sustainable economic development; 2. Good governance and strengthening the Rule of Law; 3. Human capital development; 4. Social welfare.[372]

In this subchapter, I will give a short overview of the security aspects of the Good Governance pillar such as *Rule of Law and Defence and Police* in order to disclose the importance of the harmonization of the security laws with EU and NATO in terms of integration in Euro-Atlantic structures as well as the challenges that this process entails.

Even though Kosovo's main strategic goals persist to be the integration in EU and NATO, the lack of consensus and the lack of a unified approach of the respective member states vis-à-vis the recognition of the independence, present the biggest challenge towards integration. Consequently, the integration in these structures is not an easy task, it is a process that requires a lot of reforms, and harmonization and adoption of EU and NATO compatible laws, but utterly, it is a process that has no better alternative.

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[371] See the Government programme 2017-2021:
Government of Kosovo, *Programi i Qeverisë së Republikës së Kosovës 2017-2021* (Pristina: Government of the Republic of Kosovo, 2017), July 13, 2019, https://www.min-rks.net/repository/docs/programi_i_qeverise_se_republikes_se_kosoves_2017_2021.pdf
[372] Government of Kosovo, *The Program of the Government of Kosovo 2011-2014,* Zyra e Kryeministrit (Pristina: Government of the Republic of Kosovo), http://www.kryeministri-ks.net/repository/docs/Programi_i_Qeverise_eng_.pdf.

5.3. Rule of Law

After the end of the war in 1999, based on the United Nations Security Council Resolution (UNSCR) 1244 of 10 June 1999 and the Military-Technical Agreement between NATO and the Federal Republic of Yugoslavia and Serbia, the Security Council decided on the deployment in Kosovo, under United Nations auspices, of international civil and security presences. Thus, United Nations Mission in Kosovo (UNMIK) immediately established a presence on the ground. Its task was unprecedented in complexity and scope. The Security Council vested UNMIK with authority over the territory and people of Kosovo, including all legislative and executive powers and administration of the judiciary.[373] NATO in the other hand has been the leading peace- support operation, Kosovo Force (KFOR) and as such responsible for public order and development of the security sector. KFOR operates under Chapter VII of the UN Charter and, as such, is a peace enforcement operation.[374] In the political realm of the time taking into consideration the challenges and security concerns, the set up of a formal police structure was considered necessary. Therefore, KFOR and OSCE were the two main units that contributed in the development of the security sector from 1999 till 2007. In this light, the effect of EU's strategy for the political development and security was effective as EU integration process required that legislation must be aligned and consistent with the *Acquis Communautaire.*[375] However, EU as such was not explicitly involved in the security sector, the support for Kosovo derived from the Thessaloniki Summit of 2003 that pledged for the support of the EU integration process for the Western Balkan countries.[376] However, as Ördögh Tibor points out: "The contested statehood of Kosovo makes it a controversial potential candidate for EU membership."[377] Nonetheless, the progress report of 2005 tackles some aspects of security such as *justice, freedom and security, visas, border control, asylum and migration, money laundering, drugs, police, fighting organised crime and terrorism* to evaluate that the situation is still unsatisfactory and that further capacity building is needed, in particular for

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[373] UNMIK—United Nations Interim Administration Mission in Kosovo
[374] "NATO's role in Kosovo" NATO, accessed February 26, 2019, http://www.nato.int/cps/en/natolive/topics_48818.htm.
[375] "Legal Framework for Approximation," Ministry of European Integration of the Republic of Kosovo, accessed February 26, 2019, http://mei-ks.net/en/legal-framework-for-approximation-?fbclid=IwAR0hPfpoMaZJ7_TfVfeyw6cONajewYbfi_oCdlkemxgp9jroWU_gzg88N20.
[376] "The Thessaloniki Summit: A Milestone in the European Union's Relations with the Western Balkans," European Commission, Press Releases, accessed February 26, 2019, http://europa.eu/rapid/press-release_IP-03-860_en.htm?locale=en.
[377] Tibor Ördögh, "The EU's relation with the Western Balkans and Turkey," in *Regional and Bilateral Relations of the European Union,* Zoltán Gálik and Anna Molnár, eds. (Budapest: Dialóg Campus, 2019), p. 56.

investigations and management and leadership skills and more efforts are needed in enforcing rule of law and to move gradually on the transfer of powers to local authorities.[378]

After the proclamation of the independence of Kosovo, EULEX, the largest civilian mission launched under the European Security and Defence Policy, was deployed in Kosovo. EULEX provided an "opportunity" for EU to boost its role, importance and above all its identity as a political and security actor.[379] In addition to providing 1250 local staff members, EULEX provided an impressive number of 1950 international staff members. These members came from 26 member-states with an addition of Canada, Croatia, Norway, Switzerland, Turkey as well as the United States — a first in history. This involvement of the US and the success Kosovo has shown *as a transatlantic project* also symbolically signifies the US recognition of the security policies of the EU.

EULEX is regarded as a unique mission EULEX as it is the largest deployment in terms of agents and contributing states. Given that United States take part for the first time, Washington's involvement in EULEX – although limited in number – is of particular symbolic importance not only as it marks a further step in US recognition of EU security policy but also as Kosovo has been essentially a transatlantic project.[380] Unlike many CSDP missions, EULEX seems to adjust more to the peculiar Kosovo political context than that of Brussels. This political context determines scope of its actions. In this light, the non-recognition of the independence of Kosovo from all EU members, the absence of a UN Security Council resolution endorsing Kosovo's statehood, pose quite a lot of constrains in terms of being fully effectual on the ground. Three problematic consequences of the status stalemate can be identified as consistent challenges for EULEX: the question of acceptability and deployment in the North; the issue of the applicable law; the paradox of (unrecognized) state-building.[381]

It is important to point that, in order to regulate its security sector, Kosovo has put in place *the constitutional and legal framework*. In addition, institutional structures for democratic control of the security sector have been set up such as parliamentary Committee for Internal Affairs, Security and Supervision of the Kosovo Security Force, and Oversight Committee for Kosovo

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[378] European Commission, *Kosovo (under UNSCR 1244) 2005 Progress Report,* Report,{COM (2005) 561 final}, (Brussels: European Commission, 2005), accessed July 12, 2019, http://ec.europa.eu/enlargement/archives/pdf/key_documents/2005/package/sec_1423_final_progress_report_ks _en.pdf.

[379] David Cadier, *EU Mission in Kosovo (EULEX): Constructing Ambiguity or Constructive Disunity?* Transatlantic Security Paper, Report (Paris: Foundation pour la Recherche Stratégique, 2011), accessed July 12, 2019, http://en.calameo.com/read/001182187a3b95b898055.

[380] Cadier, *EU Mission.*

[381] Ibid.

Intelligence Agency.[382] Thus, the Kosovo Security Council that is chaired by the Prime Minister is the main authority for policy-making and advising on security related issues. This Council can assume an executive role in emergency situations.

The main security sector actors are:

- the Kosovo Police;
- the Kosovo Intelligence Agency and
- the Kosovo Security Force (which recently got transformed into Kosovo Armed Force).

The strategic review of the security sector (SSSR) has been launched during 2013 whereas the the Final Report was published in 2014. According to Besa Ramaj-Kabashi, the process of EU integration has provided a roadmap for the development of Kosovo along with strategic partnerships such as the one with the U.S. However, according to her, the real success of security, stability, transition and reconstruction can be achieved through the local ownership that ensures self-sustainability as many examples of post war countries around the world have shown. Thus, the SSSR, undoubtedly, presents such a process.[383]

NATO through KFOR and EU through EULEX continue to contribute to the security of Kosovo.

A special emphasis by the Commission is given to the importance of maintenance of good cooperation of Kosovo authorities with EULEX in order to enable the successful implementation of its mandate. The scrutiny of the security sector by the parliamentary committees is an obligation that derives from Stabilization Association Agreement (SAA)[384] that needs to be further enhanced. Consequently, the Assembly of Kosovo needs to develop further its capacity to perform an effective oversight of this sector. Furthermore, the Commission points that "the main political parties continue to rely on their own informal

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[382] Commission, *Communication on a Feasibility Study.*

[383] Besa Kabashi-Ramaj, *Kosovo's Strategic Security Sector Review a Missed Opportunity?*, Review (Pristina: Friedrich Ebert Stiftung, 2016), http://www.fes-Pristina.org/wb/media/Publications/2016/KOSOVOS%20STRATEGIC%20SECURITY%20SECTOR%20REVIEW_permiresimet_final.pdf.

[384] European Commission, *Commission Communication on a Feasibility Study for a Stabilisation and Association Agreement between the European Union and Kosovo**, {COM(2012) 602 final} (Brussels: European Commission, 2012), accessed July 12, 2019, http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/ks_analytical_2012_en.pdf.

security arrangements, and this is a matter of serious concern."[385] Obliged by SAA, Kosovo would need to further reinforce the democratic control of the security sector.[386]

5.4. Police

Kosovo Police was established in 1999, on September the 6th, the OSCE mission in Kosovo in accordance with the UNSC Resolution 1244, opened the Police School and started the training of the prospective police candidates.[387] The Kosovo Police thus, till 2008 has functioned under the direct supervision and authority of UNMIK. In the set up and its functionality, the so called then, Kosovo Police Service, the Assembly of Kosovo had no control. According to the Commission Progress Report on Kosovo of 2008,[388] the performance of the Police was satisfactory regards the maintenance of public order and combating minor crime in the majority populated areas. The Laws on the Police and on the Police Inspectorate were adopted in February 2008 whereas the Kosovo Centre for Public Security, Education and Development was transformed into an executive agency of the Ministry of Internal Affairs in March 2008.[389] Following the declaration of independence, Kosovo Police expanded its operational activities in many fields, created new structures and took up the role of a real rule of law agency under the auspices of the Ministry of Internal Affairs. The law on Police, amongst others, harmonized the code of ethics of the police with the European code of police ethic, so with European standards.[390] Another important element in the police structure was the law which replaced the post of a Police Commander with that of a Police Director, the latter being a civilian official. The laws were further changed and updated in 2012, expanding and improving upon the different official positions and responsibilities of the Kosovo police.[391] In addition, this law introduced changes in the structure of police ranks, the rights of the retired policemen, etc.[392]

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[385] Ibid.

[386] Ibid.

[387] "Historiku i PK-së," Kosovo Police, accessed February 26, 2019, http://www.kosovopolice.com/sq/historiku.

[388] Commission of the European Communities, *Kosovo (under 1244/99) 2008 Progress Report*, Report, {COM(2008) 674} (Brussels: European Commission, 2008), http://ec.europa.eu/enlargement/pdf/press_corner/key-documents/reports_nov_2008/kosovo_progress_report_en.pdf.

[389] Ibid.

[390] Assembly of Kosovo, *Ligji për Policinë,* Law no. 04/L-076 (Pristina: Republic of Kosovo Assembly, 2012), http://www.kosovopolice.com/repository/docs/Ligji_i_Policise1.pdf.

[391] Ibid.

[392] Ibid.

As indicated in the previous chapter, following the independence of Kosovo, EULEX was established in February 2008 to become fully operational only on December, 2008.[393] EULEX's mandate entailed an important mission: to assist Kosovo Police to achieve sustainability and liability and to ensure that Kosovo Police is free from political interference and is committed to implement internationally recognised standards and European best practices. Kosovo Police has received support from the European Commission as of 2007 with a number of Instruments for Pre-Accession Assistance (IPA) projects and monitoring, mentoring and advising actions.[394] According to the Council Decision 2012/291/CFSP, EULEX is the largest crisis management operation ever launched by the EU. Its key goal is to support the Kosovo authorities to strengthen the rule of law, specifically in the police, judiciary and customs areas. It is financed from the EU's Common Foreign and Security Policy (CFSP) budget. Up to June 2012, the EU had committed 614 million euro from the EU General Budget to support EULEX13. At the end of 2011 EULEX had 2 539 staff including 1 087 staff who had been seconded, mainly from Member States.[395]

The main role of EULEX was to support the Police of Kosovo but always leaving them in the leading role. It has also invested in the capacity building of the Kosovo Police in terms of monitoring and border management. However, a big challenge for the Kosovo Police still remains the international cooperation for the very fact that Kosovo is *the only country* of the Western Balkans that is not part of the EUROPOL and INTERPOL.

In this light, Kosovo Police constantly explores modalities of cooperation with these structures through the cooperation with the European Union. Another progress in terms of the Kosovo Police and regional cooperation to be noted is the proposal made by the Kosovo Ministry of Internal Affairs for the establishment of a Unit for International Cooperation for Law Enforcement (ILECU – International Law Enforcement Coordination Unit) within the Kosovo Police a decision that was approved by Kosovo Government.[396]

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[393] Robert Muharremi, *The European Union Rule of Law Mission in Kosovo (EULEX) from the Perspective of Kosovo Constitutional Law* (Heidelberg: Max Planck Institute for Comparative Public Law and International Law, 2010), http://www.zaoerv.de/70_2010/70_2010_2_a_357_380.pdf.

[394] *European Court of Audits European Union Assistance to Kosovo Related to the Rule of Law Special Report,* Special Report, no. 18, (Luxembourg: European Court of Auditors, 2012), http://www.eca.europa.eu/Lists/ECADocuments/SR12_18/SR12_18_EN.PDF.

[395] Ibid.

[396] "A Generation That Promises," *Kosovo Police Protector* 8, no. 1 (2012): 16, http://www.kosovopolice.com/repository/docs/Revista_per_shtyp_anglisht.pdf.

Despite the progressive role of the ILECU, Kosovo still faces challenges of direct cooperation with the states that have not recognized independence of Kosovo and are members of ILECU such as Serbia, Bosnia and Herzegovina, and Romania.

Consequently, in order to eliminate the shortcomings from the lack of direct cooperation, Kosovo has authorised EULEX through an agreement to represent Kosovo in relevant meetings while Kosovo has reached cooperation agreements on a bilateral basis with countries of the region. Inclusion of ethnic communities is another standard in which Kosovo Police has shown positive results and as a good basis for this has served the Constitution of Kosovo respectively the Law on Police: "the Police shall be professional and respect the ethnic diversity of the population of Republic of Kosovo."[397] However, one of the key challenge remains the disintegration of the local units of Ministry of Interior of Serbia (MUP) present in the northern part of Kosovo and their integration in the Kosovo Police.

The Strategic Review of the Security Sector of the Republic of Kosovo, which was conducted during 2012-2014 has defined the main actors of the security including civil control of these actors (executive level) and democratic control of these actors (overview level). Based upon findings and recommendations of the analysis of the SRSS, the future architecture of the Security Sector of the Republic of Kosovo will look as follows: [398]

SUPERVISORY LEVEL

Assembly Committee on Security	Assembly Committee for Defence	Assembly Committee on Intelligence

EXECUTIVE LEVEL

Kosovo Security Council (KSC)	Ministry of Foreign Affairs	Ministry of Internal Affairs
Ministry of Defence	Ministry of Justice	Ministry of Finance

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[397] "Constitution," Republic of Kosovo. Article 128/2, in page 48.

[398] Government of Kosovo, *Analysis of the Strategic Security Sector.*

SECURITY INSTITUTIONS LEVEL

Kosovo Armed Forces	Kosovo Police	Kosovo Intelligence Agency	Emergency Management Agency
Correctional Service	Kosovo Customs	KSC Secretariat	Civil Aviation Agency

5.5. Euro-Atlantic Integration from the Foreign and Security Perspective

While the Government of Kosovo has declared accession to the EU as a priority objective, the EU in the other hand has reiterated a clear European perspective for Kosovo. The European Perspective for Kosovo is confirmed through the Thessaloniki Declaration of June 2003, which stipulates that Kosovo, under UNSC 1244, needs to overcome its isolation and participate in the region's progress towards Europe.[399] Integration in the European Union for Kosovo as a young nation is not only a goal, but equally a necessity. Since the Thessaloniki Summit, Kosovo has been working continuously towards achieving this goal.

The ten-point declaration of the respective Summit along with advocating democracy, rule of law, and economic stability, emphasizes the European perspective for the Western Balkans through Stabilization Association Process (SAP). This process is profoundly important for Kosovo as through the process the reforms are to be achieved. The set aims were the cornerstone of European integration process. However, while the aims were region effective, the already existing as well as the previous state of play of the respective countries seems to have been overlooked; namely, it was easier for countries such as Slovenia for example to accomplish the foreseen criteria particularly economically but also from political point of view. Its status as an independent state was never disputed whereas Kosovo approaches this process with a rather devastated economy while its status is still disputed from five EU countries thus making the entire integration processes considerably more difficult. The European Integration is of high importance for Kosovo, yet, the process of integration *de facto* might prove more useful than the actual integration itself.

In regards to security, in the 2005 Communication from the Commission - A European Future for Kosovo, it is stated that: "the close links between Kosovo's stability and that of neighbouring countries make its future key to the overall success of EU policy in the Balkans.

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[399] The Independent International Commission on Kosovo, "The Future Status of Kosovo," in *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford: Oxford University Press, 2000), 259-80.

Kosovo must become a constructive partner in the Western Balkans that does not jeopardize either the security or the prosperity of the region".[400]

This communication further states that the European perspective if more tangible, enables the Commission to make crucial political contribution that would resolve open issues and ensure stability for the region.

In the recent years, the Government of Kosovo created mechanisms and resources that would coordinate the implementation of reforms that lead towards EU integration. In 2008, the Parliament of Kosovo established the EU Committee. In 2010, it established the Ministry of European Integration (MEI) as a key actor for coordination of the EU pre-accession process, whereas in all municipalities contact centres for European integration were created to ensure the local level participation. In March 2012, the President of Kosovo convened a national council and a working party on European integration. In addition, in 2013 in all line ministries, European Integration departments were created.

However, in the Communication from the Commission to the European Parliament and the Council, Kosovo∗ - Fulfilling its European Perspective in 2009, it is further indicated that in its approximation process to the EU, Kosovo needs to match the adoption of legislation with adequate implementation and enforcement.[401]

Further, the EU perspective and aspiration to the accession have urged a wide range of reforms in the security sector where a number of international actors were involved. Given that the membership in NATO and membership in EU are interrelated, EU and NATO agreed to take a *concerted approach* for the security and stability in the Western Balkans as both, EU and NATO partnership have been key to bringing the conflict to an end and stabilising the region.[402] The document outlined joint strategic approach, while stressing the commitment in working together in these specific areas: From Conflict Prevention To Consolidating Stability, A Framework For An Enhanced Dialogue, Core Areas for a Concerted Approach on Security and Stability in the Region, *Conflict Prevention and Crisis Management , Defence and Security Sector Reform, Strengthening Rule of Law, The Threat of Terrorism, Border Security and*

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[400] Ibid.

[401] Commission of the European Communities, *Communication from the Commission to the European Parliament and the Council, Kosovo* - Fulfilling its European Perspective,* COM(2009) 5343 (Brussels: European Commission, 2009), , https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/kosovo_study_en.pdf.(accessed July 12, 2019)

[402] "EU and NATO agree concerted approach for the Western Balkans," NATO, NATO Press Release (2003) , http://www.nato.int/docu/pr/2003/p03-089e.htm. (accessed March 1, 2019)

Management, Arms Control and Removal of Small Arms, Ensuring Close Co-Operation.[403] NATO focuses on the defence aspects while the EU institutions focused on Good Governance and police reforms. The latter as such, views the security sector from wide range perspectives within the framework of Rule of Law.

The Euro-Atlantic integration for Kosovo presents a general security foundation and an optimal framework for assuring prosperity and development of the country. In the light of EU integration path, the signing and of the Stabilization Association Agreement[404] between Kosovo and EU in 2015 presented a significant achievement for Kosovo in its relations with the EU.[405] The agreement was ratified and entered in force in April 2016, while government committed to implement it. Consequently, the Government of Kosovo approved the National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA).[406] This plan covers period 2017 – 2021 while in 2018 its review started. In addition, the Government of Kosovo has approved the European Reform Agenda (ERA)[407] a program that presents a concrete plan with 22 essential priorities that intends to speed up the integration process. In addition, in 2016 the framework agreement on the general principles for the participation of Kosovo in Union programmes has been signed.[408] Kosovo benefits from the participation in these programmes while its importance also lies in the fact that after the SAA, this agreement presents the second contractual agreement between Kosovo and the EU. The SAA as a contractual agreement foresees the creation of a free trade zone, a functioning of rule of law and strengthening of political institutional and stability to be able to meet the obligations deriving from the *acquis communautaire* (EU Acquis). This will be achieved through the alignment of the domestic legislation with that of the EU acquis. The importance of the SAA is also stated in a series of EU documents: "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans", Annex to the communication: A credible

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[403] Ibid.

[404] "Stabilisation and Association Agreement (SAA) between the European Union and Kosovo signed," European Council, Press Release, accessed March 1, 2019, https://www.consilium.europa.eu/en/press/press-releases/2015/10/27/kosovo-eu-stabilisation-association-agreement/

[405] Szenes, "The Western Balkans," 17-24.

[406] Government of Kosovo, *National Programme for Implementation of the Stabilisation and Association Agreement (NPISAA)* (Pristina: Government of the Republic of Kosovo, 2016), http://mei-ks.net/repository/docs/3_pkzmsa_miratuar_nga_kuvendi_final_eng_.pdf

[407] Government of Kosovo, *Kosovo—EU High Level Dialogue on Key Priorities—European Reform Agenda (ERA)—* (Pristina: Government of the Republic of Kosovo), https://www.mei-ks.net/repository/docs/era_final.pdf

[408] "Framework Agreement between the European Union and Kosovo* on the general principles for the participation of Kosovo in Union programmes" Official Journal of the European Union, https://publications.europa.eu/en/publication-detail/-/publication/3b2b83fe-725a-11e7-b2f2-01aa75ed71a1/language-en

enlargement perspective for and enhanced EU engagement with the Western Balkans, Six new flagship initiatives to support the transformation of the Western Balkans, The economic potential of the EU's relations with the Western Balkans, The enlargement process.[409] Looking at these documents we can confine that for the successful implementation of the SAA, through these documents, show essential criteria should be met: a harmonised approach with all the countries of the region and good neighbourly bilateral and multilateral relations with countries of the region. Therefore, the importance of the successful implementation along with systematic reforms has a vital peace and stability component and as such, is one of the key pillars of Kosovo's foreign and security policy. Further, the successful implementation of the SAA obliges the Government of the Republic of Kosovo to align its foreign and security policy with that of the EU. In order to show commitment, Kosovo has had a full compliance with EU foreign and security policy. However, so far, this was done unilaterally as the Republic of Kosovo is not yet officially part of those countries that are asked formally to align foreign and security policy with that of the EU. In this light, article 11 of Title II - Political Dialogue of the SAA stipulates that the political dialogue is intended to promote particularly:[410]

a. Kosovo's participation in the international democratic community, should objective circumstances so permit;

b. Advancement of Kosovo's European perspective and rapprochement with the EU, in line with the European perspective of the region, based on individual merits and in line with Kosovo's commitments under Article 5 of this Agreement;

c. Increase convergence with certain Common Foreign and Security Policy measures, particular restrictive measures taken by the EU against third countries, natural or legal persons or non-State entities also through the exchange of information as appropriate, and, in particular, on those issues likely to have substantial effects on the Parties;

d. Effective, inclusive and representative regional cooperation and the development of good neighbourly relations in the Western Balkans.

Despite of a rather ambiguous language, Kosovo has continued to align the foreign and security policy, regardless. Particularly, section (c) that calls for convergence with certain CFSP

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[409] "EU-Western Balkans Strategy: a credible enlargement perspective," European External Action Service, Strategies, accessed March 1, 2019, https://eeas.europa.eu/delegations/kosovo_en/41016/EU-Western%20Balkans%20Strategy.

[410] European External Action Service, *Stabilisation and Association Agreement between the European Union, of the One Part, and Kosovo*, of the Other Part,* Agreement (Brussels: European External Action Service, 2017), 15-16, July 13, 2019, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news_corner/news/news-files/20150430_saa.pdf.

measures practically has never happened, Kosovo has not been formally invited to align its foreign policy with EU's foreign, security and defence policies whereas other countries of the region are asked to align their policies and positions accordingly as illustrated in the charts below:[411]
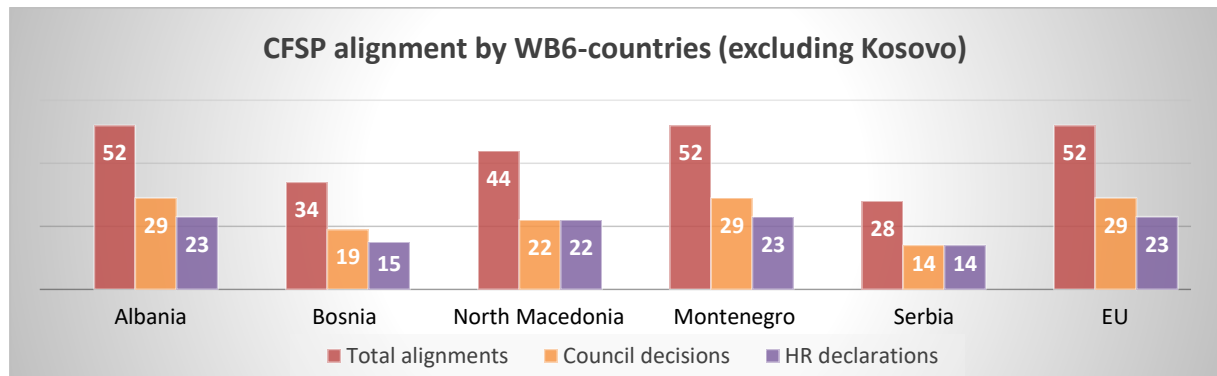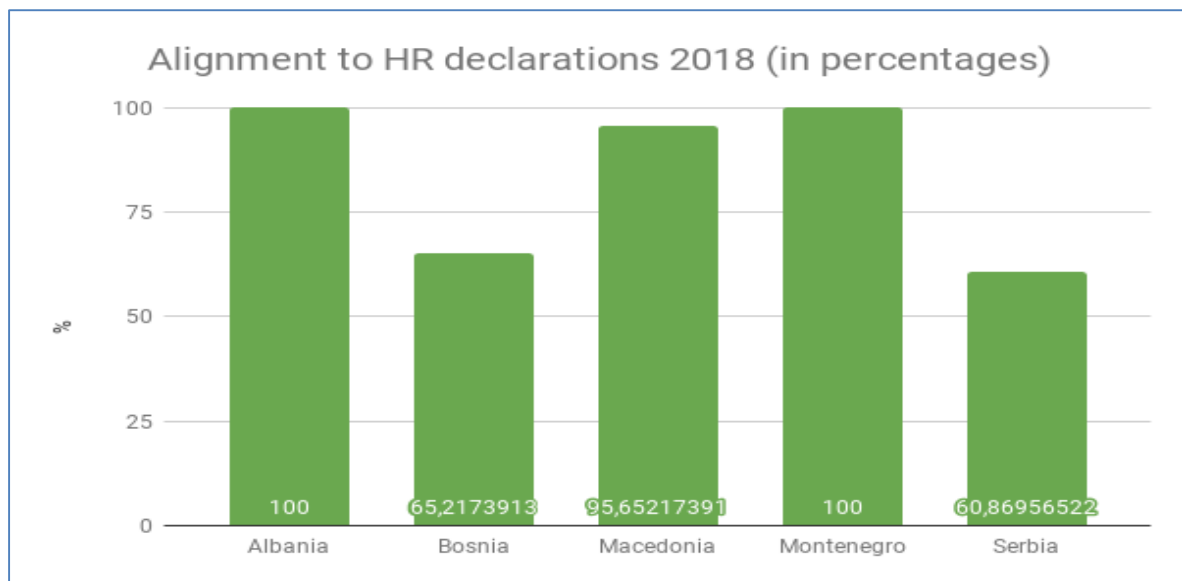
Table 10: CFSP Alignment by WB6 countries[412]

Table 11: Alignment to HR Declarations[413]

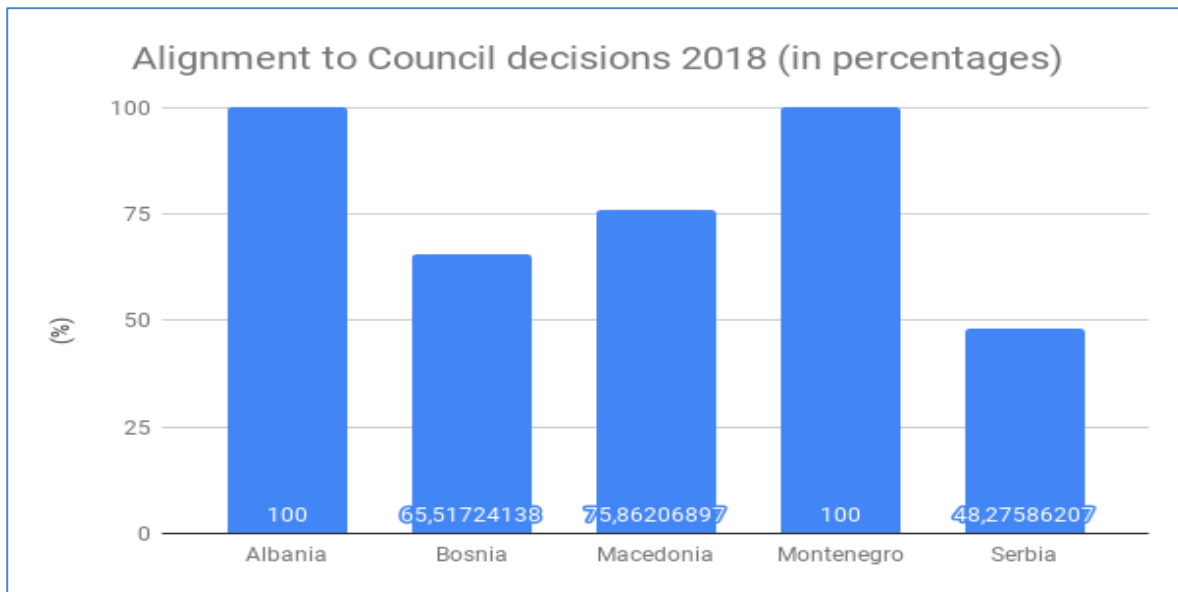*HR declarations = public statements, no sanctions/restrictive measures*

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[411] The charts have been designed based on the EU topic related reports, declarations and statements. Please refer to the table in Annex 7, titled: 'CSFP Alignment and HR Alignment of the Western Balkans by Country and Declaration', which includes specific links where the data were generated from.

[412] Ibid.

[413] Ibid.

Table 12: Alignment to Council Decisions 2018[414]

Alignment to Council decisions 2018 (in percentages)

	Albania	Bosnia	Macedonia	Montenegro	Serbia
(%)	100	65,51724138	75,86206897	100	48,27586207

Council decisions = sanctions/restrictive measures

While Kosovo brings up this issue constantly, it is evident that EU avoids it for the reasons elaborated above. The only occasion where Kosovo has been invited by EEAS to participate along with other Western Balkans countries to discuss important foreign and security policy issues is the so-called EEAS Western Balkans Six Political Directors meeting which as of 2017 is taking place annually.[415] Other than this meeting the issue of alignment with the EU's common foreign, security and defence policy has not been included in the European Commission's annual report for Kosovo nor in the Position Papers[416] presented during Stabilisation Association Council meetings between Kosovo and EU that were held annually as of 2016. The same approach applies for the international organisations, too.

The very often ambiguous language and other constrains related to it in EU's approach *vis-a-vi* Kosovo derives from the fact that there are *five states*[417] within the EU that have not recognized Kosovo as an independent state. This approach, as such, has made the signing of SAA a rather complicated exercise. The recognition of Kosovo from all its member states would have certainly reflected a more united policy and would have raised the credibility of EU for the very fact that Kosovo after all, figuratively speaking, being in Europe's yard at least geographically, by default is a European issue. A failure to find a common ground on Kosovo

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[414] Ibid.

[415] I represented MFA of Kosovo twice in these meetings.

[416] As the director of the Department for Europe and EU of the MFA Kosovo, I was in charge of compiling the Kosovo SAC Position Paper in 2017 and 2018.

[417] Spain, Cyprus, Slovakia, Rumania and Greece

whose status was reached and formulated with the great support of EU itself, decreases EU's reliability to deal with global issues. Non recognition of Kosovo from Spain, Cyprus, Slovakia, Rumania and Greece, has not only put at stake the international subjectivity of Kosovo but it has also hindered its path towards EU integration.

As Henry H. Perrit, Jr puts it: "The leadership succeeded in crafting enough unity to move forward, but its success was muted by the refusal of the five EU member states to join in the majority consensus and to recognise Kosovo".[418] This very experience with the EU shows that the process towards integration is not purely technical and that the political component is rather influential. Consequently, this then leads towards an unorthodox integration process, not like the one of other countries but a sui generis process. In the other hand, the hesitation of these five states to recognise the independence of Kosovo derives from the "fear" that this recognition could set precedent and influence movements for independence and this is certainly not the case. The recognition from Great Britain and Belgium absolutely proves the contrary. Furthermore, the International Court of Justice (ICJ) declared that "the adoption of the declaration of independence of the 17 February 2008 did not violate general international law because international law contains no 'prohibition on declarations of independence' nor did the adoption of the declaration of independence violate UN Security Council Resolution 1244, since this did not describe Kosovo's final status, nor had the Security Council reserved for itself the decision on final status". The fact is not that, none of these five countries have experienced ethnic cleansing, nor had an international intervention. These countries have never had an international process like the one led by Ahtisaari that resulted in a proposal for the creation of the state of Kosovo. Fore and foremost, the Yugoslav federation whose constitutive part was Kosovo, ceased to exist, consequently, all federal units of ex-Yugoslavia that wanted to get independent, undertook that step, including Kosovo. Amongst the non-recognising countries, Spain takes the hardest stance because of the fear of the evident separatist movements within the country. Despite of the fact that the case of Kosovo is *sui generis* and does not set a precedent, Spain continues with insistence to oppose Kosovo's treatment within EU and NATO as an independent state. It is because of Spain's and Cyprus's insistence and less of Rumania's, Greece's and Slovakia's that Kosovo EU relationship is similar with the non-state entities even though, EU has found modalities and formulas to achieve certain agreements. This non-

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[418] Henry H. Perritt, *The Road to Independence for Kosovo: A Chronicle of the Ahtisaari Plan* (New York: Cambridge University Press, 2010), 285.

recognising stance therefore hinders the integration process which otherwise would have definitively flowed much easily.

As mentioned above, the procedure of signing the SAA was done rather differently in comparison to the other aspiring countries of the region. The agreement as such, is not ratified individually with the respective states, but with the EU, the latter presenting a legal entity. This is partly linked with the fact that the five non recognisers of Kosovo's independence, would not agree to sign an agreement that will implicit recognition of Kosovo as a state *per se*. What makes SAA for Kosovo similar and different? SAA in fact contains the key elements that include political, economic and legislative issues. It basically has 85% same content compared to the Western Balkan Countries. However, SAA for Kosovo is unique and premiere. Why premiere? It is premiere as it presents the first case that EU will sign an agreement for SAA after the empowering role deriving from the Lisbon Treaty. With entering in force of the Lisbon Treaty, EU has gained a legal personality.[419] This ultimately gives EU the mandate to negotiate and conclude international agreements on its behalf which also makes EU subject of the International Law. Why unique? Unique because it differs from other SAAs as not all EU member states agree that EU should be in charge of negotiation and singing for all policies. Therefore, this is why SAA for Kosovo differs from the SAAs of Western Balkan countries. The reason of non-inclusion (of 15%) is the division of competencies between the EU and the member states, in SAA with Kosovo for example issues like fight against weapons of mass destruction, smuggling of small weapons, etc are not included. Even though the process of signing of the SAA agreement was prolonged for the reasons stated above, the fact that the modalities were found sends a positive message in the light of the European perspective. The signing itself presents a historic milestone that will help the economic growth of Kosovo and get it closer to EU. Even though the SAA agreement is not directly linked to membership negotiations as such, still it presents the first step towards starting negotiations on EU accession for Kosovo and as such presents an important pillar of the foreign policy goals.

The process of integration in NATO on the other hand, is inter-related with that of EU and these processes are treated as inseparable. Euro-Atlantic integration as a notion therefore is not merely a rhetoric but rather a meaningful process from the foreign and security policy perspective. As described in chapter 4.6, the role of NATO is of utmost importance for Kosovo,

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[419] "Explaining the Treaty of Lisbon," European Commission, Press Release, accessed March 3, 2019, http://europa.eu/rapid/press-release_MEMO-09-531_en.htm?locale=en

yet not sufficient. The major engagement of NATO in Kosovo is through KFOR, the latter plays an important role in preserving peace and security. As the institutions of are strengthened, KFOR presence is effectively reduced. From the perspective of local security ownership, this is a good sign whereas in terms of a long-term sustainability, the membership in NATO remains the principal objective of the Republic of Kosovo. Hence, establishing contractual relations with NATO at the political level remains an ultimate goal of Kosovo. NATO membership for Kosovo represents a strong requisite in terms of defence, security. This would reinforce the role of Kosovo in the international arena as a peace and stability factor as Kosovo strives to become the exporter of security. The intensification of dialogue with NATO and inclusion in the PfP as elaborated in subchapter 4.10 are ultimate goals of the Republic of Kosovo. In the framework of the PfP, Kosovo expressed its readiness to participate in peacekeeping missions including those of NATO through its defence capacities in the benefit of peace and security.

Finally, the integration into Euro-Atlantic structures comparable to the other aspiring states of the region, continues to be one of the primary goals of foreign and security policy of Kosovo and as such clearly indicated in the respective strategies.

5.6. Croatia's National Security Strategy- a Newly independent state in EU and NATO

Since this thesis deals with the shaping of the security policies of newly independent states with a special focus on the formulation of national security strategy – prior to analysing the case of Kosovo, for the purpose of this study, we will have a glimpse at the national security strategies of Croatia as an newly independent state that joined Euro-Atlantic structures. Why particularly Croatia? First and foremost, Croatia as a newly independent state deriving from the dissolution of Yugoslavia, has become a member of NATO and EU. It is a state with which Kosovo has very good relations and sees it as a country from which Kosovo continuously benefits from its first-hand experience and expertise in the Euro-Atlantic integration process. Additionally, the fact that Kosovo and Croat have lived in the same state entity, makes their context closer despite of the more complex legal and status conditions of Kosovo.

We will have a look at the National Security Strategy of Croatia, analyse and compare commonalities and differences of two strategies the one of 2002 prior to joining NATO and EU and the one of 2017 from the perspective of alignment with the NATO Strategy and the EU. We will have a look at their framework and the guidelines, interests and objectives for national security policies. We will then continue with the case of Kosovo that is very unique

context wise and for the fact that it is an aspirant country that currently lacks the candidacy status for EU and does not yet have PfP with NATO.

Certainly, one of the important tests to see if countries in transition have achieved the level of democratization is the state of affairs of its strategic-doctrinal framework.[420] In the first decade of 21st century, the strategic and doctrinal documents of the countries of the Western Balkans were created. The breakup of Yugoslavia in the first ten years was marked by the wars over its inheritance and creation of new states. Given the created circumstances of war, poverty and sanctions imposed by the international community the creation of the security framework and consolidation was given less attention.[421] On the other hand, as Adel Abusara puts it, "the mostly authoritarian leaders did not have the security framework as a priority on their agenda: they thought they knew much better than anybody else how to answer the main security questions or they did not even want this issue to be raised, because it could bring to an unwanted debate on the status of their countries or their own, mostly authoritarian rule"[422]. This is the reason he claims that the first serious efforts for writing strategic documents did not happen before 1999 by the then Macedonian government.[423]

Croatia declared its independence from SFR Yugoslavia (SFRY). Croatia became part of NATO in April 2019 and member of EU in July 2013. Croatia became an independent state after a violent secession and a civil war during the process of collapse of the former SFR Yugoslavia (SFRY). Together with Slovenia, Croatia was recognized in the UN in December 1991 even though war activities on its territory and in Bosnia and Herzegovina lasted until 1995. Since the proclamation of independence and recognition in the UN, and especially after the end of the war in the former SFRY, Croatia is unambiguously oriented towards Euro-Atlantic integrations. Thus, in 2009, Croatia became a member of NATO, and in 2013 it is a member of the European Union (EU).

The First National Security Strategy, in recognition of the developed Western countries, was adopted by the Croatian Parliament on 19 March 2002. This strategy, at the largest, was

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[420] Adel Abusara, "Comparative Analysis of the Strategic Documents of the Western Balkans," in *Security Policies in the Western Balkans*, Miroslav Hadžić, Milorad Timotić and Predrag Petrović, eds. (Belgrade: Belgrade Centre for Security Policy, 2010) 165-184, accessed July 12, 2019, http://www.bezbednost.org/upload/document/comparative_analysis.pdf.
[421] Ibid, 167.
[422] Ibid, 167.
[423] Ibid.

oriented towards Croatia's path to NATO. After NATO accession, unsuccessful attempts are made to adopt a new strategy.[424]

Nevertheless, on July 14, 2017, the Croatian Parliament adopted a new National Security Strategy.[425] The adoption of the new strategy in Croatia itself is accompanied by a very different relationship to that document, i.e. to Croatia's aspirations in the area of security. These relations arise from unquestioning approval to opposition, in the sense that the new strategy has brought nothing new and whether Croatia needs new strategy at all. After the accession to the EU, certain political processes in Croatia itself, as well as its relationship with the neighbourhood, primarily with Slovenia, Bosnia and Herzegovina, and especially with Serbia, indicate that the provisions of adopted national security strategies should be seen in the wider context of Croatia's practical conduct.[426]

From the analysis of the two documents it is obvious that membership in NATO and EU has set up some important foreign and security objectives in the strategy of 2017[427] which correspond to the global risks and threats such as: Political and intelligence action against Croatia from NATO and EU conflicting states; Hybrid work; Terrorism; Extremism of individuals and groups within Croatia; Corruption; Organized crime Cyber threats; Unfavourable global economic trends, vulnerability to floods and natural disasters and rising poverty; Unfavourable demographic structure; Energy dependence; Climate change; Residual mines and explosives; Natural and human-induced disaster etc.

László Póti in his Comparative Analysis of the Strategic Documents of the Western Balkans[428] states that the common features of the perception of global threat in the security documents of the countries of the region are: Terrorism; Organized crime; Weapons of Mass destruction (WMD); Environmental challenge including natural resources problems; Extremism; even though these documents do not determine any prioritized division. Terrorism in all national documents without exception is assessed as a global threat. However, none of these documents

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[424] "Prikaz- Nove Strategije Nacionalne Bezbednosti Republike Hrvatske," Magazin Istrazivacki Centar OB, accessed March 3, 2019, https://magazin.istrazivackicentarob.com/2018/01/12/prikaz-nove-strategije-nacionalne-bezbednosti-republike-hrvatske/?lang=en.
[425] "Strategiju Nacionalne Sigurnost Republike Hrvatske," Narodne Novine, accessed March 3, 2019, http://narodne-novine.nn.hr/clanci/sluzbeni/full/2017_07_73_1772.html.
[426] "Prikaz- Nove Strategije," Magazin Istrazivacki Centar OB.
[427] "Strategiju Republike Hrvatske," Novine.
[428] See the part by László Póti:
Lászlo Póti, "Analizë Krahasuese e Dokumenteve Strategjike të Vendeve të Ballkanit Perëndimor," *Mbi Zhvillimin e Strategjisë së Sigurisë Kombëtare* (Tiranë: BOTIMET TOENA, 2007), 61, July 14, 2019, http://idmalbania.org/wp-content/uploads/2014/10/MBI-ZHVILLIMIN-E-STRATEGJIS%C3%8B-SE-SIGURISE-KOMBETARE_2007.pdf.

elaborates this important issue. The same situation is with the organized crime because most of documents do not address this issue in a detailed manner but more generally and they link it with the problems of different forms of illegal trafficking. All documents deal with the weapons of mass destruction but in some cases this issue is treated in a specific context.[429] In regards to regional cooperation in the field of security, he further explains that Croatia is the country that in its national security strategy pays attention and explains the goals of the regional security policy. Regional co-operation for the first time is mentioned among the main principles of national security in the context of regional security threats, whereas a separate section deals with neighbourhood and regional affairs while the document states that regional co-operation is "an important component of the foreign policy of Croatia"[430]. In this light, it is worth mentioning that Croatia is joining two Hungarian regional initiatives: Multinational Division Centre (MND C) and Regional Special Operations Component Command (R-SOCC).[431]

The National Security Strategy of the Republic of Croatia is a strategic document describing the security environment and challenges, values and interests, risks and threats to the Republic of Croatia, the concept of security and the security policy of the Republic of Croatia. The proposal of the National Security Strategy of the Republic of Croatia sets out the vision, security concept, national interests, considers the security environment, defines the strategic goals, instruments and mechanisms for their realization. The draft National Security Strategy of the Republic of Croatia defines the Strategy as a starting strategic document defining policies and instruments for achieving visions and national interests, i.e. achieving security conditions that will enable a balanced and continuous development of the state and society. Since the National Security Strategy of the Republic of Croatia was adopted in 2002 (Official Gazette No. 32/02), over the past fifteen years, the creation of a new National Security Strategy of the Republic of Croatia began in 2017.[432]

An important aspect of the Croatian National Security from the point of view of Kosovo as a neighbouring country is South-eastern neighbourhood.[433] This section reflects grounded concerns about the challenges of the neighbouring countries but at the same time the

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[429] Ibid.
[430] Ibid, 63.
[431] "Four Allies and one partner will create a regional Special Forces command," NATO, accessed March 4, 2019, https://www.nato.int/cps/en/natohq/news_163360.htm.
[432] "E-savjetovanje o nacrtu Strategije nacionalne sigurnosti," Ministarstvo pbrane Republike Hrvatske, accessed March 4, 2019, https://www.morh.hr/hr/vijesti-najave-i-priopcenja/priopcenja/14502-e-savjetovanje-o-nacrtu-strategije-nacionalne-sigurnosti.html.
[433] The Republic of Croatia, *National Security Strategy* (Zagreb: The Republic of Croatia, 2017), July 15, 2019, https://www.soa.hr/files/file/National-Security-Strategy-2017.pdf.

opportunities for advancement and protection of national interests. Challenges identified by the Croatian National Strategy present the inner political realm as well as the socio-economic developments related to the high unemployment rates, corruption, weak institutions and inter-ethnic tensions of the countries of the region that make these countries rather vulnerable but at the same time can affect Croatian interests. This section further underlines that active presence of the EU and NATO remains a vital security factor while indicating that countries of the South-Eastern Europe,[434] regardless of their different foreign and security policies, they all aspire integration into the Euro-Atlantic structures. In this light, it is worth mentioning that Kosovo benefits a lot from cooperation with Croatia in the field of security as well as from its expertise in the EU integration process. This section also points out that despite of the fact that countries of the South-East Europe are in different phases of the Euro-Atlantic integration process, there is a potential risk from influences of other regional and global destabilising actors. Further, it is noted that the rising trends of extremism and especially of Islamic radicalism particularly after conflicts in Syria and Iraq where many combatants from the neighbourhood have joined, represent a threat to Croatia while their repatriation can increase the risk of terrorism.

Another grounded threat identification in this section of the Croatian National Security Strategy, is the rise of extreme nationalism that is based on the ideology of the "greater state" including the idea of the changing of borders that are internationally recognised. Activities in this direction not only present a threat to the security, but can also endanger the existence and position of Croats in the south-eastern neighbourhood. Other threats such as trafficking of arms, people, drugs, organised crime, migration etc. are mentioned. While no particular state of the south-eastern neighbourhood is mentioned explicitly but the allusion is quite clear while similar challenges and threats are common for Kosovo, too and they are to be addressed in the new Security Strategy.

From the analysis of the two National Security Strategies of Croatia, the one of 2002 and the 2017 one, we can conclude that the new strategy has been formulated in line with NATO and EU and the changes have been adopted accordingly. Kosovo therefore, when drafting its National Security Strategy should align it with NATO and EU as indicated in the chapter about the importance of the alignment of the security legislation with NATO and EU in accordance with domestic security matters.

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[434] Ibid.

5.7. An Analysis of the First Security Strategy of Kosovo

Drawbacks to be addressed in the Forthcoming Strategy

The first National Security Strategy (NSS) of Kosovo was approved in 15 June, 2010[435] pursuant to article 127 of the Constitution of Kosovo which stipulates that the "National Security Council in cooperation with the president of the Republic of Kosovo prepares the Security Strategy"[436] for the Republic of Kosovo whereas the Action Plan for the Security Strategy of Kosovo was approved 20 July, 2011.[437] This constitutional provision in fact was preceded by the Kosovo status negotiations foreseen in the Ahtisaari's Comprehensive Proposal,[438] which was subsequently enshrined in the Constitution of Kosovo.

The Ministry of Interior coordinated the process of drafting of the NSS which began in 2009. Initially, a technical working group was introduced that included representatives from the respective security agencies and line ministries as well as other agencies indirectly affected by the forthcoming NSS. For the sake of ensuring an inclusive approach, the Ministry of Interior invited two civil society representatives, as well as a contracted international expert who was experienced in the process of security sector. According to Florian Qehaja "It is uncertain whether this action – which is fairly in line with the consultative process of policy drafting – was intentional or unintentional; however, it has been launched on the basis of good intentions and for good ends".[439]

In the beginning, the respective working group stated the work on its own and no assistance was required from the international community. Nonetheless, the process was closely monitored by the International Community namely International Civilian Office (ICO) that consisted of major states that recognized independence of Kosovo. The security affairs officials of ICO started to take part in the meetings on regular basis. Their presence was due to the fatct that ICO was mandated to supervise the implementation of the provision of the Ahtisaari

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[435] Ministry of European Integration, *Aneksi C—Lista e Strategjive dhe Planeve të Veprimit të institucioneve të Qeverisë së Kosovës* (Pristina: Ministry of European Integration, n.d.) http://www.mei-ks.net/repository/docs/Aneksi_C_-_Lista_e_Strategjive_dhe_Planeve_te_Veprimit.pdf.

[436] "Constitution," Republic of Kosovo.Article 127, in pages 47-48.

[437] Ibid.

[438] Comprehensive Proposal For the Kosovo Status Settlement Annex VIII Security Sector p. 48 Article 1.4 reads: Kosovo shall establish a Kosovo Security' Council (KSC), reporting to the Prime Minister. The KSC shall develop a security strategy in accordance with this Settlement. Kosovo shall develop a legislative framework on the components of the security sector in accordance with this Settlement with appropriate budgetary and oversight provisions.

[439] Florian Qehaja and Iztok Prezelj, "Issues of local ownership in Kosovo's security sector," *Southeast European and Black Sea Studies* 17, no. 3 (May 2017): 410, DOI:10.1080/14683857.2017.1324279.
This is a personal observation of the Kosovo security expert Florian Qehaja who was part of the Working Group representing the Civil Society.

Comprehensive Proposal its implementation and compliance with Constitution of Kosovo and had executive powers in case decisions were not in compliance with the Ahtisaari plan. However, ICO had not more authority than this. According to the same source, the development of the NSS provoked an unprecedented level of interference from ICO officials: "they seriously challenged the locally driven nature of the process, and, ultimately generated a new security strategy, which was neither tailored to the development process, nor to the security environment in Kosovo". As this interference was in violence of their immediate post-independence role, the interference of the ICO – the office of security affairs – in the NSS process represents a relevant example pertaining to the international–local nexus.[440] As this interference of ICO became frequent and influenced the content and the flow of the working group as they were modifying the document in accordance to their initiatives, it resulted in the resignations of the key members of the technical working group responsible for the drafting of the document. This was on outcome due to the fact that the Ministry of interior as the main institutional body suffered constant political pressure to respect and embrace suggestions of the International Community. Consequently, ICO rewrote the paper reproducing thus a completely different document from what was initially drafted by locals. Paradoxically, the final version bypassed the local development process, whereas the NSS plan, along with defined risks and threats, did not undergo any previous analysis and it had the logo of the Government of Kosovo.[441] This interference created a vast drawback in the document of the NSS in terms of local input and ownership that would have ultimately increased their responsibility.

However, the International Community realised the need to have local authorities more intensely engaged in the security policy making. Anthony Welsh,[442] an international expert part of the respective working group also confirms that the decision to begin writing a National Security Strategy (NSS) was prompted by the Quint nations, who saw a need to codify the handling of national security in the new Republic. The Prime Minister ordered the National Security Council to start the work and this requirement was passed down to the National Security Council Secretariat, who immediately requested help from international experts. The UNDP took up the challenge and made funding available for the hiring of advisors to the Secretariat, but insisting that the NSS needed to be owned by the Kosovo Government. The

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[440] Ibid.
[441] Ibid.
[442] Anthony S. Welsh, (OBE, PhD, Security Sector Reform Advisor to the Stabilisation Unit of the UK Government) interviewed by Shkëndije Geci Sherifi. 02 July 2018.

Working Group consisted of the Secretariat, with outreach to all Ministries and relevant Government Departments. The framing of the NSS and the drafting of the content fell mainly on the Secretariat, assisted by two advisors, an international and a local, the latter was to ensure that the Kosovar will and vision was maintained throughout the NSS document. From the outset, both experts were insistent that the Government and Parliament of Kosovo were informed of what we were trying to achieve and that they should have input into the draft. They held regular meetings with Ministers and their staff, civil society and local think-tanks. In addition, they kept international actors informed of what they were doing. They also consulted other NSS from around the world, to gain knowledge from best practice. At the same time, some Ministers declared that they had no interest in an NSS as it did not involve their Ministry or its purpose and focus. Further, Anthony Welsh claimed that very surprisingly, one Minister who attended the first meeting declared he would not be involved again as security had nothing to do with him. He was the Minister of Justice. There was some excellent input from civil society and others who were consulted and, to the best of their ability, they reflected these comments.

However, there were some serious drawbacks to the first drafting of the NSS. The timeframe was far too short while drafting and translation happened right through the night before the deadline. This tight schedule was imposed on the Government by the international community who just wanted a finished document and were less concerned with the consultation process or consideration of the accuracy and impact of the content. According to Welsh, the US were the most unhelpful in this respect and were highly critical of the draft. It was clear that they wanted to guide the NSS, based on their vision for Kosovo and not necessarily what the Government and people wanted. It became very tense but the working group refused to make changes to suit the US vision and they declared that they were not content with the respective draft. At that point, the international and the local expert handed over the draft NSS to the Secretariat for presentation to the National Security Council, the Prime Minister and President. Their work was concluded and they believed that, in the time available, they had set out a workable vision for the national security of Kosovo into the future. They addressed all perceived threats, man–made, natural, environmental or accidental. They addressed external and internal threats as were judged to be present at the time and gave broad-brush strategies as to how they might be adverted or dealt with. They believed that they had produced a document that could be published without detriment to security but would lay down the Government's vision for the security and well-being of the people of Kosovo. Ideally, a National Security Strategy should

be re-written every four years or so. However, the task of the National Security Council and its Secretariat is to constantly monitor the security situation in the country and beyond its borders to ensure that measures are taken to overcome arising threats. This will, in time, inform the rewriting of the NSS to reflect the realities on the ground. Welsh suggests, that in the case of Kosovo, this is even more important as the Government needs to ensure that they own their security strategies and that they are not being imposed from outside.[443]

Forum for Security, in their analytical paper on the new Kosovo Security Strategy formulation process Inclusiveness and transparency identifies a number of drawbacks of the Security Strategy of Kosovo ranging from transparency, inclusiveness, lack of coordination of the relevant institutions to imposition from the international Community namely ICO as described above.[444] The paper further indicates that due to the lack of proper experience of the newly established coordination body such as the Secretariat of the KSC, it started the drafting of the strategy on its own without the coordination of the relevant institutions in charge of security. In addition, not only was there influence on the process of drafting but the final version of the NSS was imposed. Moreover, according to this analytical paper, apart from the drawbacks mentioned above, the paper was not made public.[445]

For the upcoming strategy, Security Forum underlines three important points: timeframe of the process, inclusiveness and transparency.

Besa Kabashi Ramaj in regards to the National Security Strategy gives the following recommendation: "National Security Strategy: To facilitate the implementation of the recommendations included in this SSSR, the Kosovo Security Council shall, in coordination with the President of the Republic of Kosovo, direct a review of the existing National Security Strategy and develop a new National Security Strategy for approval by the Government and submitted to the Assembly for final approval. This review and presentation of a new National Security Strategy for approval shall occur not later than the end of 16 September 2014." (Government: Republic of Kosovo, 2014). This recommendation has not been implemented and its deadline has been surpassed by almost two years, she adds.[446]

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[443] Ibid.

[444] Visar Rushiti, *Procesi i hartimit të Strategjisë së re të Sigurisë së Kosovës: Gjithëpërfshirja dhe transparenca* (Pristina: Forumi për Iniciative Qytetare (FIQ), Instituti GAP, Instituti i Kosovës për Drejtësi (IKD), dhe Instituti për Politika Zhvillimore (INDEP), 2013), July 15, 2019, http://www.institutigap.org/documents/40048_Procesi%20i%20hartimit%20te%20Strategjise%20se%20re%20te%20Sigurise%20se%20Kosoves.pdf.

[445] Ibid, 5-6.

[446] Kabashi-Ramaj, *Kosovo's Strategic Security.*

In regards to the content, this NSS contains an introduction and three chapters that are written in an institution-building spirit. It is interesting that amongst others the introduction stipulates that this strategy notes the starting point towards the increase of inter-institutional cooperation through which the KSC will collaborate with the ministries, agencies and newly-established institutions of Kosovo, a statement for what the strategy was criticized. However, this formulation gives the impression that those who have imposed this version, namely ICO regarded Kosovo institutions and other relevant bodies including civil society as not competent enough given that they paradoxically imply a commencement of inter-institutional cooperation and inclusiveness while this was supposed to happen prior and during the drafting of the strategy. When analysing other chapters, it is noticeable that in essence the strategy has a state consolidation approach. Hence, chapter I of the NSS deals with the strategic context and strategic objectives, this chapter is about the consolidation of the institutions, whereas the subchapters deal with Governmental Approach and Constitutional Order. Chapter III addresses different challenges but the key word is the inter-institutional cooperation which even to this day has not reached the maximum desired level. It is important to note that the NSS of Serbia lists groundlessly Kosovo among the key threats,[447] whereas the first NSS of Kosovo does not even mention Serbia which is illogical given the recent rather tragic past and the fact that Serbia was Kosovo's aggressor. Another important remark is that this strategy, unlike many strategies of newly independent states of the region does not mention Euro-Atlantic aspiration. It does not mention as a priority objective the strengthening of the state subjectivity and accession in International Organizations even though this is revealed in the Action Plan of the NSS of the Republic of Kosovo which we are going to elaborate below.

Pursuant to the NSS, an Action Plan was drafted deriving as an obligation for implementation of NSS in line with the content of the Security NSS. The Action Plan also serves as a guide to political decision making and describes the way the security is guaranteed to the state and citizens of Kosovo defining thus current future interests as well as projecting main lines of the internal and external security policy. This action plan is meant to serve as a mechanism for the implementation of the NSS in the entire territory of Kosovo and plays a special role in the coordination of the security sector actors and to direct the implementation of the security

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[447] Maja Zivanovic, "Serbian Security Strategy Lists Kosovo Among Key Threats," Balkan Insight, accessed March 4, 2019, http://www.balkaninsight.com/en/article/draft-of-serbian-security-strategy-listing-kosovo-independence-as-threat-05-10-2018.

policies by increasing the efficiency in the security sector and to deepen the regional and international cooperation.[448]

The Action Plan determines three priority objectives: Consolidation of Democracy; Strengthening cooperation, sustainable economic development and regional, international integration; and Development of the Security Policies. In addition, a certain number of objectives are specified in order to affect the entire content of the strategy security. A set of activities are formulated in accordance with the objectives which at the same time play the role of crucial mechanisms in the process of implementing NSS.[449] It is important to underline that the narrative part of the Action Plan of the NSS mentions the monitoring and the evaluation of the implementation of the objectives and the efficiency of activities foreseen in the Action plan, adding that they are an integral part of the NSS of Kosovo and key components during the process of implementation. The Action Plan matrix contains only the following headings: Strategic Objectives, Specific Objectives, Activities, Responsible Institutions, Timelines, Budget and Indicators.[450] Hence, neither Action Plan nor NSS foresees a proper evaluation and a permanent objective monitoring mechanism. In order to bridge this gap and ensure proper monitoring and evaluation and address the identified obstacles, problems and challenges during the implementation as well as post-implementation process or review of the strategy, we recommend the application of the "Evaluation Framework" developed in in this study.

Conclusion

The Euro-Atlantic orientation of Kosovo as a newly independent state and a new democracy has dictated not only the creation of the corresponding security institutions but also the harmonisation of the respective legislation in line with EU and NATO. This is a rather challenging exercise especially form the foreign and security perspective as elaborated in this chapter. The fact that there are five states within EU namely four in NATO that haven't recognised Kosovo as an independent state in one way or another hinders the integration process. However, Kosovo has been given a clear EU perspective as of Thessaloniki Summit in 2003 whereas for the Government of Kosovo the integration in both EU and NATO is a priority objective therefore it works continuously to fulfil all the conditions and criteria that

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[448] Kosovo Security Council, *Plani i Veprimit i Strategjisë së Kosovës,* Action Plan (Pristina: Kosovo Security Council, 2011), http://www.kryeministri-ks.net/repository/docs/Plani_i_Veprimit_i_Strategjise_se_Sigurise_se_Kosoves.pdf.
[449] Ibid.
[450] See the Action Plan Matrix in the annex 8 of this paper.

would bring it closer to these highly important organizations with the ultimate goal to fully join them. In this light, shaping foreign and security policies reflect this aspiration and the drafting of strategic documents lies on the respective standards.

In 2010 Kosovo came up with its first Security Strategy despite of the sincere efforts, the document as such has had its own shortcomings that can be attributed to the fragility of institutions as well as to the influence of the international community. Given that Kosovo lags behind the countries of the region in terms of Euro-Atlantic integration process while there are countries that have accomplished this process successfully, Kosovo appraises the opportunity to learn from their experiences. Such an example is Croatia which is member of both EU and NATO and continuously supports Kosovo in this path through expertise and other forms of cooperation.

Provided that the process of integration in NATO is inter-related with that of EU these processes are treated not only inseparable but also complementary which have a great positive impact in the foreign and security policy shaping as well as country's strategic orientation. Euro-Atlantic integration is government's top priority and as such presents a significant process from the foreign and security policy perspective and Kosovo persistently abides to it. Through fulfilling the integration benchmarks, Kosovo strengthens its institutions with the ultimate goal to become first of all a security provider rather than consumer but also to become part of these structures. Considering the fact that the institutions of Kosovo are getting more and more competencies and responsibilities, the presence of KFOR is effectively reduced. Whereas from the perspective of local security ownership, this is a good sign in terms of a long-term sustainability, the membership in NATO remains key to the peace and stability of the region given the historic and actual circumstances but also the (dis)balance of powers in the region. NATO membership for all aspiring countries of the Western Balkans, even of Serbia if one day she wishes to do so, is the ultimate guarantee for the peace and stability in the region.

Finally, the integration into Euro-Atlantic structures similar to the other aspiring states of the region, stands as one of the prime goals of foreign and security policy of Kosovo and as such evidently stated in the respective strategies.

CHAPTER 6 - Development of the "Evaluation Framework"

6.1. "Evaluation Framework" as an Inventive Instrument for the NSS

While there are many ways of assessing public or social policies economically, these assessments often miss their main goal, which is assessing the *success*, full or partial, of the strategy. One of the main reasons is that economics often deals, and concentrates, on *efficiency* when assessing the public sector. To the untrained eye, or the wider public, efficiency and success appear quite synonymous, as efficiency is often regarded as *effectiveness* which would ultimately lead to success. However, efficiency is predominantly an economic term, and it has a well-delimited definition. The definition is centred on allocating resources in the best possible way. Efficiency is essentially a ratio between inputs and outputs, where the fewer the inputs yielding the most outputs, the more efficient the production. It mathematically assesses outputs/inputs, thus it needs feasible, quantifiable expressions to carry out its calculations, such as labour, time or money. However, in fields such as security, this does not mean much. Of course, it is possible, and even necessary to look at the budgetary spending allocated to security or a given strategy when evaluating it. Yet, coming to conclusions purely from an efficiency calculation may be incomplete, or even inaccurate. An efficiency analysis would essentially look to find the least amount of budget spent to create and implement the highest number of policies. However, it would not necessarily look at the quality of the given policy. The success of a strategy does not depend on *outputs*, but rather on *outcomes*. In order to fit in the norm of policy-oriented academics, I will, like many others, attempt to create a coherent evaluation method for a social policy, on the spectrum of security. More specifically, I shall attempt to create a feasible evaluation method framework about the national security strategy of a country, and more specifically of Kosovo. To achieve this, I will "borrow" ideas from the field of economics, public policy, international relations and others, as most successful works in social science are born out of patchworks of concepts from other fields.

The obvious goal of a security strategy, and more generally to security, is to make the country (and its people) safe.

Thus a successful policy and strategy will have improved the overall security and made the country safer. Here is the first stop sign we encounter:

As explained in the theoretical framework, security is not easily defined and by far less easy to define than defining efficiency. In fact, we underlined that security is not at all only based on

objective realities, but also subjective perceptions. To retake Buzan's theory of security in 3 levels, we can freely claim that perception plays a role in the 1ˢᵗ level of this theory, the individual.

Furthermore, perception is also important on the international level. Sometimes, other countries might interpret one of our attempts to provide security in our country as a threat to theirs, thus increasing tensions amongst them. To take a realist example, if a state decides to increase the number of its soldiers in order to prepare better for natural catastrophes—or any other reason unrelated to other countries—the neighbouring countries might take it as a reason to be afraid of a potential invasion or attack, and thus will increase their own military capacities. The scenario is a classic, and it is known as the "security dilemma"[451] (Kosovo army vs. Serb mobilization) To avoid this, I believe it is important to consider the perception of the different international players, as security is often highly dependent on supra-national factors, especially regional ones in the case of Kosovo.

Such an evaluation method is vital for all countries for several reasons. First, policies, and their success, are the backbone of development in any country. Knowing which ones specifically are yielding favourable results ultimately improves the state, and the livelihoods of its people, in every sense. For an newly independent state like Kosovo—still classified amongst the "developing" nations for clear reasons—developing is much more concrete than the mere abstract wish to "get better". It helps the state form into a fully-fledged country, and sets the foundations of structures that will serve generations to come.

Second, the importance of "efficiency", or rather the importance of budget spending, is crucial when discussing policies and strategies. The nature of state budgets is so that one underperforming sector or policy also means it is not only "wasting" the resources there, but that it is also keeping those resources away from another sector or policy which could potentially succeed. Thus, stopping ineffective policies allows for a relocation of the very finite resources of the state, giving an opportunity of development to another idea, policy, or sector. Again, in the case of Kosovo, this is particularly important, as the mismanagement of resources has led to a degree of stagnation in the country's fragile development. Furthermore, due to the weak economic situation the country has been in since its creation, keeping useless policies

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[451] The term was coined by John Herz in 1950:
John H. Herz, "Idealist Internationalism and the Security Dilemma," *World Politics* 2, no.2 (January 1950): 157-180.

alive, and not allocating state funds to useful ones, could be keeping it from a pivotal turn towards rapid development.

Third, as many academics have noted, there has been a tendency for the public sector to become more and more securitized in the recent years.[452] While it has its arguable benefits, this politicization also leads to a degree of bias regarding the policies and strategies of a given government. If a government changes, the next one might insist on subjective (politically motivated) basis that the policies were all unsuccessful in order to push its agenda forward, thus potentially also cancelling useful policies. Inversely, if there is a situation of state capture by one party, or simply if the same party remains in power for several mandates, there could be no incentive to objectively evaluate and expose the under-performing parts of a given strategy, in order for this government/party to not show the negatives sides of its mandate. Thus, it becomes clear an evaluation method needs to be as independent from such situations as possible in order for it to deserve the title "objective".

This necessity of independence also implies the body carrying out the evaluation and analysis through the framework ought to be independent. The security strategy of a country must reflect the realities and interests of the given country, rather than those of the given government at the given time. If you will, the security of a country, and so its strategy, must be shielded from the vulnerabilities of changing regimes. Thus, we suggest that there should be a permanent professional staff or even pool of experts within the Security Council that should works continuously all year through carrying out evaluations, monitoring implementations, and analysing results in order to prepare for the following strategy. In addition, as aforementioned in this work, the detachment between academic expertise and practical expertise is a reality of the field of security. So, this paper suggests the council include practitioners and academic experts alike, in order for the strategies, and their evaluations to have ideological as well as pragmatic coherence. If chosen in the basis of merits, and independently, this council shall not be totally vulnerable to the politics at play in the given country, yet adaptive enough to the political realities that impact security as an overall question. As such, the interests of the state and its people all guarded at all times, and the strategy has a real chance to keeping up with the evolution of society and its struggles, instead of remaining (as it sometimes does) outdated or out-of-touch. The nature of Kosovo's *sui generis* creation, and its recent history, makes it very affected by regional developments. Furthermore, like it is the case with other Balkan states,

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[452] B. Guy Peters and Jon Pierre, ed., *Politicization of the Civil Service in Comparative Perspective: The quest for control* (London: Taylor & Francis e-Library, 2004), 1-14.

Kosovo's state structures have also fallen victim to politicization and corruption at the hands of powerful interest groups, making it all the more important to have state structures also fallen victim to politicization and corruption at the hands of powerful interest groups, making it all the more important to have a *dynamic* and *independent* body to evaluate and create security strategies.

Now that the importance of a set, objective evaluation framework is established, and the body involved in carrying it out is defined, it is important to set the basis for the framework itself. The next chapter will break down and explain each step of the evaluation framework: from how the evaluation scale is formed, to how to use the evaluation to draw conclusions.

6.2. The Format of the "Evaluation Framework"

Amongst the strongest criticisms made to security strategies, and more generally to the field of security, is that security is still regarded as the area of expertise of the state. Security affairs are much more affiliated directly and exclusively to the state than other affairs, such as social reform for instance. Thus, in states where this is still highly the case, the state monopolizes security overall, including the process of drafting strategies. As pointed out in the theoretical framework, this approach appears outdated for variety of reasons. What is important is that it does not take into account the first level of security, the individual one.

While the physical well-being of a state's citizens has always been more or less important, their psychological well-being is becoming increasingly more important in contemporary society. Developed states are spending more and more money, time and expertise in attempts to 'secure' the emotional well-being of their peoples for varying reasons. For instance, one of the more acquitted reasons behind it is due to the fact states believe that their ultimate success is the well-being of their citizens, as they believe it is the citizens that make up the state. From a more economic approach, it is possible to see that in developed countries 'happier' workers, or at least ones that are not in any emotional distress, are more productive. Furthermore, from a state-wide security perspective, it is also important to underline that when people are not *feeling* satisfied, or even safe, they are more prone to violent riots that ultimately become a threat to national security. Coincidentally, as this chapter is being updated, the Paris riots regarding the tax on fuel are happening, where the French people are protesting against it arguing their cost

of living is too high, and that their economic security is at threat.[453] The lack of willingness to negotiate on the part of the French protesters also suggests the tax is but the spark to the bonfire. Thus, the French people's perception that their economic or social security is at risk under the new government and its strategies and reforms was reason enough for the country to experience some of the most violent riots that it has had in recent years.[454]

The importance of the first level of security in this example is self-explanatory. In addition, taking this level into account is all the more democratic, which is what Kosovo, and many other countries, are striving to be. Perception of the people is key for newly independent states also because it makes or breaks people's trust on the state, which in turn affects their degree of civil involvement, like voting during elections. Moreover, for countries like Kosovo, which is a *small* state, has fragile structures and is very vulnerable to brain drain,[455] taking into account the people's perception and opinions can also encourage them to stay and actively try to develop the country. This is also particularly tied to reasons of security, as economic insecurity has been one of the main reasons these youngsters leave as they feel in Kosovo they are at threat of never finding a job and doomed to live dependent on someone.

Finally, there is a certain perception among the Kosovar population that "higher" stronger forces", i.e. interest groups such as the international community and the political elites, control much of what goes on in the country. This makes the citizens feel hopeless and frustrated, so taking their opinions and needs into account when drafting security strategies redevelops their bond with the country, strengthening national identity (which is indispensable in newly independent states), shows them that they also are in charge for what happens or not in their state, and prevents collective frustration and hopelessness from building up and leading to potentially dangerous situations.

For instance, it is possible to see a very high degree of popular opinion mobilization regarding Kosovo's plans to turn its defence force into an army. While from a purely military perspective this army does not dramatically increase security in the country, it could be possible to see

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[453] David Chazan, Roland Oliphant and James Rothwell, "'Yellow vest' protests: cars burn and looters raid shops in Paris," The Telegraph, accessed March 10, 2019,
https://www.telegraph.co.uk/news/2018/12/08/yellow-vest-protests-paris-tourist-sites-shut-capital-goes-lockdown/.

[454] "Yellow vest protest in Paris sees police detain hundreds," BBC, News, accessed March 10, 2019, https://www.bbc.com/news/world-europe-46492070.

[455] Frédéric Docquier and Maurice Schiff, *Measuring Skilled Migration Rates: The Case of Small States* (Washington DC: The World Bank Development Research Group, 2009), 1-17, July 13, 2019, http://documents.worldbank.org/curated/en/499321468147580103/pdf/WPS4827.pdf.

people perceive it to do so, however, this transformation will be explored in detail in an upcoming chapter.

On another hand, the state-dominated security approach concentrates heavily on the second level, while observing the third level for eventual change, but not necessarily asking it for direct input in the process. There are a number of flaws regarding this approach.

First, the flaws of this approach first appear in what we know as the basis of a healthy democratic state: transparency and citizen involvement/engagement. In this approach, the state has a persona that is not there to represent the citizen, but rather to dictate to the citizen; it is inherently closer to an autocratic modus operandi than a democratic one. In addition, allowing the state to develop such a persona, makes it unescapable that the people working in the structures, i.e. governments, develop an idea that their actions are also somehow not representative of citizens, and thus do not need to be held on the same moral (or even legal) pedestal as the rest of the people. Clearly, such a logic becomes threatening to accountability, and yet again, to transparency. If governments feel it is fully up to them to dictate security, and that they are somehow 'above' the people and their laws, they also start undermining the necessity and benefits of evaluation.

When security is dictated from a state-concentrated perspective, and by the state, it is clear that the state chooses the evaluation form (if they decide to evaluate at all). The risks of this are much the same risks described until now—a lack of transparency and thus objectivity: governments can almost freely choose which criteria to prioritize when evaluating, so to put their strategies on a more positive light. Furthermore, they can choose to remain rather vague when carrying out these evaluations, and provide no proof for their claims. This then risks to be in direct conflict with the perception of the individuals of the given security strategy, allowing for a situation of uncertainty as to which actor is right. Needless to say, this not only does not profit the state, but it further weakens its legitimacy, and leads to potential instability. In the particular case of Kosovo, trends often show that the citizens do not seem to be in agreement with the state on many questions, including security, or how they feel about dialoguing with our Northern neighbour. Clearly, coordination between the two levels is a must, and the evaluation must reflect it.

Lastly, because this approach relies heavily on realist logics of security, its relationship with the third sector is also not one a newly independent state should aspire to.

The state-concentrated approach uses the third level, the international level, to draw analysis of current security events so to include these considerations into the strategies. However, due to the nature of realist approach, the third level is regarded as more of a liability than a co-operator in the process.

The analysis casted on the international level is utilized to outline potential threats in the international scene might have, and to try to be prepared for these threats. It does not usually accept direct input from this level as for the direction of given security questions. Yet, in a world with growing inter-dependency and globalization, the perception of a state's security strategies on the international arena can cause considerable benefit or damage. Furthermore, it might be in this level that the state-concentrated approach to security is the most outdated, as international security alliances, such as NATO, are growing, and there is a general trend towards security cooperation clusters between states in similar context's or with similar interests. However, in regions with historical instabilities wars are also continuing, and there is a degree of fear regarding these regions. Kosovo finds itself in a position where context and perception by others often affect big decisions. For instance, international perception (as well as hard-liners lobbying by Serbia) played a decisive role when Kosovo failed to integrate UNESCO in July 2015, as actions carried out in the year 2004 had persisted in the memories of many states.[456] Furthermore, any security decision taken in a region with a recent war history is all the more delicate regarding security, as it is easily perceived as a threat, as is the case with Kosovo and Serbia. To fully grasp the importance of the international level on the particular case of Kosovo we have included a detailed chapter about the role of international organizations as security providers in the country.

So, the next step is to create a format of evaluation that intersects all the stakeholders of security, yet takes into consideration contextual variations regarding the involvement of these actors. Furthermore, the format has to be able to evaluate perception, while also requiring some sort of objective basis for the given "grade".

Given the nature of our variables - security and time - and the fact measuring perception is often qualitative rather than quantitative, we have decided to opt for a simple approach which can be elaborated into a more complex yet flexible evaluation technique.

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[456] These memories were fortified by aggressive lobbying on the part of Serbia, which tries to sabotage any integration process Kosovo undertakes regardless of its context.

This "Evaluation Framework" will take the form of a mandatory survey given to each level of security every year. In order to maintain a degree of coherence, and to uphold the principle of state continuity rather than government volatility, the same survey will be given to each of the levels. The first level will be represented by civil society, as it is in most ways a more reliable and equipped source for the first level, as administering it to individuals could have too many liabilities, including lack of participation, lack of information, etc. On the second level, it will be administered to state institutions. On the last level, the international one, it shall be administered to international organizations.

Clearly, there has to be criteria as to which particular group in each level will be reporting. Luckily, the nature of the security strategy itself makes such a task feasible. The thematic separation of security goals in each security strategy creates the possibility of narrowing down the interest groups involved in the given point of strategy. For instance, the part of the security strategy dealing with environmental security more or less dictates which interest groups one should be taking into account. On the individual level NGOs and other civil societies dealing with the environment shall be the ones evaluating from this level, for which KOSID would be a good example.[457] Evidently, on the state level the Ministry of Environment[458] as well as the different levels below it (Kosovo Environmental Protection Agency for example)[459] would be the ones to evaluate in this case. Lastly, international organizations, such as environmental watchdogs, would be the ideal groups to evaluate on the third level, like the Regional Environment Centre Office in Kosovo.[460]

For the purpose of making the rest of the explanation of this framework easier, we will use this example throughout the chapter. Yet, for these bodies to be able to evaluate their respective part of the national strategy and give the necessary input for improvement there must be a number of factors present within the framework and survey itself.

These factors consist of:

1. An evaluation scale, where the different levels of security effectively "grade" their respective part of the national strategy

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[457] "About Us," KOSID, accessed March 12, 2019, https://kosid.org/en/about-us.

[458] "Ministria e Mjedisit dhe Planifikimit Hapësinor," Ministria e Mjedisit dhe Planifikimit Hapësinor, Republika e Kosovës, accessed March 14, 2019, https://mmph.rks-gov.net/.

[459] "KEPA—Kosovo Environmental Protection Agency," KEPA, accessed March 14, 2019, http://www.ammk-rks.net/?page=2,1.

[460] "REC Office Kosovo*," Regional Environmental Center, accessed March 14, 2019, http://www.rec.org/office.php?id=9.

2. A rubric labelled "Justifications" where the groups must provide a reason for giving the grade. These reasons must be relatively quantitative as well as qualitative

3. A second rubric labelled "Reasons" where the groups must provide reasons as to why they think the given situation is the case

4. A last rubric labelled "Inputs and Suggestions" where the groups will be asked to concisely formulate what inputs and suggestions, they have to offer regarding the next security strategy

The results of the evaluation will be generated while using a system of weighted answers, as to grasp the different dynamics of each part of the strategy. After the basic results and graphs are generated, the answers within the rubrics will be analysed, and conclusions drawn. All the results will then be made into a report and taken into consideration when drafting the next strategy. The evaluation report will also be published and made readily available in order for the public to have access to it, improving transparency between KSC and the public.

Each consisting factor of the framework, the system of weighted answers, as well as the analysis of the rubrics will be explained in detail in the following parts of this chapter. Finally, a sample of the evaluation method and other parts of the report will be given as the final pages of the chapter.

6.3. The Outset of the Evaluation Scale

This grading method that is used in the evaluation framework must reflect the very goal of the evaluation itself, which is essentially grading how "successful" a security strategy has been. In context, being successful must be directly linked to the very definition of the word security, as a successful policy aims at increasing security. Thus, the evaluation scale that will be used in this framework derives from the theoretical, so more academic, basis of security studies. It aims at bridging the gap between the theory of security studies and security policy/strategy making on a national level, as the two often lack deep and comprehensive cooperation.

As pointed out several times before, security is prone to varying definitions, and when left with no specifications, it can be quite ambiguous.[461] When creating a scale one must pick a "quantifiable" definition that is precise yet simple, and relatively short in order for the grading

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to make as much sense as possible. Yet, this scale must also include an approach that can account for perception as well as be defended with objective data.

After thorough research, Wolfer's definition of security as the 'absence of threats to acquired values' appeared to be the most appropriate definition to serve as the basis of the evaluation scale. The fact this definition revolves around notion of threat makes it tangible for the different levels of Buzan as well as the 5 sectors of security.

The "acquired values" may vary from sector to sector, which makes the core of the scale adaptable, yet the same in essence. In order to turn it into a scale, there must be varying "degrees" to the threat, and the grades must reflect these degrees. If a strategy is successful in tackling the national security issue at hand, it will, as a result, *decrease* the threat to acquired values. On the contrary, the threat to acquired values would *increase*.

The more successful the part of the strategy, the more steep the decrease in the acquired threats. Furthermore, the degrees of increase and decrease should mirror each other in intensity on the different sides of the scale. When a part of the strategy reaches peak success (or peak failure) that translates into a *drastic* increase (or decrease) in threats to the acquired values relating to the given part. When a part of the strategy is very successful (or not), that translates to a *high* increase (or decrease) of threats. And, when the strategy has been simply relatively successful (or not), that means it was a simple increase or decrease to acquired threats.

In order for the scale to be objective, there must be an option where the different levels have not experienced a changed in the acquired values, which would serve as a "neutral grade", and as the middle of the scale. This scale will be used as the y-axis when graphing the results of the 5-year yearly evaluation.

Finally, all that is left for this to become a real scale, is to assign numbers to the varying degrees of success or failure. In order to keep it simple and straightforward, the *drastic increase* of threats to acquired values will be assigned the lowest number on the scale, which is the number 1. This will effectively put it to the bottom of the scale, as well as at the bottom of the y-axis when graphing it. Inversely, the *drastic decrease* of threats will be assigned the highest number, so number 7. With the neutral grade being number 4, the rest of the scale spreads logically.

Thus, this scale is:

1. A drastic increase of threats to acquired values

2. A high increase of threats to acquired values

3. An increase of threats to acquired values

4. No particular change of threats to acquired values

5. A decrease of threats to acquired values

6. A high decrease of threats to acquired values

7. A drastic decrease of threats to acquired values

As is the case usually with scales, the different evaluators on the different levels will be presented with a question relating to a part of the security strategy, and will be asked to "grade" its success with one of the grades on the scale.

6.4. The "Justifications" Rubric

When involving several parties into an evaluation especially when involving the individual level, it is key to avoid the trap of creating an opinion poll. Namely, it is necessary to have a system which requires all the different levels to provide some sort of "justification" as to why they gave the certain grade in the evaluation.

In addition, this evaluation is not synonymous as to the "reason" of it. The justification must be an indicator of the situation or state that pushed them to give the grade. The nature of an indicator means it must be relatively quantitative and feasible, in order for it to embody this characteristic of a proof.

Regarding the three different levels, the justification will not be based on the same exact factors, however is necessary for the evaluation to be legitimate. For instance, on the first level, the civil societies, whose job it is to evaluate from the individual perspective, must give justifications based on their own assessments of the given security issue. Yet, they must also necessarily provide a measure of the citizen perception on the given security issue, as they are the *porte parole* of this level. In turn, this requirement also protects the first level from any attempted influence from the second level, which is a case that often happens in newly independent states, like Kosovo, with high degrees of corruption and fragile structures and institutions. This protection happens through the condition of justifying ones evaluations. Furthermore, offering quantitative serves as very useful data as to the general public perception regarding the state and its politics at the given time, giving the council an idea in which way to generally steer the next national security strategy.

Regarding the second level, this rubric must also serve as a "verification" of the evaluation, if you will. Unfortunate as it may be, newly independent states, especially Kosovo, often tend to have politicized staff in all sectors and institutions of the state. This means that when evaluations are done, there is political legitimacy at stake, and so these evaluations paint an image which is not always backed up by data, outcome or achievements. This game of political stakes leading to unreal evaluations then has its direct repercussions on the other two levels, making them lose trust towards the given state/government. Other than this yields a general sense of lack of legitimacy tied to the government in power, it also weakens public participation on processes, cooperation with other supranational powers, which ultimately proves to be harmful for the state, so for the second level. Making this sector provide quantitative justifications as to their answers prevents this phenomenon of unrealistic and untrue achievements for the sake of politics.

These justifications must take the form of "outcomes" of the policy, also pushing the second level to come up with clear and feasible goals for every point of the strategy, in order for them to be able to justify their achievements or their grade quantitatively.

As for the third level, much of the same logics of transparency apply regarding this rubric. Furthermore, the quantitative data provided by this sector serves as a good basis for comparison with the "local" data that is presented by the other two sectors. If the data provided by this level on a topic differs greatly with that of the other two levels, it highlights that the collection of said data might have been manipulated somewhere along the way. This can be regarded as a useful tool of whistleblowing for data manipulation, which mostly happens on the state level, as less commonly on the civil society level.

The quantitative data mentioned above should include statistics on perceptions, implementation, results and outcomes, from all three levels, as well as budget spending by the second level on the part of the strategy at the given time. This also allows for the documentation of the development of the part of the strategy, positively or negatively.

6.5. The "Reasons" Rubric

Unlike the rubric elaborated above, the "reasons" rubric is one that deals with qualitative data. Namely, while the justifications are highly descriptive, and simply paint the situation as it is, the reasons rubric then aims to get an explanation from each of the levels regarding the situation.

This rubric is crucial because it helps the national Security Council identify patterns of thinking within each of the levels. The reasons rubric ideally includes several reasons which act as a manifold analysis leading to the said situation.

For instance, the reasons provided by the first level help the council see exactly where the individual feels the strategy is lacking, which can mean one of two things.

First, it can mean the obvious, that the strategy is truly lacking in the areas cited as the reasons by the first level. In this scenario, the bulk of the analysis is already found within the rubric itself. What is left for the council to do in this case is to come up with a comprehensive way of addressing the said issue. In addition, in this situation, each of the many reasons provided by one evaluating body can be dealt with and taken individually, as they deal with a simple enough security problems, i.e. a missing security point or policy.

This could mean advising to add policies and points onto the next strategy, or it could also mean expanding already existing policies. Whichever the case, in this scenario the rubric outlines the problem, and it is up to the council to simply address it. Second, when the individual feels the strategy is lacking in certain areas, it can mean that the strategy might be formally addressing these issues, i.e. including the given issue in the written strategy, but that this does not translate to practice. In these cases, the council is faced with a problem of implementation.

However, due to the fact implementation has several steps, it is up to the council to first identify where the strategy is lacking implementation. This can begin at the very top, with the policy never being put in place, or with the budget never being allocated to the given part of the strategy, or it can be at the very bottom, with the progress not being recorded properly, or communicated to the population effectively. Thus, even though the particular problem is highlighted by the first level of security during the evaluation, it is necessary to interrogate the second level thoroughly to be able to identify exactly where the problem lies.

The first attempt at this can be by trying to see if the second level has identified the same issue, and has given reasons for it. If it has, the second level might be ore insightful on the implementation process, and could pinpoint the exact issue. If this is not the case, the council could make an effort to contact the institutions of the second level that are directly linked to the said point of the security strategy. If neither of these techniques yields any results, the council must try to identify the issue from the data given by the first level.

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Unlike before, in these cases most of the "reasons" provided by the given evaluator must be taken into account together, as they often make up the context for the identification of the problem. For instance, when evaluating the environment, and particularly deforestation, a civil-society organization might give a low grade, and provide the justification that deforestation has increased by 12% in the past year since the new national strategy has been adapted. They might then cite "lack of implementation of strategy" as one of the reasons for this, which, as pointed out before, is too vague for the council to be able to pinpoint as a clear issue to address. Thus, the council must look further into the other reasons provided by this evaluator, which can give them a better idea where the lack of implementation against deforestation is failing to reach its objectives. In an optimistic scenario, they could include a second or third reason which would say something like "lack of budget to install more surveillance equipment by the police in protected zones", which then narrows down the issue for the council considerably.

Regarding the second and third level, this rubric is a valuable chance to look into the logics and perceptions of the state and the international bodies.

On a state level, perception is not the exact same type perception that affects the individual. On this level it translates onto a state logic or state mentality, that is to say a particular way the state and its institutions and actors develop when formulating, implementing, and evaluating their own strategies, sub-strategies and policies. Every state has such logics that then translate into patterns, and these patterns are often so well established and rigid, that it makes it difficult for the evaluation of anything to penetrate them and expose the real issues. In an newly independent state such as Kosovo, where harmful state logics and other negative phenomena such as nepotism, corruption or cronyism are no strangers on the second level[462] not understanding and not breaking such logics takes a very important toll on the state budget, as well as the development of the fragile state.

Thus, on top of understanding the current situation from the state perspective, this rubric is indispensable when trying to crack the patterns and logics of the state, or more specifically the logics of the given government. The rubric achieves this by having several reasons provided by state actors, and after analysis by the experts in the council, the patterns can be deduced, and the state logic broken in favour of better results and more development in the security field.

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[462] Dafina Halili and Jaok Butoher, "Grabovci's resignation should not mask Kosovo's problems," Kosovo 2.0, accessed March 14, 2019, https://kosovotwopointzero.com/en/grabovcis-resignation-should-not-mask-kosovos-problems/.

On the third level, the international level, the reasons rubric also gives insight into the same type of "logic", approach or perception. However, the difference is that this level often has a very differing perspective on the situation, often times looking at it from an eye void of contextual perspective. Namely, this level often approaches security issues either from a technical, or from a more regional/international dynamics perspective. While it is clear to see that an evaluation that is to some extent void of contextual consideration has great limits, it carries great weight in shedding light over the international perspective over the actions of the state. For a country like Kosovo, whose status is still debated by some international organizations, international perspective is particularly important. The heavy international presence and influence inside the state and its post-war context also puts it in a position where stability, guaranteed to a high extent by international bodies, is a priority, and depends on regional dynamics. Needless to say, these regional dynamics can be influenced by each state in the region. With a hostile neighbour, every security policy undertaken by Kosovo has the potential of increasing tension in the region, and if said reason is not at all supported by the international community it has the potential to threaten security within the state. However, often times the logics the international community uses can be unfair in their evaluation regarding the decisions of the security actors within the state, so it is important to understand these logics, in order to try to amend them to be more favourable to Kosovo.[463] Thus, this rubric is indispensable to the evaluation framework, as it not only exposes the reasons why the strategy is or is not successful, making it possible for the national security council to address these issues and avoid them in the next security strategy, but it also exposes the different preconceived approaches and logics on the second and third level. This is a valuable asset when it comes to seeing the whole picture, and understanding how others see it. When the basic level of understanding is achieved, these issues can be approached more effectively, through either drawing useful conclusions from these approaches, or through breaking the preconceived logics.

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[463] For instance, while some of Kosovo's allies, like the U.S., saw the creation of the Kosovo Army as a normal progression, parts of the International scene were very much against this:
Surk, "Kosovo Parliament defying Serbia and NATO."

6.6. Inputs and Suggestions

The final part of the evaluation framework is where the direct link between the new strategy and the three levels of security is made. As the title suggests, this rubric consists of the different inputs and suggestions made by the three different levels regarding the new strategy that is to be drafted. Yet, this rubric must not limit itself on only offering inputs for the next strategy. There is no reason for the KSC to withhold from trying to fix existing issues of security as pointed out by the different levels in the earlier rubrics. Indeed, most of what they get out of this rubric is proposals and thoughts on how to improve the different existing points of the security strategy while it is actively being implemented.

The timeframe of the evaluation framework, namely the fact the evaluation is done yearly for 5 years, makes it possible for the KSC to begin addressing issues of the existing strategy, and implementing inputs, as early as in the first years of the strategy. In fact, if these inputs are taken seriously, and implementation efforts are a success, by the last year of the evaluation the only issues still appearing would ideally be the parts the strategy, and its bodies (action plans, policies) fail to address completely. In this case, the council would simply have to analyse where the strategy lacks, and suggest new policies or updates on existing policies in order to effectively deal with the given issue.

The inputs also offer an insight into what kind of direction the three levels hope to see security heading in the future. They offer practical solutions as well as doctrinal suggestions for the following national strategies, as well as action plans and policies. Due to the inputs and suggestions coming from the three levels, this allows the Kosovo Security Council to have a clear idea as to what each of the levels is preoccupied with regarding the future, effectively avoiding falling into the trap of straying away from what the different levels want.

6.7. Processing the Data

Including the three levels in the evaluation of the national security strategy is, we believe, the most accurate and academically sound technique of evaluation. However, this is no way means there are no limits to it. In fact, there are some limits that must be dealt with before we can conclude this chapter.

 First, it is clear that while public perception has its vital importance in the evaluation and drafting process, it is still a volatile phenomenon that not always mirrors reality completely. One of the most famous examples of such a case is that of the discrepancies between real crime

and perception in England and Wales. Despite crime being on a low for 30 years, over 60% of people believed it was increasing, which is a striking contrast.[464]

While the link between public opinion and media is still sociologically unclear, the spread of modern technologies and social media has made it far easier for people to be aware of the events around them, positive and negative alike. Even though this is one of the biggest breakthroughs in humanity regarding information distribution, it would be negligent to not highlight the fact it can give people a skewed idea of reality, through concentrating on more negative phenomena as to attract more attention. In turn, this has created an arena for disinformation as well as misconceptions. Misconceptions in the first level of security are no shock to academics and practitioners alike, and newly independent states such as Kosovo are in no way exempt to this rule.

Second, while misconception *can* be widespread amongst the first level, the discrepancies between the first and second level are not always because of the misconceptions in the first level. Every state knows a certain discrepancy of perception between its institutions and the people, which is one of the main reasons civil societies and NGOs are so vital to begin with. However, states with fragile institutions, and governments with widespread negative phenomena such as nepotism, corruption and/or state capture have particularly striking discrepancies of opinion between these two levels. This is due to the fact these governments are often more preoccupied with public image, and thus hiding their failures, crimes or negative outcomes, than they are with portraying reality, since public image often takes a toll on their reflection and so threatens their power.

Kosovo ranks 85th out of 180 in the Transparency International Corruption Index,[465] and while the 2018 European Commission progress report points out that some progress has been made to fight against organized crime, it also insists these efforts are only at a preliminary phase and that few actual high level arrests have been made.[466] Evidently, Kosovo fits the bill of a state with fragile institutions and problems of corruption, meaning the state often does not paint the most accurate picture of reality.

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[464] Alan Travis, "Public perception of crime higher despite falling figures, report says," The Guardian, accessed March 14, 2019, https://www.theguardian.com/uk/2011/aug/04/public-perception-crime-higher.

[465] "Kosovo," Transparency International, accessed March 14, 2019, https://www.transparency.org/country/KOS.

[466] European Commission, *Kosovo* 2018 Report, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee of the Regions*, 2018 Communication on EU Enlargement Policy, Report, {COM (2018) 450 final} (Brussels: European Commission, 2018), accessed July 12, 2019, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-kosovo-report.pdf.

A striking example of such a situation is the recent exodus Kosovo experienced, culminating in the years 2014-2015.[467] This exodus had its beginnings with the Kosovo-Serbia Free Travel Deal signed in July 2011,[468] which was already after the first year of my mandate as Ambassador of the Republic of Kosovo to Hungary. While the number of illegal border crossings was increasing noticeably, the government was alerted on regular basis,[469] yet the general mood was that the issue was not pressingly serious. This issue became a priority only after heavy media coverage, and only then were the efforts to improve the situation significantly increased on the part of the government.[470]

The very fact the government did not take the situation seriously in its early stages illustrates almost perfectly the discrepancies between the first and second level. While the government felt economic security was not a considerable threat in the country, and that it would not provoke a exodus, clearly the people felt different, as is illustrated by their action of leaving massively. Even when the exodus had grown to a considerable size, the government downplayed its importance, creating a false reality where the problem was much smaller, until it was all revealed by the media and different NGOs and civil societies, so the first level.

The third level is in no way immune to this pattern of misreading situations and being out of sync with other levels. As mentioned before, the nature of the third level sometimes allows it to be void of historical, social or cultural context, as its approach is often very technocratic. While it provides valuable qualitative and quantitative data, the way such data is then interpreted or used steer the situation in many different ways, and can impact the security in the state greatly. In some cases, it can hurt the state and its image, as security is one of the main determinants in the international perception of a state.

For states like Kosovo, that has a considerable disadvantage in building its public image due to historical and political reasons but is still dependent on the international community on some sectors, an untrue perception on the part of the third level can cause great harm. To illustrate with a concrete example, in 2016, The New York Times published an article which claimed Kosovo had become a somewhat nest of future ISIS fighters, and that Islamic radicalization

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[467] KIPRED, *Kosovo to EU: The Challenge of Irregular Migration,* Policy Paper (Pristina: KIPRED, 2015), http://www.kipred.org/repository/docs/Kosovo_to_EU_The_Challenge_of_Irregular_Migration_659711.pdf.

[468] Spencer Kimball, "Serbia and Kosovo strike first deals after months of talks," Deutsche Welle, accessed March 14, 2019, http://www.dw.com/en/serbia-and-kosovo-strike-first-deals-after-months-of-talks/a-15207070

[469] Referring to one of the weekly reports of the Embassy of Kosovo in Budapest, submitted to the Ministry of Foreign Affairs.

[470] KIPRED, *Kosovo to EU.*

was a huge issue there.[471] Needless to say, after being published in such a newspaper, the issue quickly took off, becoming a discussed topic not only in the media, but also in international organizations and circles. A working paper published by Rita Augestad Knudsen claims this situation even caused a change in international policy towards Kosovo.[472] While Islamic radicalization had become threat to security in Kosovo, Knudsen also explains that much of the coverage had fallen victim of a lack of profound understanding of the context.[473] While the government dealt with this security issue through a wave of arrests and prison sentences,[474] and the number dropped significantly,[475] the fact the entire situation was blown out of proportion through a disregard caused enough damage to Kosovo as a country that aspires to integrate several international organizations as well as the European Union.

The harms such discrepancies cause then spill over to the other two levels, as their efforts to integrate international structures are undermined by the weakened public image, affecting all levels.

Thus, it is clear that the most reliable way of understanding security issues, writing security strategies, and evaluating said strategies is through the incorporation of the three levels of security. Yet, it is clear each level can offer a skewed image of the situation, making the evaluation process less reliable. In order to battle this, we suggest that the answers of each level be weighted, giving some level more say than the other in certain issues. How the weights are determined must be up to the security council, as they are the body monitoring the evaluation, and due to their complex composition comprising of both academic experts and practitioners in every sector of security, they are ideally qualified enough to be able to assign weights to each level. However, the complex composition of the council does not totally prevent the domination of a given level of security. Namely, whether for political or ideological reasons, the council or some of its members could choose prioritizing the grades of a given level throughout the entire evaluation process, making the results biased. This is an imaginable scenario in an newly independent state like Kosovo, where there have been cases of interference with "independent" bodies by the second and third levels of security. Therefore,

[471] Carlotta Gall, "How Kosovo Was Turned Into Fertile Ground for ISIS," The New York Times, accessed March 14, 2019, https://www.nytimes.com/2016/05/22/world/europe/how-the-saudis-turned-kosovo-into-fertile-ground-for-isis.html?_r=1.

[472] Rita Augestad Knudsen, *Radicalization and foreign fighters in the Kosovo context: An analysis of international media coverage of the phenomena,* NUPI Working Paper 875 (Oslo: NUPI, 2017), 4.

[473] Ibid.

[474] Skender Govori, "Kosovo Terror Suspects Given Stiff Sentences," Balkan Insight, accessed March 15, 2019, http://www.balkaninsight.com/en/article/record-prison-sentences-for-kosovo-terror-suspects-07-18-2016.

[475] Besim Abazi, "Kosovo Sees Drops in Foreign Fighters to Mideast," Voice of America News, accessed March 15, 2019, https://www.voanews.com/a/kosovo-foreign-fighters-to-mideast/3553579.html.

we must prevent this by limiting the weights for each level. The weights for any certain level must be between 0 and 1, and the weights of all levels must finally equal 1. In order to shield the evaluation from a politicization or interest bias, no level can have a weight higher than 0.5 for the given part of the evaluation; this prevents each level from having more than half of the say in the matter. For example, in our case dealing with the environment, namely in point 3.17 of the Kosovo National Security Strategy of 2010,[476] the fact these measures deal with the issues of pollution, waste and water management as well as deforestation and river protection, means it affects the daily life of the first level directly, giving it an importance in the evaluation, and thus of its weight. Yet, the state is also very important in such cases when illustrating the efforts made on a policy level to deal with these problems, however as the strategy states the state is aiming at improving relations with NGOs and the civil society, its importance is arguably not as important as that of the first level which is civil society and NGOs and has on-the-ground knowledge. Yet, since the environment affects every level, is a global issue, and since Kosovo committed to make efforts of improvement in several non-legally binding treaties, it is necessary to assign the third level a weight as important as that of the second level, as the third level can give insight into the outcomes of the efforts of the second level. So, in such a case, where all the levels seem to be almost equal, but where there is a slight domination of the first level, the weights would be something along the lines of:

1. First level: 0.4
2. Second level: 0.3
3. Third level: 0.3

After the average of each level is calculated, a weighted average of all three levels is calculated for the given year, and plotted on a line graph. After the last evaluation, the graph should show the final grades of each year, revealing some sort of pattern or trend.

If the grade (a) is better than the median, which is grade 4, so that $at > 4$, and the overall trend of the grades in the 5 years of evaluation is the same or increasing, i.e. $at > 4$, it means the point has yielded a degree of success.

If the general trend is increasing, so $4 < a1 < a2 < a3 < a4 < a5$, it means the point has had increasingly positive results, and that the upward trend simply has to do with the amount of time associated in the implementation the point and its policies.

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[476] Government of Kosovo, *Strategjia e Sigurisë e Republikës së* Kosovës (Pristina: Government of the Republico of Kosovo, 2010), July 13, 2019, http://www.kryeministri-ks.net/repository/docs/STRATEGJIA_E_SIGURISE_E_REPUBLIKES_SE_KOSOVES.pdf.

In fact, this logic can be applied even when $a1 < 4$, as long as in the following years the grades are above average, so as long as $a2 > 4$ (or $a3 = 4$ and $a4 > 4$), as the first year can fall victim of the implementation process, which sometimes does not show results immediately.

On the other hand, if the opposite is true, so if a$t < 4$ then it is possible to conclude the point of the strategy is not successful. Following the same logic, if the overall trend of the grades in the different years is decreasing, so $4 > a1 > a2 > a3 > a4 > a5$, then we can say the point at hand not only has been unsuccessful, but it has had adverse effects on the overall security, through budget drain, resource drain, etc.

In addition, in order to have an overall idea of the strategy, the average of each point can be taken and an overall grade can be given to each year of the strategy. This also can reflect on the efforts made by the national Security Council and the different institutions involved in the implementation of the strategy in fixing the issues brought up by the different levels. In these cases if $a1 < a2 < a3 < a4 < a5$, it means the council has been successful in fixing the issues brought up, or communicating them to the institutions involved in their implementation.

Calculating and graphing the grades and trends of the different points of the strategy is a fairly straightforward exercise that reflects the state and perception of the given point. While it requires analysis on the part of the council to identify *where* the problem lies and *how* to fix it, the council also must use the data provided by the evaluation to generate statistical conclusion regarding the situation itself, and the perceived reasons behind this situation.

The information for these statistics can be gathered through the some of the rubrics, while the others can be used to simply present the situation through the data they amass.

The justifications rubric, due to its more quantitative nature, facilitates the fulfilment of this exercise by providing information which is already in processed form, i.e. by providing perception statistics generated after opinion polls, or by providing budgetary spending, leaving the council with the relatively simpler task of "mapping" or presenting these realities in the report itself. Thus, the representation of this rubric for each level also gives the possibility to the public to be able to compare and contrast the situation through the perspective/data of every level. It fulfils the task of providing the examiners, public and overall society with the possibility of having a well-rounded understanding of the situation, rather than a biased one. In this sense, the data does not need to be *processed* by the KSC, but simply presented in the report comprehensively; the council has to predominantly compile all the justifications by level, by point of evaluation, and present them in the report.

The expertise of the council is indispensable when it comes to statistical conclusions about the reasons behind the situation being evaluated. The "Reasons" rubric is one where most of the data is qualitative. In order for it to be presented in the form of statistics and graphs, experts of their respective sectors of security need to be able to isolate trends from the answers, as well as draw up reliable patterns that can then be generated in the form of statistics. These patterns are vital because they help identify underlying issues of not just the security strategy but also of every actor and process involved in the security sector of the state. However, if these patterns are incorrect, namely if a pattern is created without a factual basis on the reported issues, it could derail the efforts of improvement of the given security point. An economically fragile state like Kosovo cannot afford to invest time or resources on erroneous issues, thus the KSC must be at its professional peak when identifying the trends and patterns of this rubric. In addition, in order to be able to create statistics from the reasons provided, the reasons must be rendered quantifiable. Namely, it is up to the council to categorize the enumerated reasons into one of the three categories:

1. Substantial – This category deals with the substance or the strategy point itself. Namely, it means that the evaluator thinks the situation has gotten there due to the ideological content of the point, or the approach the point takes towards the given security issue. This means that even if there are no implementation or budgetary implications, the point will be evaluated that way regardless.

2. Implementational – This category deals with the implementation process of the given security point. This process is complex and has several steps, as its main goal is to turn the points of the security strategy into applicable policies, and then to turn these policies into practice. So, if the evaluator believes that the reason behind the situation that pushed them to give the grade is due to an issue in this process, of chain, then the KSC is to categorize is as an implementational reason.

3. Budgetary – As the name suggests, this category deals with reasons that have a budgetary nature. The evaluator might suggest that there is a lack of budgetary resources for the implementation of the security point, either at the security level or at the state level.

The council is to process the reasons first by level, and then altogether. So, after the council has categorized the reasons for a given point, they are to turn these reasons into statistics. Namely, the council must count all the reasons provided first by the given level about the point, and then check how many reasons fall into which categories in order to calculate it by

percentile. For example, if one level has provided 10 reasons for the evaluation of a certain point in the strategy, then these 10 reasons amass to 100%, so if after the categorization we end up with 6 implementational reasons, 3 budgetary reasons, and 1 substantial reason, then we can conclude the reasons were: 60% implementational, 30% budgetary and 10% substantial.

This example is also made bearing in mind that due to the many steps involved in the implementation process, and the many different actors involved in it from state institutions like ministries to the target groups of the point, many, or rather most, of the reasons will fall within the implementational category. Similarly, as Kosovo still has a weak and fragile economy, we can expect encountering many reasons that fall into the budgetary category.

While there might be some substantial reasons amongst them, due to the nature of the strategy providing general outlines rather than specific policies, and the fact Kosovo attempted to build its legal infrastructure based on the best European practices, we can assume the substantial reasons might be a minority. After generating the statistical data by level, then the reasons of all level are put together and an overall statistical conclusion is reached and presented.

The last data processing that must be done from the evaluation framework is that of the last rubric, "Inputs and Suggestions".

In order for the evaluation report to be transparent, the council must not only consider the inputs from the different evaluators, it must also make these inputs readily available for the public. Furthermore, just like in the "Reasons" rubric, it is possible to draw patterns from this rubric to see how similar or different are the solutions the different actors think should be implemented, and how these solutions compare to the ones proposed for the other strategies and years.

However, while the weighted answers try to fight some of the limits set by the nature of each of the levels, there are limits to the very nature of surveys that must be fought as well. These limits occur in the very action of evaluation done by the respective levels, due to response biases that occur consciously and unconsciously. Namely, responses can be influenced consciously by lobbying, threats, blackmail, sponsorships, etc. which have a political or economic goal in mind. Stereotypes, prejudice and conformity are some of the unconscious biases that might be afflicted on the answers. The KSC can try to mitigate these biases by monitoring the process closely, and having a diverse and large number of evaluators for each level. However, further research must be done in order to find better solutions to this limit.

Being able to "map" or graph the suggestions in the different years of the evaluations also helps the evaluators track how many of these suggestions might have been implemented in order to solve the issues at hand, as in an ideal scenario if the suggestion was well implemented, it should not come up in the following evaluation.

6.8. The Layout of the Evaluation Report

The goal of this evaluation framework, as discussed previously, is not only to evaluate specific strategy points for the sole sake of evaluation, but it is also to strengthen state structures by doing so. For a newly independent state like Kosovo which is building all its structures, including a national identity, almost from scratch, transparency is the key in successfully building these structures. In addition, transparency between the general public and the state is a defining feature of strong democracies, and a principle the EU and the UN abide by, both institutions which Kosovo hopes to integrate in the future.

Thus, the presentation of the evaluation results in a report readily available to all levels of society is the ultimate act of transparency regarding the security sector of the state. Furthermore, the fact this report is publicly accessible acts as a deterrent for illegal or morally ambiguous decisions to be taken by different actors in security, as it entrails the possibility of being held publicly accountable for these acts, which often results in the loss of credibility, legitimacy and ultimately power for these actors. Moreover, this angle of public accountability can also act as a deterrent for recklessness, insensitivity and error on the part both of the actors of security as well as the evaluators, as they are prone to be subjected to the negative outcomes of making a reckless mistake. If you will, this pushes all actors of security to be at the top of their professional performance, which ultimately improves the security in the country.

So, in order for this report to fulfil this goal of being transparent and readily available to the public, it must also uphold a coherent layout that is easily comprehensible by all the different levels of society. The goal of the report is to present the results of the evaluation, and so to illustrate the security situation in regards to the national security strategy. The layout of the report must reflect this goal. As the data being presented is mainly factual, the layout must be straightforward and easy to follow.

The first part of the report will present the evaluation point by point, while the second part will present an overall evaluation of the strategy by presenting an average of all the grades, an overall reasons graph, a summary of the most common justifications, and an analysis of the

inputs and suggestions. The last part aims at showing the dynamics of not only the evaluation itself, but the progress (or lack of) done after the continuous evaluation year by year; this sheds light into the improvement efforts made by the KSC and the different institutions involved in the security field.

The visual representation of the report will consist of a title page presenting the report by including the title of the report which must also state the years for which the strategy is in effect, i.e. *"Evaluation Report of the National Security Strategy of Kosovo XXXX-XXXX",* the year of the evaluation, date of publication of the report, the names of the experts of the KSC that drafted the report, number of pages, and the logo of the state at the very top of the page.

A second page showing the evaluation scale must be included in order for the readers of the report to have a full grasp of what the grades mean. Then, each individual page of the evaluation itself will include a more *informative* part with the title at the top of the page, a subtitle stating the point of evaluation with the corresponding title of the point or the chapter of the strategy, e.g. "Point no. 3.17 – The Environment",[477] the evaluating bodies broken down by level, the year of evaluation, as well as the name of the expert(s) dealing with this particular point.

The name of the expert(s) adds value to the report by improving its transparency, as it gives an opportunity to and incentivizes the public to contact the expert directly in case they have particular questions about the point or the sector of security.

After this first part, follow the results of the evaluation itself. The presentation of the results follows the logic of the evaluation survey in its structure, meaning the grades are first, then the justification, then the reasons, and finally the inputs and suggestions.

The presentation of the grades will be done in the form of 3 different graphs. All three graphs will have the grading scale for their y-axis, while their x-axis will differ in order to expose the different meanings.

The first graph will have the three levels as its x-axis, in order to visually represent each grade given by each of the levels.

The second graph will have the year of the evaluation as its x-axis, as it will show the weighted average grade, also presenting the grades of each level next to the graph.

The third graph will have the previous years of evaluation as its x-axis, so if the evaluation is on its 3rd year, then it will also have the two previous years on the x-axis; this graph will be

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[477] Ibid.

used to calculate a general trend of the grades, as explained in the previous subchapter dealing with processing the data.

The reason why these results should be graphed is because this form of representation makes the grading form and the grades easy to grasp and understand for all the different layers of society, again playing on the transparency factor.

After these graphs will follow the justifications provided by each of the levels. As the justifications are already in a more quantitative form, they will simply be listed by level, next to each other, allowing the reader of the report to obtain the whole picture, as well as the different perspectives and information of each of the levels.

Under the justifications will follow the part foreseen to present the reasons. As the reasons are processed into statistics, we think the best representation would e through pie charts. Like with the justifications, each level will have its pie chart representing the dynamics of its reasons in the 3 categories. However, there will also be a fourth pie chard that aims at compiling and presenting the reasons of the three levels in order to represent the overall cause of the situation and the average grade. As in the survey, the part after the reasons will be that of the inputs and suggestions. Due to their qualitative nature, and the fact they work in the form of proposals for what ought to be done, these inputs and suggestions will simply be listed by level, in order to present their suggestions as openly as possible.

The last part of the evaluation of each point of the strategy will be the "Analysis and Follow-up Action". As the title suggests, this part will consist of an analysis of the evaluation and its implications. The council must consider all the factors of the evaluation survey when making this analysis so to identify all the different risks and problems in it, in order to try to improve these issues. After this analysis has identified the issues and risks, the KSC is then required to provide a "Follow-up Action" on how to deal with issues and how to address said risks. This can include the actions that are to be taken by the KSC itself, as well as the involvement of all the other institutions that it deems necessary in order to fulfil this goal of improving the strategy and its implementation.

The second part will have much of the same outline, except it shall deal with the report overall. So, the average grade of each level will be taken for the first grade graph, the average grade of the year (calculated with the average weights for each level) will be taken for the second graph, and the average of the different years of evaluation for the third.

The justifications do not need to be presented on this part as they are unnecessary to compile, due to them relating to given situations. However, the overall reasons for that year for each level must be calculated, as well as the overall reasons of all the levels, and presented in the 4 pie charts. The inputs and suggestions also do not need to be presented as they refer to specific points. However, the analysis by the KSC needs to be more thorough than in the individual points, as it must identify the imminent security risks, common risks and factors, as well as patterns in the results of the evaluation. If some of the identified risks are new, then the plan of action must also suggest amending the legislature to deal with these new risks effectively. When finalized, the report will be public, while it would be preferable that a copy is sent to the Assembly of Kosovo as it is the oversight mechanism defined by law, as it ensures accountability based on democratic principles and is responsible for legislative amendment in cases of new risks that were mentioned before. Below you will find a template for the survey, the cover page of the report, as well as a template for the report. The template presented for the evaluation of a specific point can also be used for the evaluation of the overall strategy at the end, with the few modifications it requires.

See a sample of the format of the evaluation, and a layout of the report after the data has been rendered in the following pages.

Evaluation of the National Security Strategy XXXX-XXXX

Evaluating body: **Stamp/Signature:**

Year of evaluation:

Point of Strategy:

Do you think point # (insert key goals of the point/entire point) of the National Security Strategy XXXX-XXXX has been successful this year and overall in reducing the threats to "acquired values" (insert values it aims at protecting)?

1. A drastic increase of threats to acquired values
2. A high increase of threats to acquired values
3. An increase of threats to acquired values
4. No particular change of threats to acquired values
5. A decrease of threats to acquired values
6. A high decrease of threats to acquired values
7. A drastic decrease of threats to acquired values

Justification:

1.

2.

3.

4…

Reasons (key words or phrases):

1.

2.

3.

4…

Inputs and Suggestions:

1.

2.

3.

4…

Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria –Vlada-Government

Këshilli i Sigurisë i Kosovës
Savet Bezbednosti Kosova / Kosovo Security Council

Evaluation Report of the Security Strategy of Kosovo XXXX-XXXX

Year of Evaluation: XXXX

Date of Publication: XX/XX/XXXX

No. Of Pages: XX

Experts:

XXXX
XXXX
XXXX
XXXX

Evaluation Report of the National Security Strategy of Kosovo XXXX-XXXX
Point no. X.X: (Title of point/chapter)

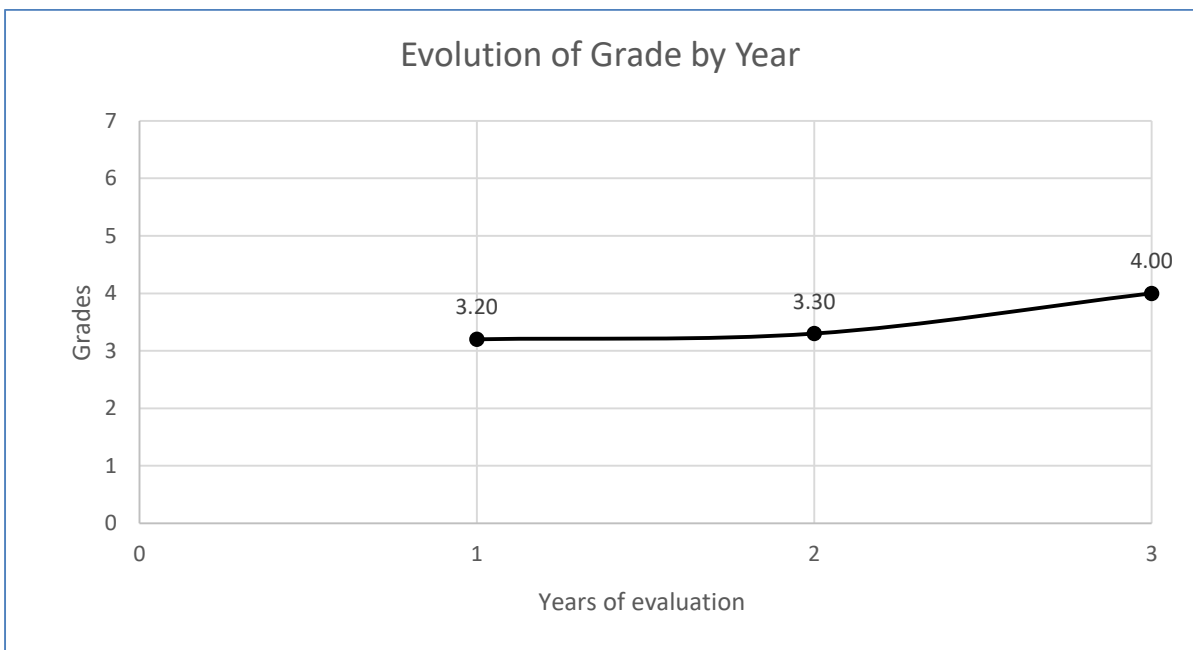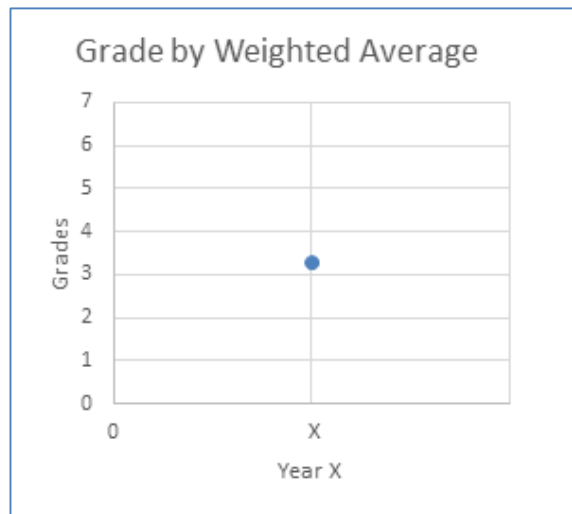**Evaluating Bodies: (Insert name)**   **Evaluation Year: XXXX**

1st Level: (Insert Name)   **Name of KSC expert: (Insert Name)**

2nd Level: (Insert Name)

3rd Level: (Insert Name)

Layout of the Evaluation Report for point #:

Grade by 3 levels

Grade by Weighted Average

Evolution of Grade by Year
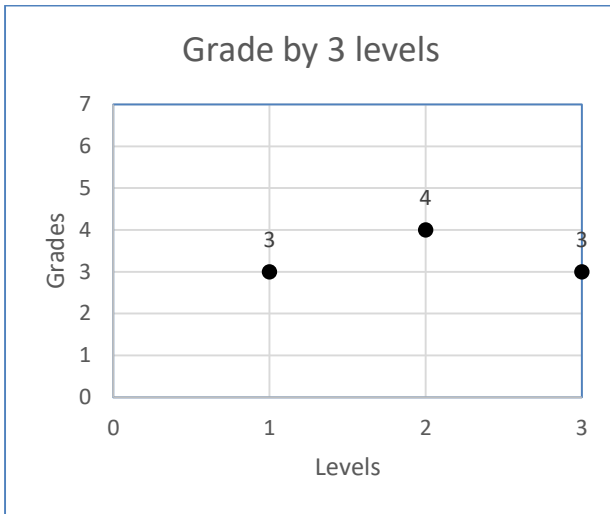
Justifications :

1st Level:	2nd Level:	3rd Level:
1. (Insert Justification)	1. (Insert Justification)	1. (Insert Justification)
2. (Instert Justification)	2. (Insert Justification)	2. (Insert Justification)
3. (Insert justification)	3. (Insert Justification)	3. (Insert Justification)
4…	4…	4…

Reasons: (The data for this rubric is hypothetical, for illustration purposes)

Inputs and Suggestions:
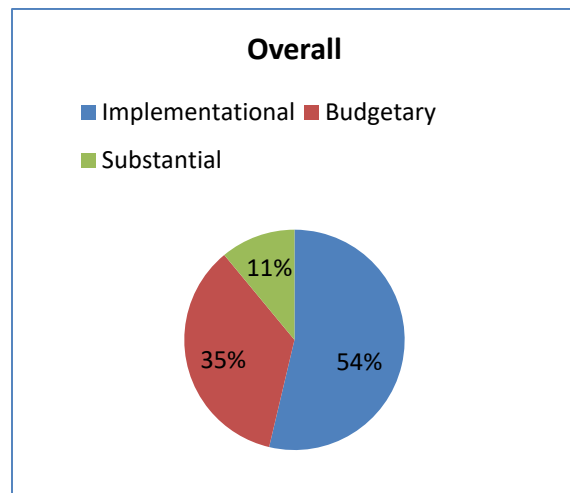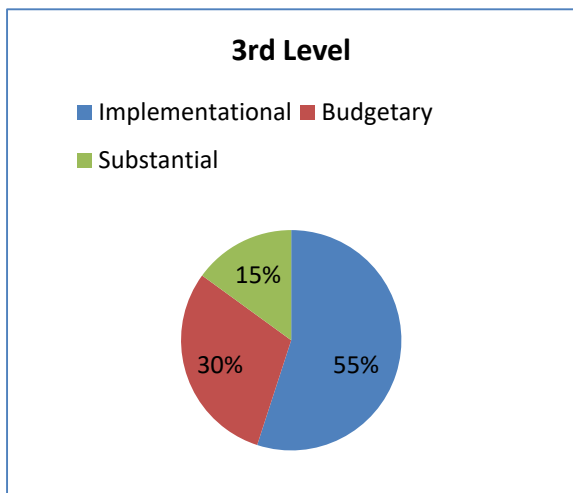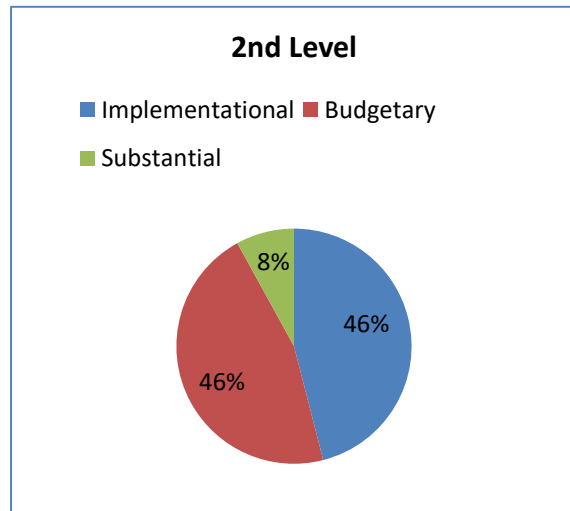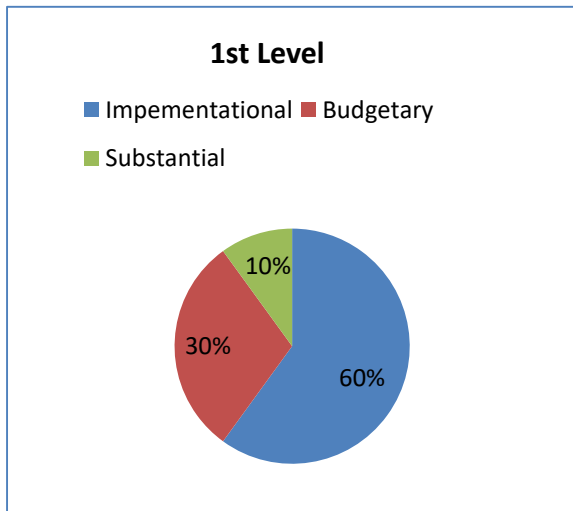
1st Level:	2nd Level:	3rd Level:
1. (Insert Input/Suggestion)	1. (Insert Input/Suggestion)	1. (Insert Input/Suggestion)
2. (Insert Input/Suggestion)	2. (Insert Input/Suggestion)	2. (Insert Input/Suggestion)
3. (Insert Input/Suggestion)	3. (Insert Input/Suggestion)	3. (Insert Input/Suggestion)
4…	4…	4…

Analysis and Follow-up Actions:

The Kosovo Security Council finds that …

In order to deal with this and further improve the National Security Strategy, the Kosovo Security Council will:

1.

2.

3.

4…

Conclusion

The development of the "Evaluation Framework" has multifaceted purposes. First and foremost, through undertaking the evaluation exercise with the developed evaluation tool, not only the explicit strategy themes are assessed but the respective structures in charge of implementing it are strengthened. Second, through conducting the evaluation in a wide-ranging manner, the transparency is increased which for an newly independent state like Kosovo is fundamental for well-functioning institutions. Transparency between the general public and the state is indispensable for democratic principles as well as the EU and the UN norms and values, institutions which Kosovo aspires to be part of in the future. Third and most important is the accountability.

The fact that after the enactment of the evaluation, the foreseen final report is made public and accessible, this could vigour precautionary measures for unlawful or ethically ambiguous decisions to be taken by different security actors as it innards the possibility of being held publicly accountable for the respective actions.

Additionally, public accountability serves as an impetus for the most crucial security actors to be at the top of their professional performance, which ultimately improves the security in the country.

Further, as elaborated in this thesis, there is an evident need of professional independence and "protection" from political interference. The security strategy of a country should reveal the realities and interests of the given country, rather than those of the given government at the given time thus the change of government in broad lines should not affect the strategic

orientation of the country from the foreign and security perspective. Therefore, this thesis suggests that KSC should have permanent professional staff or even a pool of experts that undergo necessary training to be able to encounter local, regional and global security challenges, risks and threats. In addition, they should work continuously throughout the year conducting evaluations and monitoring implementation and most importantly, they should be competent to analyse the results but also to identify the eventual hindrances on the way in order to address them but also prepare for the upcoming strategy. Moreover, as elaborated in this thesis, the inter-relation between academic expertise and practical should be a mandatory prerequisite for security strategy shaping.

Last but not least, as it is revealed by many reports of different watchdogs, most of the newly independent states are characterised by an excessive politicization of the public sector, Kosovo makes no exception. Ultimately, the politicized security sector would avoid to expose the under-performing parts of a given strategy, or even worse, try to portray it as successful. Thus with the development of the "Evaluation Framework" and most importantly with its incorporation in the system, with inclusion of professionals, we can ensure far more than an objective evaluation, we can ensure sustainability, consistency, transparency, accountability which ultimately contributes to an increased security in the country.

CHAPTER 7 - The Application of the "Evaluation Framework" through the KSC

7.1. "Evaluation Framework" as a Useful Tool for the Security Strategy Monitoring and Evaluation

This chapter will provide an in-depth analysis of the role, responsibilities and the legal framework of the Kosovo Security Council (KSC). In addition, in this chapter, we will analyse the functionality of the KSC as well as identify the legal gaps to come up with some useful recommendation for its professional enhancement along with suggestions for the incorporation of the "Evaluation Framework".

The "Evaluation Framework" developed in this study, foresees an important role for the respective council given its importance as the main advisory body for the formulation of the National Security Strategy and coordination and proper integration of security policies. In addition, based on the research, analysis and comparison, we will suggest some amendments to the *Regulation (GovRK) No. xx/2013 on the internal Organization and Systematization of Workplaces in the KSC Secretariat and Situation Centre* and not only, and we will come up with expedient recommendations in regards to enhancing the role of KSC through the "Evaluation Framework" for the benefit of not only the successful implementation of the security strategy but also for the systematic analysis through the implementation process which will ultimately reflect in an improved of the overall security situation.

After the examination of the existing legal framework and especially after series of discussions with Kujtim Bytyqi,[478] Senior Security Policy Analyst within the KSC Secretariat who has a long experience of working in the security sector in Kosovo but also possess an academic background on the security field, our findings that there is a need for a systematic evaluation of the Security Strategy were confirmed. According to Bytyqi, the Secretariat of the KSC is in charge of monitoring the Security Strategy, this is a mandate that derives from the law while there is neither specific template nor any explicit tool that would enable the application of an appropriate evaluation and accurate identification of hindrances during the implementation process. The issue of proper monitoring and evaluation is a widespread problem amongst other institutions as well, primarily because of the lack of human resources and clearly specified terms of reference, and mechanisms or tools of evaluation for such tasks. Even when

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[478] Kujtim Bytyqi, (Senior Security Policy Analyst, Secretariat of Kosovo Security Council) interviewed by Shkëndije Geci Sherifi. February 2019.

monitoring occurs, very often no reports on the findings are submitted. Thus, according to him the provision of a well-founded tool in compliance with the law would have made the monitoring work much more effective and valuable. Given that the new Security Strategy of Kosovo is in the process of drafting, the "Evaluation Framework" could be embraced in the Action Plan of the strategy as a proper monitoring and evaluation tool according to the Senior Policy Analyst of the KSC. This idea was further discussed with the National Security Strategy Working Group Chair, the Deputy Minister of the Ministry of the Kosovo Security Force, Burim Ramadani,[479] who expressed readiness to consider it. In addition, according to the Kosovar Centre for Security Studies, the analysis of the security information has not really occurred in the past. Consequently, the failure of not analysing properly the security information would make the activity of KSC difficult.[480] Thus "Evaluation Framework" will serve as an adequate tool to fill in this gap as it entails information gathering as well while providing expedient results given that this tool has been developed based on reliable security theory, academic research and professional practice.

7.2. The Role and Legal Mandate of the Kosovo Security Council

Herein, I will provide an analysis of the current KSC functioning, legal base and how the 'Evaluation Framework" will fit in in this mechanism while expounding suggestions and recommendations for the relatable alternations.

The Kosovo Security Council was established in 2008 based on the Constitution of the Republic of Kosovo and the Law no. 03 / L-050 on the Establishment of the Kosovo Security Council. [481]

The Constitution of Kosovo namely article 127,1 authorizes KSC to develop the National; Security Strategy of the Republic of Kosovo in coordination with the President and the Government of Kosovo.[482]

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[479] Burim Ramadani, (Deputy Minister of the Ministry of Defence, expert on security) interviewed by Shkëndije Geci Sherifi. January 2019.
[480] Kosovar Center for Security Studies, *Vlerësim i rëndësisë së Këshillit të Sigurisë së Kosovës në sektorin e sigurisë* (Pristina: Kosovar Center for Security Studies, 2008), 5,
http://www.qkss.org/repository/docs/Vler%C3%ABsimi_i_rend%C3%ABsis%C3%AB_s%C3%AB_K%C3%A Bshillit_t%C3%AB_Siguris%C3%AB_s%C3%AB_Kosov%C3%ABs_n%C3%AB_Sektorin_e_Siguris%C3% AB_268042.pdf.
[481] See article 17 of the Law on the establishment of the Kosovo Security Council:
"Ligji Nr. 03/L-050 për Themelimin e Këshillit të Sigurisë së Kosovës," Gazeta Zyrtare e Republikës së Kosovës, accessed March 5, 2019, https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2521.
[482] "Constitution," Republic of Kosovo.

The Constitution stipulates that the KSC is headed by the Prime Minister, with the support of the Government, except in a state of emergency when the KSC is chaired by the President of Kosovo.[483] In such situations, it is required that KSC exercises its executive functions in full collaboration with the Government, Assembly and international authorities. Thus, the composition of the KSC differs in dependence of the situation, whether it is a normal situation or a state of emergency.

In a normal situation, the KSC is chaired by the Prime Minister whereas executive members consist of:

- Deputy Prime Minister(s);
- Minister for the Kosovo Security Force (now Minister of Defence);
- Minister of Foreign Affairs;
- Minister of Internal Affairs;
- Minister of Justice;
- Minister of Economy and Finance;
- Minister of Returns and Communities;

Advisory members:

- Representative of the President of the Republic of Kosovo;

Composition of KSC in state of emergency is chaired by the President whereas executive members consist of:

- Prime Minister
- Government Minister
- Advisory members:
- Director of the Kosovo Intelligence Agency;
- Senior Security Advisor to the President;
- Security Advisor to the Prime Minister;
- General Director of the Kosovo Police;
- Commander of the Kosovo Security Force (now Commander of KAF);
- Secretary of the Kosovo Security Council;
- Director of the Department of Emergency Management of the
- Ministry for Internal Affairs.

Article 127/1, page 47-48.

[483] Government of Kosovo, *Analizë e Rishikimit Strategjik të Strategjik të Sektorit të Sigurisë së Republikës së Kosovës*, Analysis (Pristina: Government of the Republic of Kosovo, 2014), July 13, 2019, http://www.kryeministri-ks.net/repository/docs/Analiza_e_Rishikimit_Strategjik_te_Sektorit_te_Sigurise_se_RKS_06032014.pdf.

In a normal situation, the Prime Minister chairs the KSC whereas in a state of emergency, the chairing of the KSC transfers from the Prime Minister to the President. In a normal situation, the Prime Minister reports to the Government on the deliberations and recommendations of the KSC. The Prime Minister also submits an annual report to the respective parliamentary committee, which requests additional reports and organizes hearings related to the work of the KSC. In a state of emergency, the KSC informs the Assembly of Kosovo of its actions in the exercise of its executive powers related to the state of emergency.

The role of KSC is to make recommendations about national security strategy policies as well as to provide information and evaluations about overall security situation that would enable the Government of Kosovo to take sound decisions.[484] The coordination at strategy and policy-making level engages the following institutions: Prime Minister and Government Ministers, President, Assembly, International authorities, Kosovo Security Force, Kosovo Intelligence Agency, Kosovo Police, Kosovo Customs.

According to the current mandate and the existing documents, it is evident that KSC has the role provide advice about the policies of the national security strategy but also to assess and evaluate the security situation. The latter as described above is done for the purposes of taking decisions by the side of the Government that would be grounded. However, these two issues namely the evaluation of the security situation and the shaping of the security strategy policy do not seem to be intelligibly interrelated.

KSC in addition, is required to ensure written comments about all project laws that are related to the security sector and its institutions. It is obliged to review the ten-year plan of the KSF, to review the annual platform of intelligence and the strategic priorities of Kosovo's Intelligence Agency, to review the policy and strategic plans presented by the Minister of Internal Affairs related to the Kosovo Police and the Customs Service, to review the Foreign and Security Policy, drafts of all treaties and international agreements that have to do with the security and the creation of relations between state security agencies and their counterparts abroad. It further advises the President and the Government of Kosovo for establishing of security institutions and Agencies in operations outside Kosovo.

Article 16 of the respective law foresees supporting bodies thus KSC has its Secretariat that is regulated by secondary legislation. The Secretariat is chaired by the Secretary of the KSC, who is appointed by the Committee for Senior Public Appointments, in accordance with the

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[484] Ibid.

applicable law. The Secretary is appointed by the Senior Public Appointments Committee and reports directly to the Chair of the KSC. The Secretary of the KSC reports directly to the Chairperson. The Secretariat of the KSC is responsible for: preparation of periodic reports and analysis for the Government of the Republic of Kosovo, for coordination and drafting of security strategy and policies in Kosovo, including capacity building, policy instruments and research; and for providing administrative and functional support to the KSC.[485]

Another important supporting body of KSC is the Situation Centre. Situation Centre is in charge of providing timely situational awareness. In addition, the Situation Centre coordinates the operational response activities and serves as an operational centre for gathering information, basic analysis, and support of crisis management as stipulated in article 17 of the respective law.[486] According to these legal acts, the Director of the Situation Centre is a civil servant appointed by the Secretary of the KSC in consultation with the chairperson of the KSC. The Director is under the supervision and reports to the Secretary of the KSC. The personnel of the Situation Centre also comprises of civil servants appointed by the Secretary of the KSC. Situation Centre prepares reports and analysis that through the Secretary of the KSC are submitted to the KSC.

In addition to the Secretariat and the Situation Centre, the law requires the Prime Minister to establish an Intelligence Committee. In principle this Committee would have been responsible for coordinating the intelligence activities of the organizations and agencies represented in the Committee such as the KSC, the Kosovo Police, the Kosovo Intelligence Agency, the Kosovo Security Force and the Customs Service. The purpose of the coordination function of the Intelligence Committee is to ensure that the policies of the Government in intelligence sector are being carried out according to the priorities set and ensure efficient inter-agency cooperation and the sharing of intelligence. The Intelligence Committee was formally established but it has never become functional nor taken any action, as mandated by law, in the area of intelligence coordination.[487]

In regards to the implementation of the law from the KSC related to the Security Strategy, article 2.1 of the Law on the Establishment of the KSC[488] stipulates that the KSC develops and reviews the Security Strategy of Kosovo. Thus, in 2012, the Government of Kosovo mandated

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[485] Ibid, 24.
[486] "Ligji Nr. 03/L-050," Gazeta Zyrtare.
[487] Bytyqi, interviewed by author.
[488] "Ligji Nr. 03/L-050," Gazeta Zyrtare.

a strategic review of the security sector.[489] For this purpose, the Government established a steering committee chaired by the Minister of the Kosovo Security Force. The steering committee comprised of the Minister of the Kosovo Security Force, the Minister of Internal Affairs, the Minister of Foreign Affairs, the Director of the Kosovo Intelligence Agency, the Prime Minister's Security Advisor, the Secretary of the Kosovo Security Council, the Commander of the Kosovo Security Force, the Director General of the Kosovo Police and the Director of the Agency for Emergency Management. The KSC Secretariat is entitled to serve as the secretariat of the steering committee providing logistical and administrative support to the review process.

After the discussions with senior officials of the KSC and based on an internal document of the Secretariat that deals with the Legal and Institutional review[490] (primary source) two remarks are drawn, first, the KSC is not mentioned as the institution that leads the review process. Instead, a new steering committee was established which may be difficult to qualify as a committee of the KSC. Second, the KSC Secretariat's involvement is purely administrative and it does not involve the KSC Secretariat's capabilities in the area of political and security analysis. This kind of action diminishes the real substantive role of the KSC, which as described above, at least from the legal point of view, KSC is supposed to make the utmost of its professional capacities. Further, according to Article 2.7, KSC is supposed to review the foreign and security policy, the drafts of all treaties and international agreements relevant to security, and the establishment of relations between national security agencies and foreign counterpart agencies or organizations. In this light, the involvement of KSC's involvement is quite limited whereas there is no specific description in the law nor in the respective regulation that explicates the issue of monitoring and evaluating the strategy. What we suggest through this thesis is to ultimately utilise the existing capacities within the KSC, to upgrade them professionally through relevant training as necessary, to keep them unconditionally specialised and free from political influence, in order to have a proper monitoring as well as a correct evaluation of the strategy implementation based on reliable theory and praxis. The empowerment of the KSC through this approach would enable a successful implementation of

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[489] Decision No. 09/67 of 21 March 2012 of the Government of Kosovo:
Government of Kosovo, *Vendim,* Decision (Pristina: Government of the Republic of Kosovo, 2012), July 13, 2019, http://www.kryeministri-ks.net/repository/docs/Vendimet_e_Mbledhjes_se_67-te_te_Qeverise_se_Republikes_se_Kosoves_2012.pdf.
[490] Secretariat of the Kosovo Security Council, *The Kosovo Security Council: Institutional and Legal Review,* Internal Document of the Kosovo Security Council (Pristina: n.d.).

the strategy convincingly. Thus, this thesis through the development of the "Evaluation Framework" provides a comprehensive scheme of evaluation that provides KSC with a standardized evaluation method that evaluates the strategy progressively which means it gathers insights of the security situation in the country throughout five year evaluation periods (in the chapter about the "Evaluation Framework" the process and timeframe are elaborated in detail). Therefore, the vast importance of the "Evaluation Framework" lies in the fact that it does not only evaluate the strategy itself but through the process of evaluation, it sheds light upon the overall security situation in the country. Furthermore, it also shows how the three levels of security: *individual, state and international* perceive the strategy as well as the security situation. Thus, we consider that the most appropriate mechanism to carry out this action of an essential importance is precisely the security KSC for the very reasons stated above. First it is one of the most important security body, it has the legal basis to conduct such an activity, it is within its mandate and through the "Evaluation Framework" it only extends its activity and does a profound evaluation in a systematic, comprehensive and periodic manner.

According to an Assessment of the Kosovo Security Council Role in the security sector conducted by the Kosovar Centre for Security Studies, there are different types of threats in Kosovo while there is still a lack of a mechanism that would identify risks on periodic bases. The current legislation, in strategic level, defines the role of KSC in discussing and identifying threats and risks to Kosovo.[491] In fact, this is exactly what we propose through the "Evaluation Framework" in this study given that the role of KSC is clearly defined whereas there is a lack of an expedient tool that would manifestly outline how to do periodically monitor and evaluate the strategy and identify potential risks.

The KSC through employing the "Evaluation Framework" will contribute to the proper shaping of policy and the decision-making which ultimately can create the premise for the effective implementation of these policies. This approach clearly shows the level of importance of inclusion of the three levels (individual, state and international) through key stakeholders that affect the drafting and upgrading of upcoming security policies.

The composition of the KSC is of particular importance especially for the accurate and successful implementation of the "Evaluation Framework". According to the article 3 of the

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[491] Kosovar Center for Security Studies, *Assessment of the Kosovo Security Council role in the security sector* (Pristina: Kosovar Center for Security Studies, 2008), http://www.qkss.org/repository/docs/Assessment_of_the_Kosovo_Security_Council_88143.pdf.

Law on the Establishment of the Kosovo Security Council[492] the KSC consists of the following permanent members with an executive authority: Prime Minister, Deputy Prime minister, Minister of the KSF, or deputy minister in his/her absence, Minister of Foreign Affairs or his/her deputy if absent, Minister of Interior or deputy minister if absent, Minister of Justice or deputy minister if absent, Minister of Economy and Finance or deputy minister if absent, Minister for Return and Communities or his/her deputy in case of absence In case if none of the permanent members of the KSC belong to the Serb community, the Prime Minister appoints an additional member from the Serb ministers as a permanent member of the council with an executive authority.[493] In order to carry out the evaluation, we have envisioned the inclusion of the Buzan's five sectors of security (Political, Military, Economic, Societal, and Environmental), therefore, conducting of the evaluation should be preferably carried by respective experts within the KSC. If we have a look at the *Regulation (GovRK) No. xx/2013 on the internal Organization and Systematization of Workplaces in the KSC Secretariat and Situation Centre* Section III about Coordination Committees, article 17 on the Working body of the KSC stipulates that:[494]

"The Head of the KSC or KSC Secretary upon the approval of the KSC Chair may create permanent or provisional working groups for the development of activities beyond the usual domain and which are of complex nature for the specific KSC organizational unit, to ensure the fulfilment of the mandate, coordination and monitoring of the implementation of Action Plan, implementation of the Kosovo Security Strategy, implementation of projects, KSC work programme as well as coordination and monitoring mechanisms".[495]

The regulation further specifies that these groups may be in-house committees, expert teams and other bodies depending on the area they will deal with and can be comprised of KSC members, Directorates and Sectors. So, based on this existing regulation, the "Evaluation Framework" can be conducted precisely as foreseen, through a permanent group of experts within the KSC fulfilling the mandate of the monitoring of the implementation of the Security Strategy with the given parameters. This form of evaluation might look rather complex at first

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[492] "Ligji Nr. 03/L-050," Gazeta Zyrtare.

[493] Ibid.

[494] Government of Kosovo, *Regulation (GRK) no. 42/2013 on the Internal and Systemization of the Workplaces in the Kosovo Security Council Secretariat and Situation Centre* (Pristina: Government of Kosovo, 2013), 28/32, July 13, 2019, http://www.kryeministri-ks.net/repository/docs/Rrregullore_(QRK)_nr__42__2013_per_organizimin_e_brendshem_dhe_sistematizimin_e_vendeve_te_punes_ne_Sekretariatin_dhe_Qendren_e_Situatave_te_KSK.pdf?fbclid=IwAR23N3UVUISARuQReWtVog0OhyIg0bgvT3CyjbKcH7SeXL9iw5PDTkgBrkA

[495] Ibid.

glance, however, given its immediate as well as long-term impact, it will affluence the work of the KSC in terms of the successful implementation of the Security Strategy.

Other no permanent executive ministerial members can be nominated from the Chair of the KSC with a temporary status. In addition, KSC includes these permanent members with an advisory role: a representative of the President of the Republic of Kosovo, director of the Kosovo Intelligence Agency, a senior adviser of the Prime Minister, Prime Minister's security adviser, General Director of the Kosovo Police, KSF Commander, KSC Secretary, Director of the Department for the management of Emergencies of the Interior Ministry, director of Customs. Additional members in the capacity of advisors with a temporary status can be nominated by the chair of KSC as needed.

The president of the parliamentary commission for security as well as the president of the Parliamentary commission for the rights and interests of communities can take part as observers.

The oversight of the KSC is regulated by the article 9 of the Law on the Establishment of the Kosovo Security Council.[496] The Chair submits an annual report of activities to the respective parliamentary committee whereas the committee can request reports on specific activities of the KSC whenever deemed necessary. In addition, the relevant committee of the Assembly of Kosovo may organize hearings on issues related to the work of the KSC which the Assembly requests to present.

In the framework of the legal basis for the functioning of the KSC it is important to mention the Transitional Provisions regulated by the article 20 of the respective law that stipulate that KSC exercises its functions without prejudice to the specific mandates of international organizations as defined by status resolution and the Constitution.[497]

Hence, we can summarize that the role of KSC is to formulate the overall security strategy and policy, to prepare the sectorial security policy and strategy review, it has executive functions, it provides advisory services it does the interagency coordination and is in charge of information gathering, processing and analysis granted by constitution and law. However, the level of implementation of the law is not satisfactory as the KSC's role in the development and especially in monitoring and review of the security strategy is limited since the Government in the past established a steering committee outside of the KSC which means that the capacities

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[496] Ibid.
[497] Ibid.

within the KSC were not fully utilised. Moreover, KSC did not submit annual reports to the Assembly as a control mechanism defined by the Constitution of the Republic of Kosovo, which presents an immense drawback in the exercising a democratic oversight of the KSC.

The KSC should represent above all an inter-institutional coordinating mechanism between the political level such as Prime Minister, Government, President and Assembly and the security institutions with executive functions such as Kosovo Security Force, Kosovo Intelligence Agency, Kosovo Police, and Kosovo Customs. Lack of a proper inter-institutional and inter-agency coordination leads to the failure to successfully implement the Security Strategy. In fact, overall coordination as defined by law, is crucial for well-functioning of the security system of Kosovo in general. Therefore, KSC needs to be empowered even more with an operational autonomy so that co-ordination between the political and the functional level is unavoidable.

To this end, another very important element which is crucial for the well-functioning of KSC is its staff. The Law requires that staff employed with the KSC supporting bodies must meet the standard requirements for employment in the Kosovo civil service but that does not mean that they have to be civil servants. The Internal Regulation of the KSC specifically labels staff employed with the KSC as civil servants. This means that the legislation on civil service is directly applicable; however, this may not be appropriate for staff working in the security sector as officers employed with other security institutions are not civil servants. They are public employees whose employment relationship is regulated by special laws but they are not subject to civil services regulations, the Law Civil Servant specifically excludes these categories:

1. The teaching staff of the education system, the medical staff of the health service, creators and art performers, Police Officers of the Kosovo Police, Customs Officers of the Kosovo Customs, Correctional Officers of the Kosovo Correctional Service and Members of the Kosovo Security Force, political appointees and all the persons appointed in positions by the political appointees and members of their cabinets, starting from the cabinet of the President, President of the Assembly, Prime-Minister and cabinets of the Ministers.

2. Officials elected to positions in the institutions of the public administration and officials appointed by elected officials to specific positions are not Civil Servants.

3. Personnel employed in the cabinets of public officials are not Civil Servants.

4. The personnel employed by the institutions of the public administration in the central and municipal level responsible to carry out support and maintenance work are not Civil Servants.[498]

The terms of employment of personnel employed in security institutions, other than purely administrative staff, is regulated by special legislation related to the particular security institution. This is done in order to adapt the terms of employment to the specific needs and operational requirements of the respective institution. However, there is no such specific legislation for the personnel of the KSC although its personnel also perform security sensitive tasks and is subject to security clearance procedures. Even the Secretary of the Secretariat of the KSC is a civil servant with a three-year mandate. This is a rather short mandate in terms of the Security Strategy given the core role of the KSC in this process which means that the consistency may be disrupted especially in terms of implementation given that it is the secretariat that is in charge of monitoring and evaluating the implementation. This is an issue that should be addressed and resolved accordingly. Recruitment of a professional staff for the supporting bodies of KSC is of paramount importance given the competencies and the duties they are supposed to undertake according to their mandate. Especially for the application of the "Evaluation Framework" professional expertise is required, and this could be a major challenge if there are political and other interferences during the recruitment process in addition to the evident legal obstacles. Even in cases where there are inevitable "influenced" recruitments, application of the "Evaluation Framework" mitigates eventual interferences because of its special design that does not allow for an immense deviation from the specialized field in question. However, not only the recruitment of professional staff but continuous in-service training is something that KSC should apply on regular basis.

Based on the above written analysis, we can suggest that the application of the "Evaluation Framework" through the mechanism of KSC could be undertaken in two ways:

First, by utilising the existing structure through the permanent professional staff of the supporting bodies. This could employ different distribution of work namely delegation of tasks accordingly. The Situation Centre for example has 8 staff that are activated only in occasions where they are required to exercise overall emergency coordination functions. According to the discussions with the KSC staff, this has happened only once, so far. Basically the staff of

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[498] See Law No. 03/L-149 on Civil Service, Article 4:
Assembly of Kosovo, *Law On the Civil Service of the Republic of Kosovo* (Pristina: Assembly of the Republic of Kosovo, 2010), 3, http://www.kuvendikosoves.org/common/docs/ligjet/2010-149-eng.pdf.

the Situation Centre is primarily busy with preparing daily reports with input provided by the different security institutions. On the other hand, the Secretariat has only 3 staff members assigned to conduct analysis and prepare policy and strategic documents, which may explain the Secretariat's weak exposure in the area of review of legislation and policies which brings us to the second proposal, *which is through the overall restructuring of the KSC which could potentially happen through the amendment or even change of the existing law*. Regarding the change of law, there is an exclusive opportunity as the security legal framework of Kosovo after the approval of the transformation of the KSF into an Army, is undergoing through substantial changes. These changes affect KSC even though mostly of technical nature, there is a unique momentum to strengthen the KSC from all aspects as described above.

7.3. Enhancement of the Kosovo Security Council

In order to have a proficient performance of the KSC that would meet the democratic standards including transparency and accountability, given its importance for the security of the country, we will suggest some amendments and recommendations.[499]

The following policy proposals will enhance the status and the role of KSC as well as make the incorporation and practical use the "Evaluation Framework" feasible in the specific case of Kosovo:

- The empowerment of KSC initially should happen through the full implementation of the constitution and current law until the eventual amendments take place. This has to be implemented along with a full political support that provides KSC with status as defined by law;

- The role and status of KSC should be maintained and respected through the political will while actions that minimize the role of KSC or duplicating its efforts by creating other parallel mechanisms should not take place. The professional potential of the KSC staff should be continuously trained accordingly and utilised through exercising their professional duties with authority as mandated by constitution and law;

- In regards to the drafting of the Security Strategy as determined by constitution and law, KSC staff in charge of it, during the drafting period should deal solely with the

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[499] Some of the recommendations have been generated in consultation with competent professional staff of the Secretariat of the KSC.

Security Strategy drafting and preparation process and not handling simultaneously other duties that may distract them (during the discussions I had with the KSC staff, they confirmed this is the case);

- The Intelligence Committee needs to become functional. It should be the only institutional platform that would coordinate the intelligence activities of the various security institutions. There should be a mutual trust and high professionalism among security institutions thus the information sharing should flow without hindrances for the sake of proper coordination and the taking of rightful decisions;

- The organisational structure within the KSC in terms of reporting and distribution of tasks should change. Through the restructuring The KSC Secretariat's capacity to prepare and provide security related analysis and reports should be strengthened. The present separation of reporting and analysis functions between the Secretariat and the Situation Centre leads to efficiency losses due to an inadequate allocation of human resources;

- The status of KSC personnel should be enhanced similarly with other security institutions taking into consideration the fact that KSC personnel is exposed to the same constraints and risks as the staff of other security institutions. Therefore, KSC personnel should have a special status and not be civil servants. The more adequate status would be that of a public employee, as defined in the Law on Civil Service;

- The law governing the KSC should regulate the terms of reference as well as the

- The KSC Secretary should be appointed by a consensus of the Prime Minister and the President given that his/her position is of highly sensitive nature rom the security and policy point of view.[500] The Secretary represents one of the key factors in the overall relations and communication of the relevant security institutions. The Secretary provides the necessary input to strategies, policies and legislation in the security sector and as such requires maximal political support and legitimacy.

With the recommended improvements to the institutional infrastructure of the KSC and amendments to the law, the KSC could become a valuable and highly operational instrument for formulating and implementing effective security policies, strategies and legislation. In addition, the application of the "Evaluation Framework" through the mechanism of KSC

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[500] The practice has shown that due to different government coalitions, there are cases when the Prime Minister belongs to a certain political party while secretary belongs to another and the communication is not the best.

through a highly competent approach with professional staff with adequate expertise can ensure not only a successful implementation of the security strategy but at the same time identification potential implementation problems that can be addressed, remedied and avoided, thus evading various security threats. Last but not least, a very well-coordinated inter-agency cooperation, supported by the political level namely the PM and the President, will ensure that KSC and its supporting bodies will be functional and effective.

7.4. Shaping the New National Security Strategy of Kosovo

The National Security Strategy of Kosovo determines national interests and strategic objectives of Kosovo in line with principles and values of the Constitution of the Republic of Kosovo.

Below, I will provide an in-depth analysis of the current state of play of the new Security Strategy of Kosovo that is currently in the process of drafting. According to the analysis I conducted, some of the elements of most up-to-date practices as elaborated in this study, have been included in the current formulation process but there are still constrains, some of them derive due to the lack of the state institutional experience, lack of consistency in terms of professional staff engagement, vague institutional memory and most importantly, politicization of the key positions that in one way or another affect the proficient flow of the process. Regarding the assessment of the strategy, which this thesis primarily focuses on, the staff in charge of it, namely the Secretariat of the KSC has recognised the need for the application of a specific tool such as the "Evaluation Framework", as this will ensure a successful implementation of the security strategy.

The objective of NATO and EU integration can be clearly seen in many security strategies of newly independent states, i.e. Croatia that was elaborated it in a separate chapter. Kosovo's new strategy will contain a separate chapter on this issue and it will be expounded in this study, too.

This is also compatible with the five sectors of the security: Military, Political, Economic, Society and Environment. Based on the discussions with the professional staff of Secretariat of the KSC, the new security strategy of Kosovo will have a detailed action plan with concrete undertakings and set deadlines. There is a detailed action plan[501] for the drafting process as well.

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[501] See the Action Plan of the process of the formulation of the Security Strategy in the annex 8.

Dr. David Law claims that National Security Policy should ensure extensive ownership to the security policy deepening thus the discussion and cooperation among professional, government and party lines. So, he suggests an inclusive political and inter-institutional collaboration. This dialogue can contribute to the creation of a value-based consensus and the core national interests against wide range of risks that challenge these values and interests.[502] While he claims that security policies are instruments for building trust at regional and international level we can agree and ad that the same applies and is as important at the domestic level namely at the individual and state level since this trust ultimately translates into the regional and international level. This is why the three levels of security are not only important but also indivisible. He further mentions the principles of an effective and democratic policy for development of the security policy that we think that the new National Security Strategy of Kosovo and security policy formulation in general should embrace are: Inclusion and Response; Debate and Consensus; Broad inspection of threats; Transparency;; International considerations; Respect for international law; Continuous observation and evaluation of threats.[503] Especially the latter is of a paramount importance for this study as it implies that through the continuous monitoring the threats are identified, evaluated and through proper evaluation, preventive measures take place.

In this light, through the proposed evaluation I have included most of these principles with the intention of reviewing it from the perspective of implementation in practice. Thus, through the application of the "Evaluation Framework" w a greater transparency from the side of the implementing institutions but at the same time increased accountability is ensured. The application of the respective tool on periodic basis, ensures continuous observation and evaluation of threats and not only thus enables the evaluating mechanism in this case KSC to timely identification of threats, consequently dealing with them properly. Further, it implies the international considerations given that international level is an inherent part of the "Evaluation Framework". This approach is also supported from the former president of Albania Rexhep Meidani who states that it is advisable, even legally binding that the basic document of the national strategy be revised periodically, to reflect the changes objective and subjective, internal (political-institutional and socio-economic) and external (global, regional) that directly

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[502] Law, "Praktikat më të mira," *Mbi Zhvillimin,* 13.
[503] Ibid, 22-23.

or indirectly affect this security.[504] Hence, the most appropriate way for such a review would be a custom-built three level "Evaluation Framework".

The SSSR in 2014 came up with some important conclusions and recommendations that after the approval by the Kosovo Security Council and then the Government of Kosovo, ministries are authorized to begin implementation of respective recommendations. For the purposes of this study, we will pay a special attention to following specific recommendations related to the National Security Strategy:[505]

- To facilitate the implementation of the recommendations included in this SSSR, the Kosovo Security Council shall, in coordination with the President of the Republic of Kosovo, direct a review of the existing National Security Strategy and develop a new National Security Strategy for approval by the Government and submitted to the Assembly for final approval.

- This review and presentation of a new National Security Strategy for approval shall occur not later than the end of September 2014.[506]

The second recommendation obviously is not accomplished while according to Burim Ramadani,[507] Kosovo expert on Security Issues, the completion of the National Security Architecture implies completion of Kosovo's statehood. He reaffirms that for a newly independent state to be complete, the security architecture is the key denominator, while stressing that alongside the security institutions, equally important and of priority are the new and comprehensive security policies. According to Ramadani, comprehensive and professional approach to security, should be based on two basic dimensions: reform, comprehensiveness and professionalism[508]. This kind of approach is reassuring that the current process of the national security strategy formulation will consider not only the drawbacks of the previous strategy but also take into consideration all developments at the security arena while putting an

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[504] See the part by Dr. Rexhep Mejdani, writing for the Institute of Democracy and Mediation:
Rexhep Mejdani, "Disa Mendime mbi Rishikimin e Dokumentit të Strategjisë," *Mbi Zhvillimin e Strategjisë së Sigurisë Kombëtare* (Tiranë: BOTIMET TOENA, 2007), 26, http://idmalbania.org/wp-content/uploads/2014/10/MBI-ZHVILLIMIN-E-STRATEGJIS%C3%8B-SE-SIGURISE-KOMBETARE_2007.pdf.
[505] Government of Kosovo, *Analysis of the Strategic Security Sector,* 55-59.
[506] Ibid.
[507] Burim Ramadani, "Siguria e Kosovës, kërcnimi nga moskompletimi dhe 'shteti i brishtë'," Gazeta Express, accessed March 6, 2019,
https://www.gazetaexpress.com/oped/siguria-e-kosoves-kercenimi-nga-moskompletimi-dhe-shteti-i-brishte_23 Qershor 2017.
[508] ibid

emphasis on the reform and above all professionalism as only by engaging experts the security policies will be comprehensive. Therefore, security sector reform implies fulfilment and improvement in two dimensions: both structure and content. When discussed with Mr. Ramadani, in his capacity as a deputy minister of the newly transformed Ministry of Defence, former MKSF, he underlined that the professionalism of the security sector, is a dynamic issue and according to him, it should be divided into three sub-dimensions: neutrality, human component and technical component[509]. Neutrality being the core content of professionalism in the security sector as through it the professionalism is achieved. In this light, the development of the "Evaluation Framework" has taken into consideration the actual state of play of the overall security situation in the country while its application, once the new Security Strategy formulation is completed and starts to be implemented will increase the performance and ultimately the professionalism of the given institutions. He further gave emphasis to the human component in the security sector claiming that it is fundamental especially in specific areas to engage civilian expertise on the security sector. In addition, regarding the current process of the security strategy formulation, he confirmed that in the drafting process along with relevant institution representatives, the Economic Chamber is included.[510]

To better comprehend the current state of play of the security strategy, it is important to give an in-depth analysis of the process, content wise.

The decision on the establishment of the Working Group for drafting the National Security Strategy of Kosovo was been taken by the Prime Minister of Kosovo on 17 August, 2018. This decision was based on the article 94 paragraph 5 as well as article 127 of the Constitution of Kosovo[511] further based on the article 2.1 of the Law on the Establishment of the KSC[512] and article 6 paragraph 4. 1 of the regulation number 02/2011[513] for the Areas of Administrative

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[509] Ramadani, interviewed by author.
The fact that he is also expert of the respective field is encouraging and optimistic. The final recommendations of this study will be submitted to the Working Group and other relevant institutions of Kosovo that aim the achievement of a comprehensive National Security Strategy that will eventually embrace new methods of evaluation and accurate assessment of the challenges and problems to be addressed
[510] ibid

[511] "Constitution," Republic of Kosovo.
Article 94 and Article 127, in pages 33 and 47-48.
[512] "Ligji Nr. 03/L-050," Gazeta Zyrtare.
[513] Government of Kosovo, *Regulation No. 02/2011, On the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries* (Pristina: Government of the Republic of Kosovo, 2011), July 13, 2019, http://www.kryeministri-ks.net/repository/docs/Rregullorja_02-2011-e_miratuar_nga_Qeveria-finale.pdf.

Responsibilities of the Office of the Prime Minister and Ministries.[514] According to this decision, the Security Strategy will be drafted for a period of eight years (2018-2026).[515]

The Working Group is chaired by the Deputy Minister of the KSF while the deputy chair is a representative from the KSC Secretariat. The composition of the Working Group further consists of: an advisor from the President's Office, representatives from the KSF, Ministry of the KSF, PM Office, from the PM's Legal Office, a representative from the Committee for Internal Affairs and oversight of the Kosovo Security Force, Ministry of Internal Affairs, Ministry of Justice, Ministry of Foreign Affairs, Ministry of European Integration, Ministry for Communities and Return, Ministry of Education, Ministry of Environment and Spatial Planning, Ministry of Health, Ministry of Social Welfare, Ministry of Transport and Infrastructure, Representatives from Kosovo Intelligence Agency, Representatives from the Kosovo Police, Kosovo Customs, Agency for Emergency Management. The decision allows the participation in the capacity of experts or observers, the local NGOs, International Organizations, and Embassies present in Kosovo, domestic and international experts. The KSC determines the direction of the policies and approves the priorities that will be included in the strategy. All line ministries and other relevant institutions are obliged to respond to the requirements of the Working Group through their representatives while the drafting of the strategy is foreseen to be accomplished in a period of 6 months.

On August 20, 2018 the first meeting of the Working Group for the drafting of the National Security Strategy took place. This document was evaluated by the Prime Minister of Kosovo as one of the most important documents in the field of security while he stated that the goal of the strategy id that Kosovo from security consumer becomes a security contributor not only for its own security but for the region as well.[516] The initial stages of this process leave the impression that it is in a good path given that all relevant institutions are included in the process, civil society and other international experts, too. However, the representatives of line ministries in some cases are political without the relevant expertise in the respective field. This applies for the chair of the working group, as well. While opportunely, he happened to be an expert in

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[514] This regulation was further amended through a series of regulations: 14/2017, 15/27,16/2017 and 17/2018. See Official Gazete of Kosovo available at:
"Rregullore Nr. 02/2011 për Fushat e Përgjegjësisë Administrative të Zyrës së Kryeministrit dhe Ministrive," Gazeta Zyrtare, accessed March 6, 2019, https://gzk.rks-gov.net/ActDetail.aspx?ActID=10533.
[515] Prime Minister of Kosovo, *Vendim*, no. Prot. 1029/2018, Internal Document (Pristina: Government of Kosovo, 2018).
[516] Klotilda Saraçini, "Haradinaj : Strategjia e re kombëtare, dokumenti më i rëndësishëm për sigurinë e vendit," accessed March 6, 2019, http://ata.gov.al/2018/08/20/haradinaj-strategjia-e-re-kombetare-dokumenti-me-i-rendesishem-per-sigurine-e-vendit/.

the field of the security, yet he is a political appointee, and in case of the government change - which in this part of the world is very frequent and probable, the entire process will face a shortcoming, the only remedy would be the taking over of the Secretariat of the KSC should their role and importance be recognized as deserved, as a matter of fact, in principle, they should have a lead in this process. In this light, in regards to the current constellation of the Working Group, another concrete example is the representative of the MFA who is a political advisor of the Minister and as such not a civil servant but a political appointee, while the Ministry has a specialized Department for NATO and Security Policies and the assignment of a representative from this department to the Working Group would have made much more sense and would have been of an added value. To this end, when we have a look at the composition of the Working Group from the institutional representation perspective, it looks all right and all-encompassing while when we investigate who represents the respective intuitions, very often, our findings are not satisfactory. In the case of the MFA representation on the Working Group for the Security Strategy drafting, it is worth underlining that the MFA representative has consulted and asked for contribution from the Directors of the corresponding departments of the MFA. The directors that were asked to provide their input from the perspectives of their respective departments namely Department of NATO and Security Policy, Department for International Organizations, Department Regional Affairs and the Department for Europe and EU. The latter at the time of writing of this thesis, is headed by me. I must admit that overall contribution was rather limited in terms of timeline and content for a number of reasons. First, the input was asked in a short notice. Second, it was done in a form of a brainstorming session. Third, there were no separate sessions for each thematic department but rather in groups. Ultimately, there was not enough time available to give an in-depth analysis for the requested matters. While this might have not be the approach of the entire working group per se however, if only a couple of composite segments of the institutional representatives have a superficial approach and not offer a well-studied input to the strategy formulation, this could go at the expense of the quality of the document therefore the engagement of the permanent professional staff is a must and this is what this study recommends.

The main strategic objectives of the respective document are:

1. Sovereignty and territorial integrity
2. Strengthening, advancing and modernising institutions
3. Acceleration of economic development
4. Strategic partnership, NATO membership, regional and contribution

In terms of the content, the required input for the given institutions covered a wide-range of questions with core matters related to the strategic objectives of national security should contain however, not very coherent. The MFA was required to define the national interests along strategic and political objectives of the Republic of Kosovo, and to suggest the ways how these objectives will be accomplished. Further, to provide a plan of accomplishment and strategic objectives. An important aspect was the identification of threats and risks, their nature from the areas covered by the respective institution. Identification of the advantages and ways of promotion also challenges and available means and options to deal with them. Additionally, a contribution for constrains and risks in the implementation of the strategy was required along with the aspired strategic goals.

The MFA's contribution particularly reflected Kosovo's goals to deepen the strategic partnerships with democratic states and organisations, the United States and the EU. The relationship and strategic partnership with the US is given a priority. The strategic partnership between Kosovo and the US has always been persistent, at the domestic level. Regardless of political changes, the US remains the key ally for Kosovo. Kosovo's foreign policy is in line with US diplomacy and the general principles of international law and maintaining close relations with US is vital for Kosovo and this was clearly reflected in the given input.

Further, regarding the approach *vis-à-vis* membership in NATO, this is defined as a national goal, while Kosovo is ready to participate actively with its specialized military, police, diplomatic and institutional capacities in support of peace around the world through NATO-led missions or EU missions. It pledged that the specialized capacities of security and defence institutions will be enhanced in full cooperation and interaction with NATO based on contemporary models and NATO standards.

As far as the regional partnership is concerned, the Foreign Policy Strategy objectives are based on a set of general principles such equality, reciprocity, good neighbourly relations and respect for sovereignty. These principles not only contribute to the enhancement of the relations with neighbouring countries but at the same time they represent an important aspect of the security strategy. In the light of regional cooperation, the Berlin Process[517] where all Western Balkan countries are involved presents a success story of regional cooperation that certainly

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[517] The Berlin Process is a diplomatic initiative that promotes the cooperation of the Western Balkan Countries in their efforts to join EU. It started in 2014 in Berlin in a Conference of Western Balkan States, and then it was followed by the Vienna Summit in 2015, then Paris Summit in 2016 and the Trieste Summit 2017. The last conference was held in July 2018 in London. I was part of the group involved in the preparations for the London Summit for the Kosovo side whereas I was part of the MFA's delegation in the Trieste Summit.

contributes to the regional security. The achievements made so far, have transformed this process into an effective mechanism of regional cooperation that enhances the path towards EU integration. The last summit in the framework of Berlin Process, that took place in London in 2018 amongst three important topics (political and inherited issues such as the war crimes, missing persons and economic stability) dealt with the topic of security as well. The latter focused on law enforcement issues, counterterrorism measures and the abolition of arms trafficking, combating corruption and organized crime, as well as co-operation and exchange of information between agencies of intelligence in the field of organized crime, illicit financing and terrorism. Regarding issues such as the fight against corruption, arms trafficking, terrorism and others related to security. In this context, representatives of the Interior Ministers of Western Balkan countries including Kosovo discussed and agreed on a joint Declaration[518] on the principles of cooperation and information exchange in the field of security. Further, in terms of regional cooperation, Kosovo will spend efforts and commitments for a Smart Regional Defence that will be increased through exchange of the security and defence capacities while the contribution to global security will be through the engagement in regional and international security organizations, as well as participation in missions led by NATO or NATO member states, and the EU in support of global peace and security.

Promotion of stability and security in the region and most importantly the advancement of Euro-Atlantic path is an aim pursued by Kosovo through development and prosperity, and integration in the international system. Amongst other a special emphasis by the MFA as a contribution to the Security Strategy is given to the enhancement and strengthening the security and defence co-operation with strategic partner countries. In additional to regional relations, the strategy further defines Kosovo's commitment in enhancing global relations with the aim of contributing to peace and security by promoting national values and interests and at the same time consolidating the statehood.

7.5. Content and Procedural Advantages and Constrains

To this end, from the information obtained from the primary source documents, including contribution from the MFA, interviews and discussions with the key actors involved in the

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[518] Western Balkans Summit, *Declaration by the Chair of the Interior and Security Ministers meeting of the London Western Balkans Summit* (London: Western Balkans Summit, 2018), July 16, 2019, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/723746/Chair _s_Conclusions_-_Interior_Ministers__meeting_-_9_July_2018.pdf.

drafting of the new security strategy of Kosovo we can draw some conclusions as to advantages and constrains of this still ongoing process:

Advantages

There is a comprehensive institutional inclusiveness with relevant line ministries, security institutions and agencies, civil society as well as domestic and international experts.

Given that each involved institution is asked to provide input from their perspective as described above, this suggest that there is a decent coordination and there are no duplicated efforts while institution specific input is provided.

The very beginning of the drafting process is based on the PM's decision that is supported by the constitution, law and other relevant regulations.

In comparison to the previous strategy, this one seems to have a full local ownership and political support given it is chaired by the deputy Minister of the KSF under auspices of the Kosovo Prime Minister. National Interest values seem to have been commonly identified and agreed.

The composition of the working group makes us understand that all security sectors have been covered. In addition to the so called wider group, there is a core members group led by the KSC as a key mechanism for the coordination of this process.

The inclusion and input by the respective stakeholders especially from the civil society and think-tanks, makes the strategy more credible and at the same time increases institutional accountability when it comes to its implementation.

Publicity or rather discussion about strategy during the drafting process with wider audiences is an important aspect as it ensures transparency and ownership, too. Making it public after the approval is crucial. The latter was confirmed by the Chair of the Working Group according to him, the basic document will be public while annexes will not be published.

Constrains:

The frequency of the meetings and consultations between the actors involved in the process was not sufficient;

The working group spent only two full days in a workshop in an international security institute abroad however, after that the thorough elaboration paragraph by paragraph did not take place;

There was a tendency by some group members to use the US model of the NSS which is not applicable to Kosovo given the totally different context of power balance amongst other;

Regardless of the high level political will, individuals of the working group had the tendencies to politically influence the strategy, this has to do more with the political discourse rather than content itself. However, given the fact that the actual strategy is foreseen to cover a period of eight years means that it will potentially include another government therefore its core objectives and goals should be national security oriented rather the politically motivated.

Another evident drawback was the insufficient number of experts which with their expertise would have contributed in the quality of the document;

Currently, the strategy contains unnecessary repetitions even paragraphs that are not highly relevant and seem to deviate from its original purpose.

7.6. Projections for new Security Strategy of Kosovo

Defence and security perspective

Last but not least, in this section I will provide comprehensive analysis of how the new security strategy is projected from the viewpoint of defence and security based on a draft document[519] prepared by the then KSF and now KAF. The document is designed to serve primarily as a contribution by providing concrete suggestion and recommendation for the new Security Strategy of Kosovo from the KAF perspective.

The new Security Strategy projects the core interests for the security of the country while in terms of provision of security to the citizens, it sets guidelines how to address threats for both potential future risks but also opportunities. Security Strategy is the supreme document in terms of hierarchy compared to other security policy documents such as the Defence Strategy, or the Military Doctrine and it provides an integrated approach as it embraces a wide range of topics and strives to sketch both internal and external dangers. It integrates and coordinates the contributions of national security actors in relation to the important interests as well as risks. Overall, the document is ample in terms of relevant subject exposure.

Further, the document suggests that there are five core aims that the security strategy is entitled to comprise and proclaim: first, to ensure that the government will address all threats and risks

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[519] Ministry of Defence of Kosovo, *Kosovo Security Strategy: the Elements of Defence and Security,* Unpublished Draft Document (Pristina: n.d.).

expansively, second to enhance the efficiency of the security sector by optimizing the contributions of all security actors which suggests an inclusive approach, third, to guide the implementation of national policy, build the domestic consensus that is very important for the national concord of the country and fifth, to enhance regional and international trust and cooperation. The latter is of a supreme prominence given the historic and geopolitical context of Kosovo.

In addition, a set of very important questions is raised such as:[520]

1. When to take a review
2. Which actors should be included in the review process?
3. How is national security defined?
4. What are the current challenges and what may be happening in the future for national security?
5. What instruments are available for national security and what new instruments can be sought?
6. How does NSS address the balance between transparency and the need to maintain confidentiality in vital areas for national security?
7. Has an observer body been set up to review SSK, what measures have been taken to spread NSS and to raise public awareness of its content?

If this set of valid questions is prudently analysed it is evident that the evaluation framework for the NSS that I have developed in this dissertation not only addresses most of the raised issues but also offers sustainable solution in dealing with them while providing appropriate results in the benefit of the improvement of overall security situation and enhancement of the professionalism of the actors dealing with it. The document further elaborates on country's vital interests as well as important interests.

Consequently, based on national interests, the Security Objectives of the Republic of Kosovo have been defined. The security objectives should be drawn by an iterative examination process and have a direct or indirect connection with the preservation or advancement of national interests. Thus, security objectives and interests such as: "independence, sovereignty and territorial integrity; constitutional order; sustainable economic development; life, welfare, property and security of citizens; regional stability and membership in international organizations";[521] integration and cooperation with the European Union and Euro-Atlantic

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[520] Ibid.
[521] Government of Kosovo, *National Stabilisation and Association (NPISAA).*

structures are put very broadly in the document whereas their further specification and implementation is planned to be achieved through relevant line ministries. The document further elaborates security context of the Republic of Kosovo which has a great importance in the shaping of the security strategy especially from the defence perspective. The geostrategic position of Kosovo and its surrounding with small states is an important element to be taken into consideration for the security strategy. Western Balkan region has undergone a turbulent history characterized with invasions, annexations, confrontations, failed states, divisions, ethnic cleansing other hatreds that have occurred this region for centuries. All of these have left traces that require time and effort to disappear completely. As William T. Johnsen puts it: "Only through an understanding of these conditions can policymakers make informed decisions on the ends, ways and means to resolve situation"[522] thus putting an emphasis on the importance on the thorough understanding of historic circumstances that offer an informed insight that contribute to the equitable policy making. From this end, the strategy document underlines that the region has entered a new era of co-operation under the spirit of democracy, however, the overall positive spirit will be face hindrances every now and then. Hence, the presence of NATO, the EU and other international organizations in the region is a good guarantee for the progress of the countries in the region. This will be necessary for a certain time until countries of the region achieve sustainable stability and full normalization of relations. The spirit of regional cooperation is promoted in several EU-led processes and Kosovo is opt for the normalisation of relations with Serbia while enhancing already good neighbouring relations with all countries of the region ascertaining in this way that it's a factor of peace and stability.

The New Security Strategy of Kosovo should act and evolve in line with the fundamental changes in the security and defence concept thus, the development of the capacity of institutions and security elements and the concept of their use at the national and international level should be in harmony with the evolution of threats, risks and opportunities that may implicate Kosovo and the region over the next decade. Thus, Kosovo should be able to keep up with the global security challenges in a rapidly changing security environment. This environment is also determinant in the doctrine, organization, equipment, training, leadership, personnel, infrastructure and standards of the Armed Forces of Kosovo. Kosovo promotes good neighbourly relations with all its neighbours. It is important to underline that Kosovo has no territorial claims towards its neighbours and expects this approach to be reciprocal. International presence is still regarded as crucial thus, NATO, the EU and other organizations

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[522] Johnsen, *Deciphering the Balkan Enigma*, 3.

represent factors that help maintaining peace and regional stability. Regional co-operation is expected to have an increasing scope in the political, economic and security fields. Ever since the declaration of independence, Kosovo makes continues efforts to become part of the regional security fora and it has undertaken joint regional exercises, mutual assistance in civil emergencies etc. Kosovo is as well as engaged in other areas in the framework of a developing 'smart defence'.

The integration into Euro=Atlantic structures along with the integration in regional an security organisations is regarded as a precondition for a stable, peaceful and sustainable region, and is therefore Kosovo is deeply committed to promote the spirit of regional cooperation.

The strategy has been further examined from two angles, political and military. In regards to the political perspective, as elaborated in this thesis, through PfP Kosovo intends to start a new chapter of cooperation and partnership with NATO that represents a great portion to full integration into the Euro-Atlantic structure. Ultimately, Kosovo intends to open the possibility of signing 47 bilateral agreements with PfP members. In this sense, Kosovo will have a very beneficial opportunity of opening a diplomatic mission at NATO's political and military headquarters which would consequently enable the participation in NATO political and diplomatic fora, as well as access to funds and calls for NATO funding in the region, dedicated to institutions and civil society.

In regards to the military aspect, Kosovo intends to participate in joint military exercises with NATO members and PfP members in order to gradually become involved in the geographic groups of battle-groups, benefiting from direct access to seven various training centres. This would ultimately open the possibility for sending members of KAF to military academies in partner countries thus enhancing professional expertise. This is in fact what this thesis has substantiated: Kosovo should move from the security consumer into a security provider status.

Conclusion

In conclusion, there is a moderate legal as well as an institutional base but unfortunately with many gaps and limitations both from institutional and legal point of view that should be addressed. Concisely, based on the above examination of the role of KSC, the empowerment of the KSC is an imperative in terms of security strategy supervision from drafting to monitoring and evaluation, specialised and autonomous staff in terms of political interference, and better inter-institutional- coordination as recommended above.

KSC should be the main body which receives the relevant security information which is adequately analysed, processed, consolidated and verified before submitted to the highest political levels. Bypass of KSC and communication of the security information directly to the highest political levels, could weaken the role of KSC while undermining the successful implementation of the security policy. This kind of approach reassures that the current process of the national security strategy formulation will consider not only the drawbacks of the previous strategy but also take into consideration all developments at the security arena while putting an emphasis on the reform and above all professionalism as only by engaging experts the security policies will be comprehensive.

Inter-institutional coordination and cooperation through the KSC and its supporting bodies is essential for the effective security policy making and above all for successful implementation. Reporting on regular basis as provided by the constitution will enhance the work of the KSC and give way to a more accountable and responsible approach implementation wise. In this light, the application of the developed "Evaluation Framework" enables detailed reporting that entails the oversight element at the same time. Through evaluation process, accurate data on the current situation are provided that allow KSC to immediately address the responsible institutions as necessary which ultimately increases the accountability. In regard to the application of the "Evaluation Framework", the KSC should have permanent professional staff for the respective sectors of security with adequate expertise that would conduct the monitoring and evaluation of the strategy while identifying and addressing the hindrances along the process on regular basis.

Finally, as elaborated above, the current national security strategy shaping of the Republic of Kosovo in comparison to the previous one, has many advantages and the main one to be underlined is the augmented local ownership. However, the indicated drawbacks if omitted and improved throughout the drafting process and prior to finalisation, will make it an up-to-date strategy in line with present-day parameters as exposed in this thesis.

Summarized Conclusions

As it was expounded in this study, the development of the security policies in Kosovo after the end of the war has been governed and guided mainly by the international actors. Security as a responsibility of the international community at the given time was a compulsion for providing peace and stability. However, the transfer of powers to the local institutions though progressive was rather prolonged and as such created shortcomings in terms of timely professional development. Nonetheless, in the light of the recent developments, local ownership has been slowly but surely taken over by Kosovo institutions with appropriate commitment and responsibilities. One of the crucial undertakings in this regards is undoubtedly the security policy formulation. Shaping foreign and security policy particularly national security strategy still remains a rather challenging exercise. In a newly independent state like Kosovo, inclusion of experts along with consultation of security theories could serve as a guideline for coherent policies. Moreover, as this thesis has revealed, there is a lack of a proper monitoring and evaluation of the implementation system even though there is a mechanism in place (secretariat of the KSC) with a solid legal ground that only needs to be enhanced and amended legally accordingly. Yet, while the mechanism exists, it lacks a complementary instrument or tool to reach the goal of evaluation and monitoring.

In this light, the development of the "Evaluation Framework" as an objective and practical tool, drawn up from existing security theories combined with a degree of quantitative analysis that would employ existing mechanisms in the system, will address and overcome the subsequent shortcomings thus ensuring a successful implementation. Based on the academic research in parallel with practical experience, focusing on the importance of the strategy formulation, the development of the novel "Evaluation Framework" the National Security Strategy will be evaluated with inputs from three levels security: individual, state and international which encompass security sectors such as Political, Military, Economic, Societal, and Environmental. Further, the developed evaluation system will have a multi-layered effect as through its solicitation it will detect difficulties, limitations and potential threats throughout the implementation and address them for the upcoming strategy formulation. This will ultimately increase transparency and accountability and strengthen involved institutions. In addition, after it has been presented to competent security institutional representatives, namely KSC, they have shown interest and willingness to embrace it and apply it in their day-to day work. The importance of the "Evaluation Framework" is that it provides a significant ground of revision but will also serve for generating useful recommendations. The "Evaluation Framework" has

been developed after an in-depth analysis of original source documents related to the National Security Strategy of Kosovo, legal framework, consultations and discussions with prominent experts and actors involved in the process, both local and international as well as the review of academic literature related to the topic. In addition, my personal experience, be it as a direct participant or indirectly inter-related to the strategy formulation and implementation process, has enabled me to give an authentic insight and contribution to this research. Most importantly, this tool will potentially be embraced and applied in practice through an existing body which in this case the Kosovo Security Council. This tool, through its methodology, nature and its novel approach to evaluation done on the three levels of stakeholders in security is applicable more widely, to other states, as it would enable each to modify the specific actors and weights in each level with regards to their state. Other than its flexible and adaptable nature, another reason this framework is widely applicable is that it enables the state using it to bridge the gap between the contemporary threats, perceived and otherwise, of the society and the security strategy. The methodology of the "Evaluation Framework" has its limits in that it relies on surveys to convey the evaluation by each level, yet these surveys are done in such a way that tries to limit external influence, be it political or economic through the weighted answers and numerous evaluating actors. However, this particular limit requires further research in order to find an optimal solution, and each state applying it must optimize it further. This is due to the fact each state has its own specific context, where some are more prone to state-level corruption, such as newly emerging states like Kosovo, while others have a higher risk of bias on the first level, due to phenomena like stereotypes or social norms and lobbying.

Further, the creation of the Kosovo Armed Force is a rather new concept that derived from consecutive security developments. However, as this work has previously proved, while the creation is a new concept for Kosovo, contextually it is a natural progression of the architecture of security of a newly independent state. Furthermore, as the analysis has shown, the creation of this force helps consolidate the sovereignty of Kosovo through beginning the transition from security consumer to that of security provider. This transition is particularly important for the people of Kosovo, so from an inductive perspective for the first level, as the fact the state is now on the road to become a true provider of security increases their trust in its institutions. This pushes people to deal with their security-related issues through the state mechanisms, thus strengthening the relationship between the people and the state. In turn, the second level is favourable to this development as it increases and consolidates its legitimacy and credibility, allowing it to claim the monopoly, or at least the shared competence, of the legitimate use of

violence within its territory as stipulated by Max Weber.[523] However, analysis shows the third level's reaction depends on the degree of involvement, or even monopoly, of providing security, as well as the contextual factors and circumstances. While NATO opposed the transformation at this time, the ten-year transformation process will promote and enhance professionalism in close cooperation with NATO, as well as bilateral relations with Euro-Atlantic partners. KAF will be a professional force guided by the principles of democratic and civilian control, that intends to steadily integrate into the Euro-Atlantic structures with the ultimate goal to be a contributor of peace and security in the region and wider. The KAF will be the central defence of Kosovo while continuously focusing on human power, such as special forces, rather than complex and severe weaponry and equipment systems. The KAF intends to be a small, capable and profiled force with the military capacity that will guarantee the protection of the sovereignty and territorial integrity of the Republic of Kosovo. The peace, stability and security in the region will be only ensured with the integration in Euro-Atlantic structures. Kosovo intends to be the contributor to regional security and stability and this could only be ensured through the integration into regional and international bodies, which is the primary strategic goal. The Republic of Kosovo intends to become a member of the EU, NATO, OSCE and UN, or organizations that have contributed in the institutional building and security architecture of Kosovo and organizations that still operate in Kosovo. Kosovo intends to integrate into these organizations through a meritocratic approach. Gradual but full integration into these organizations naturally reduces the need for their presence in the country. Kosovo can demonstrate a democratic and functional state with good neighbourly relations and peace contributor by taking over the full ownership of running its own processes in line with the required Euro-Atlantic standards.

Yet, while integration is the ultimate goal for the future, the current reality is less optimistic primarily due to the political obstacles. Namely, most of the aforementioned organizations include non-recognizing members of Kosovo, and integrating into such structures where the decisions are consensus based seems unlikely now and in the near future. While the dialogue with Serbia, which has stagnated as we speak, is one of the main political components holding both states back from integration, I am not sure even in the case of a possible agreement some of the non-recognizing states, i.e. Spain, would be willing to agree to the integration of Kosovo. Regarding the scope for the stipulated "near future", if we refer to the "credible enlargement

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[523] Max Weber, *The Vocation Lectures: "Science as a Vocation", "Politics as a Vocation",* ed. David Owen, Tracy B. Strong, trans. Rodney Livingston (Indianapolis: Hackett Pub, 2004), 30-33.

perspective for and enhanced EU engagement with the Western Balkans" adopted by the EC, the year 2025 is clearly denoted as a year of perspective enlargement—however, for Montenegro and Serbia only. The perspective for Kosovo is worded rather vaguely, where the advancement apparently depends on whether "objective circumstances allow" it. So, while the date for Kosovo is unclear to not only Kosovo but also the EC, it is deductible the year 2025 is not a prospect, and it is safe to say this year is well the scope "near future".[524]

Thus, it is evident that the third level has a profound effect on Kosovo and its prospects as a state. This effect does not come only from external states, but also organizations present in Kosovo, the role of which is very significant in the entire state-building process, and specifically in the creation of the security architecture and formulation of the security strategy. Namely, on the foreign policy level, the prospect of integration into international structures is one of the main factors determining the direction of the foreign policy and strategy. In addition, the presence of security organizations, in particular NATO, has a profound impact on the entire security sector of Kosovo, as it was this organization that assured security in the state following the war, that trained the Kosovo Security Force in line with its standards and values, that was present through the transformation and demilitarization of the KLA and KPC. Clearly, this context also impacted the formulation and conception of the first national security strategy of Kosovo. While the presence of such organizations has its undeniable benefits and contributions to the entire state-building process of Kosovo, and the fact their presence is arguably indispensable to the very existence of the state and its people, there are limits to this presence that must be acknowledged. Namely, as this work has previously proved, this presence created a degree of dependence on these institutions and hindered the proper and timely ownership and "maturity" of the Kosovo state institutions. Furthermore, as the shortcomings of the first NSS demonstrate, this presence and these organizations imposed, perhaps unknowingly, models and policies that were contextually inadequate to the case of Kosovo. Thus, these organizations were rather successful regarding regional security, in maintaining peace and stability, while they had some negative impact regarding the proper institutional growth and responsibility within the state of Kosovo.

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[524] "Strategy for the Western Balkans," European Commission, accessed June 30, 2019, https://ec.europa.eu/commission/news/strategy-western-balkans-2018-feb-06_en

Scientific Achievements

As with other pieces of academic work and research, the culmination of this work is in its scientific achievements and in what it has to offer to not only the academic community, but to Kosovo as well as other newly independent states which are building their state, and especially security, structures. So, through the comprehensive research and analysis, the scientific achievements are as follows:

1. I have shed light in the complex role of the international organisations in an newly independent state such as Kosovo, the ambiguity of their mandate and the overlap of international vs. local security competencies while recommending exit strategy with minimal collateral magnitudes that could serve as lessons learned for other similar cases in the world

2. I have provided theoretical and contextual analysis of the Kosovo Army – a newly formed armed force in an newly independent state which from the academic and conceptual point of view is something that has not been explored;

3. I have developed a unique comprehensive monitoring and evaluation tool - the "Evaluation Framework" based on the scholarly security theories for utilisation in practical use which is an original contribution to knowledge;

4. I have designed the "Evaluation Framework" to be used as an early warning security tool that will help addressing potential security problems; The proper and integrated application of the "Evaluation Framework" precludes the politicization of the security policy formulation and gives way to an exclusive professionalism;

Recommendations

The years of experience as a practitioner in different institutions that directly or indirectly related to state building have taught me that any achievement, scientific or otherwise, should be followed with recommendations in order to implement it, especially in newly independent states, where all actions have vast potential to yield drastic results. As such, I have generated recommendations related to the analysis, examinations and findings conducted in this thesis.

First, it is very essential to relate theory with practice when shaping the foreign and security policy and strategy through the inclusion of professionals. Second, a comprehensive and professional approach to shaping security policy should be based on three basic dimensions:

reform, comprehensiveness and professionalism. Third, the strategy formulation and evaluation should be independent of interference from the political actors or other influential powers. Further, inclusion of the application of the developed "Evaluation Framework" as an integral tool of evaluation through the mechanism of Kosovo Security Council. In addition, after the inclusion of the respective tool in the day-to-day use from the KSC, a proper training course of the staff is recommended. Finally, this work can be used for educational purposes, namely for higher education in Universities such as NKE and the PhD School of Military science, as it provides not only a strong foundation and basis to understand the situation in Kosovo, but has elements which shed light over the Balkans more generally. The same work could be used for educational purposes by decision makers from the EU, NATO or other international organizations for when they make decisions relating to Kosovo.

Potential Practical Use of This Research

- The "Evaluation Framework" developed in this study will be officially embraced by the KSC and will be used as the main monitoring, evaluating and reporting tool;

- Through the application of the "Evaluation Framework" the security strategy shaping becomes proactive rather than reactive in identification and addressing of potential challenges;

- The staff of the KSC will be trained on how to best formulate security strategy and how to conduct the comprehensive evaluation based on the formula developed in this research;

- During the period of transformation of the KSF in the near future, Kosovo will have a Military Academy, the formulation of the security strategy as well as the comprehensive evaluation of the security strategy will be taught as a course.

Recommendations for Further Research in Certain Sub-Areas Related to the Topic

This thesis deals with the very specific topic that is the security of the newly independent state of Kosovo, which formed its army very recently. Furthermore, it provides a tool for evaluation of the security strategies and analysis of the security situation in the country, with the specificity of including the 3 levels of security. This particularity of the framework as well as the formation of the Kosovo Army so recently open the path for research in a number of subfields:

1. Further research needs to be conducted on how to optimize the evaluation within the different levels. Namely, the levels might develop patterns of evaluation that affect their degree of objectivity and transparency, so researchers should try to create a specific way of monitoring and administering the evaluation process within each level.

2. Experts of the 5 main fields of security should conduct further research to determine the role of each of the levels in the respective fields, as well as the dynamism of level importance in each field, i.e. how the importance of a respective level grows or decreases in different security environments. This can be done through the security crises simulations, or through other research techniques.

3. Further research is needed to establish a stricter relationship between the importance of the level, and the weight given to the level in the evaluation. More objective or even empirical rules need to be figured out and put in place, in order for the weight given to a level to be coherent, so to protect the possible manipulation of the weights for political or other reasons.

4. Research needs to be conducted to see the dynamics behind the interaction of the different weighted levels; to have a better understanding what happens to the other two levels when the weight of one is increased and how this reflects in the evaluation and overall security environment.

5. Research needs to be conducted on how the further development of Kosovo Army effects the security environment and the different levels: for instance, the effects in the increase in army personnel have on the perceptions in the 1st, 2nd, and 3rd levels of security. Similar research needs to be done regarding the effect the creation of this army had on regional security dynamics.

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List of the Author's Publications

"The Role of International Organisations in the Development of the Security Sector in Kosovo: Advantages and Constrains" - Honvédségi Szemle (Hungarian Defence Review) Budapest, 2019

"Kosovo and EU Integration Process" - Sipan Yearbook 2015, The Atlantic Council of Croatia Center for International Studies Zagreb, 2016

 "Supporting Newly independent states: Kosovo — Hungary Relations after the Independence of Kosovo" **-** AARMS Volume13 Issue 3 2014

"Deconstructing and Defining EULEX"– co-author with Vjosa Musliu CEJISS Volume 8, Issue 1, 2014

"Small Countries and Cyber Defence" co-author with NAGY Károly: AARMS, Volume 12, Issue 2, 2013

"The Role of the European Union Rule of Law Mission in Kosovo. EULEX in the Security Dynamics in the Region" Military Science Review (Hadtudományi Szemle) Budapest, NKE, 2013, Volume 6, Number 3

"The Security Legislation in Kosovo. Importance and Challenges of the Harmonization Process with the EU and NATO". www.biztonsagpolitika.hu. 2013

 "Kosovo's Difficult Path Towards Independence: Legal and Political Implications," - University of Pristina Journal of Human Rights and Policy, vol. 2, nr. 1 (2009)

List of Abbreviations

A5 - US Adriatic Charter
BiH – Bosnia and Herzegovina
Britain, France, Germany and Italy
CFSP   – EU's Common Foreign and Security Policy
CIMIC Civil-Military Cooperation (NATO)
CoE – Council of Europe
CSDP – EU's Common Security and Defence Policy
CSO Civil Society Organisations
DCAF Geneva Centre for Democratic Control of Armed Forces
EADRCC – Euro-Atlantic Disaster Response Coordination Center
EAPC – Euro-Atlantic Partnership Council
EEAS – European External Action Service
ESDP – European Security and Defence Policy
EU European Union
EULEX – The European Union Rule of Law Mission in Kosovo
EUPT EU - Planning Team for Kosovo
EUPT- European Union Planning Team
EUSR EU - Special Representative
FRYOM – Former Republic of Macedonia
FRY- Federal Republic of Yugoslavia
FSK – Kosovo Security Force
ICJ – International Court of Justice
ICO International Civilian Office
ILECU – International Law Enforcement Coordination Unit
IMP – International Military Presence
IPA- Instrument for Pre-accession
IR- International Relations
ISG – International Steering Group
ISIL - Islamic State of Iraq and the Levant
ISSR- Internal Security Sector Review
KAF – Kosovo Armed Force
KCSS – Kosovo Center for Security Studies
KFOR- International Military Presence in Kosovo
KIA – Kosovo Intelligence Agency
KIPRED- Kosovar Institute for Policy Research and Development
KLA- Kosovo Liberation Army
KOSID – Kosovo Civic Society Consortium for sustainable development,
KPC- Kosovo Protection Corps
KP- Kosovo Police
KPS – Kosovo Police Service
KSC- Kosovo Security Council
KSF- Kosovo Security Force
KVM – Kosovo Verification Mission
LAD - Law against discrimination
LDK- Democratic League of Kosovo
LMT- Liaison & Monitoring Team KFOR
MEI – Ministry of European Integration of the Republic of Kosovo
MFA Ministry of Foreign Affairs

MIA – Ministry of Internal Affairs of the Republic of Kosovo
MJ – Ministry of Justice of the Republic of Kosovo
MKSF- Ministry of Kosovo Security Force
MoD- Ministry of Defence
MoIA- Ministry of Internal Affairs
MP – Member of Parliament
MSC- Municipal Security Committees
MUP – Ministry of Internal Affairs of Yugoslavia
NALT – NATO Advisory and Liaison Team
NAT – NATO Advisory Team
NATO- North Atlantic Treaty Organisation
NGO- Non-Governmental Organisations
NPISAA – National Programme for Implementation of Stabilization and Association
Agreement National Security Strategy – NSS
OMiK – OSCE Mission in Kosovo
OSCE- Organisation for Security and Cooperation in Europe
PDK - Democratic Party of Kosovo
PfP- Partnership for Peace (NATO)
PISG- Provisional Institutions of Self-Government (Kosovo)
QUINT- Group comprising of the Foreign Ministers of the USA,
RSCT – Regional Security Complex Theory
SAA – Stabilisation and Association Agreement
SFRY – Socialist Federal Republic of Yugoslavia
SLS – Serbian Liberal Party
SRSG- Special Representative of the Secretary-General (UN)
SRSS - Strategic Review of the Security Sector
SSB – Security Sector Building
SSR-Security Sector Reform
SSSR-Strategic Security Sector Review
UDHR - Universal Declaration of HR
UK-United Kingdom
UNDP-United Nations Development Programme
UNHCR- United Nations High Commissioner for Refugees
UNMIK- United Nations Mission in Kosovo
UNOSEK- United Nations Office of the Special Envoy of the
UNSCR- United Nations Security Council Resolution
UNSC- United Nations Security Council
UN- United Nations
USA- United States of America
USSR- Union of Soviet Socialist Republics
US - United States of America
VJ-Yugoslav Army
WB6 – Western Balkans six
WMD – Weapons of Mass Destruction

List of Annexure

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2. Strategy Formulation Network

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7. CSFP Alignment and HR Alignment of the Western Balkans by Country and Declaration

8. Action Plan of the Process of the Security Strategy Formulation

9. The laws that enabled the transformation of the KSF into a fully-fledged army

List of interviewees, experts and other actors with whom author conducted interviews and topic related discussions and consultations		Date of interview or consultations/discussions
Kujtim Bytyqi, MA	Senior Security Policy Analyst - Secretariat of Kosovo Security Council Mr. Bytyqi was one of the key collaborators for this thesis with whom author conducted a formal interview as well as regular consultations and discussions. He possesses academic background on Security. He is also a Marshall Center Alumni Scholar	Interview conducted on: 9 February, 2019 9 March, 2019 Regular consultations throughout January-April, 2019
Anthony Cleland Welch OBE, PhD, FIoD	Security Sector Reform Advisor to the stabilisation unit of the UK Government	Interview conducted on: 11 July, 2018
Burim Ramadani	Deputy Minister of the Ministry of Defence also well-known Kosovo expert on security issues	Interview conducted on: 16 January, 2019
Florian Qehaja, PhD	Executive Director Kosovar Centre for Security Studies Dr, Cehaja is one of the most reputable security expert in Kosovo	Series of consultations 30 May, 2016, Croatia, , November 09, 2017 and 20 February, 2019
Alastair James Butchart Livingston, Colonel	Senior Adviser Office of the Prime Minister/ Office of Community Affairs (OPM/OCA), former Head of Office of OSCE Mission in Kosovo Regional Centre in Mitrovica, Senior official in ICO etc.	Series of consultations 21 November 2018 15 January, 2019 22 February, 2019 25 March, 2019
Cerkin Dukolli, Lieutenant Colonel	Currently Deputy Minister of Foreign Affairs, Kosovo Former Lieutenant Colonel of the KPC and KLA	Interview conducted on: 26 February, 2019
Ambassador Lulzim Peci	Kosovar Institute for Policy Research and Development	Interview conducted on: 15 March, 2019
Ambassador Ilir Dugolli	Director for NATO and Security Policy Ministry of Foreign Affairs Kosovo	Consultations 21 March, 2019
Ronald Hooghiemstra	Legal expert with a long experience working in Kosovo in OSCE, ICO, Constitutional Court and currently EULEX	Consultations 22 March, 2019
Valon Xhaferi	Senior Strategy and Research Officer of the Department for Policy Planning, MFA Kosovo also former member of the Immediate Reaction Forces - Telemark Battalion, Norwegian Army	Continuous consultations throughout January-April, 2019

Strategy Formulation Model taken from United States Army War College Department of National

Strategy Formulation Framework

Global Environment (Forces & Trends)		Domestic Environment (Forces & Trends)

National Purpose

↓

National Interest

↓

Strategic Vision

↓

National Policy

↓

Strategy Formulation Process

Global Environment (Forces & Trends)
___

Alliances & Coalitions

Competing Values

Economic Conditions

International Law

International Organizations

Non-State Actors

Threats: Conventional and Traditional

WMD

Domestic Environment (Forces & Trends)
___

Bureaucracy

Congress

Economic Conditions

Federal System of Government

Interest Groups

Judiciary

Media

Presidential Style

Public Opinion

Social Conditions

National Objectives *(Ends)*

↔ ↔

Strategic Concepts *(Ways)* ↔ National Power *(Means)*

Feasibility Acceptability Suitability

Risk

STRATEGY

↔ ↕ ↔

Monitor for Success, Failure or Modification

Peacekeepers (KFOR) deployment in Kosovo (1999)[525]

NATO has divided Kosovo into five sectors controlled by the United States, France, Britain, Italy and Germany.

The 50,000-member Kosovo peacekeeping force:

Britain	13,000	**France**	7,000	**Ukraine**	1,300
Germany	8,500	**Italy**	up to 5,000	**Spain**	1,200
U.S.	7,000	**Netherlands**	2,050	**Russia**	10,000

Denmark, Finland, Greece, Sweden, Austria, Czech Republic, Romania and Dubai contributed several hundred troops each.

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[525] Source: staff reports, BBC, U.S. Defence Department, NATO available at:
http://www.washingtonpost.com/wp-srv/inatl/longterm/balkans/maps/maps.htm?noredirect=on

KFOR Today

Key Facts and Figures

Mission: NATO-KFOR's mission is to contribute to maintaining a safe and secure environment as mandated by United Nations Security Council Resolution 1244. In carrying out its mission, NATO cooperates and assists the United Nations, the European Union and other international actors, as appropriate, to support the development of a stable and peaceful Kosovo. KFOR supports the development of professional, democratic and multi-ethnic security structures in Kosovo.

KFOR total strength (as June 2019): 3555
28 Troop Contributing Nations

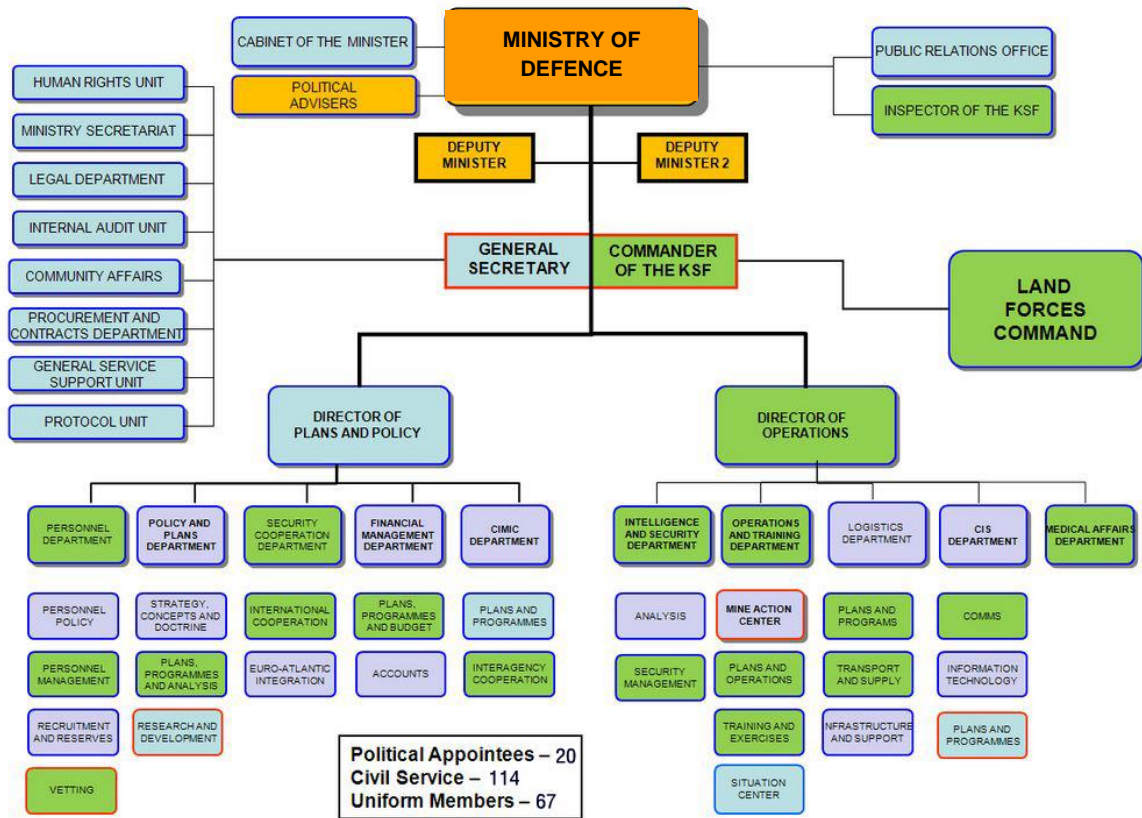|	Nation			Nation	
	Albania	29		Lithuania	1
	Armenia	41		Moldova	41
	Austria	474		Montenegro	2
	Bulgaria	22		Norway	2
	Canada	5		Poland	248
	Croatia	35		Portugal	3
	Czech Republic	9		Romania	57
	Denmark	35		Slovenia	242
	Finland	19		Sweden	4
	Germany	70		Switzerland	190
	Greece	111		Turkey	250
	Hungary	389		Ukraine	40
	Ireland	12		United Kingdom	23
	Italy	542		United States	659

Source: https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2019_06/20190625_2019-06-KFOR-Placemat.pdf

KFOR with location of Joint Regional Detachment

Source: Szenes, Zoltán, Siposné Kecskeméthy, Klára: NATO 4.0 and Hungary. Zrínyi
Publishing House, 2019, 99.

Organogram of the newly formed Ministry of Defence[526]

The organogram shows the structure of the Ministry of Defence with the following elements:

- **MINISTRY OF DEFENCE** (top)
  - CABINET OF THE MINISTER
  - POLITICAL ADVISERS
  - PUBLIC RELATIONS OFFICE
  - INSPECTOR OF THE KSF
  - DEPUTY MINISTER
  - DEPUTY MINISTER 2
  - GENERAL SECRETARY
  - COMMANDER OF THE KSF
  - LAND FORCES COMMAND

Left-side units:
- HUMAN RIGHTS UNIT
- MINISTRY SECRETARIAT
- LEGAL DEPARTMENT
- INTERNAL AUDIT UNIT
- COMMUNITY AFFAIRS
- PROCUREMENT AND CONTRACTS DEPARTMENT
- GENERAL SERVICE SUPPORT UNIT
- PROTOCOL UNIT

DIRECTOR OF PLANS AND POLICY
- PERSONNEL DEPARTMENT
  - PERSONNEL POLICY
  - PERSONNEL MANAGEMENT
  - RECRUITMENT AND RESERVES
  - VETTING
- POLICY AND PLANS DEPARTMENT
  - STRATEGY, CONCEPTS AND DOCTRINE
  - PLANS, PROGRAMMES AND ANALYSIS
  - RESEARCH AND DEVELOPMENT
- SECURITY COOPERATION DEPARTMENT
  - INTERNATIONAL COOPERATION
  - EURO-ATLANTIC INTEGRATION
- FINANCIAL MANAGEMENT DEPARTMENT
  - PLANS, PROGRAMMES AND BUDGET
  - ACCOUNTS
- CIMIC DEPARTMENT
  - PLANS AND PROGRAMMES
  - INTERAGENCY COOPERATION

DIRECTOR OF OPERATIONS
- INTELLIGENCE AND SECURITY DEPARTMENT
  - ANALYSIS
  - SECURITY MANAGEMENT
- OPERATIONS AND TRAINING DEPARTMENT
  - MINE ACTION CENTER
  - PLANS AND OPERATIONS
  - TRAINING AND EXERCISES
  - SITUATION CENTER
- LOGISTICS DEPARTMENT
  - PLANS AND PROGRAMS
  - TRANSPORT AND SUPPLY
  - INFRASTRUCTURE AND SUPPORT
- CIS DEPARTMENT
  - COMMS
  - INFORMATION TECHNOLOGY
  - PLANS AND PROGRAMMES
- MEDICAL AFFAIRS DEPARTMENT

Political Appointees – 20
Civil Service – 114
Uniform Members – 67

[526] https://www.mksf-ks.org/?page=2,106#.XI0dmiJKjIU

TRANSFORMATION OF KSF

KSF and KFOR Personnel

	Land Forces	
2500	Land Forces	4865
800	Reserve Forces	700
1xINF BDE	Major Land Units	2xBTTL GR

KSF / KFOR Combined and Comparative Regional Land Force

	Land Forces	
7365	Land Forces	7500
1500	Reserve Forces	1500
1xINF BDE	Major Land Units	1xINF BDE
2xBTTL GR		1xSF BN
		1xRECCE BN
		2xINF BN RSV
	Major Air Units	1xHELO SQN

PROPOSED
KOSOVO
ARMED FORCES

Land Forces
- 5000

Reserve Forces
- 1500

Major Land Units
- 1 x INF BDE
- 1 x SF BN
- 1 x RECCE BN
- 2 x INF BN R

Major Air Units
- 1 x Helo SQN
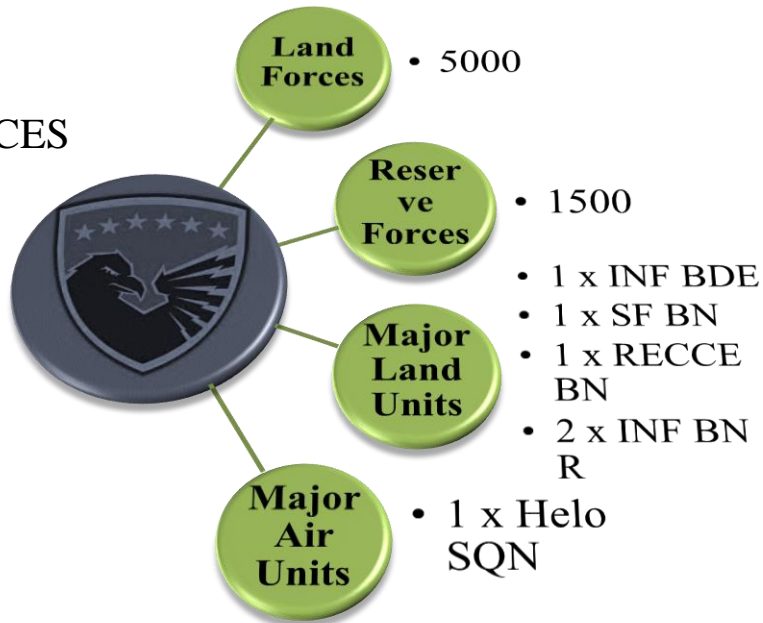
Source: Strategic Defence Review of the Republic of Kosovo John DeROSA*

BALANCE OF POWERS IN THE REGION

pulation (000.000)	`	Reserve Forces (000)	Land Forces (000)	Air Forces (00)	Major Land Units	Major Air Units

SERBIA

					4 x Mech BDE	x Fighter SQN
					8 x INF BDE	x Transport SQN
					(Reserve)	Attack Helo SQN
						x Transport Helo SQN
7.2	28	50	13	51		

CROATIA

					1 x Armored BDE	x Fighter SQN
					1 x Motorized BDE	x Transport SQN
					3 x Guard RGT	Firefighting SQN
					1 x SF BN	x Transport Helo
4.5	19	21	11	35		

ALBANIA

					1 x INF BDE	x Transport Helo SQN
					1 x Commando RGT	
3	14	N/A	8	N/A		

BOSNIA AND HERZEGOVINA

| | | | | | 3 x INF BDE | x Helo SQN |
| 3.9 | 10 | N/A | 9 | 8 | | |

MACEDONIA

					2 x Corps HQ	Attack Helo SQN
					2 x Mech BDE	Transport SQN
					1 x Tank BN	x Transport Helo
					2 x SF BN	
2	8	5	N/A	N/A		

SLOVENIA

					3 x Mot INF BN	Transport SQN
					1 x SF Unit	x Transport Helo SQN
					1 x RECCE BN	
2	8	2	8	1		

KOSOVO

| | | | | | 1 x INF BDE | |
| 1.8 | 3 | 1 | 3 | N/A | | N/A |

MONTENEGRO

					1 x Motorized BDE	x Helo SQN
					1 x SF BDE	
0.6	2	N/A	2	2	1 x RECCE COY	

Source: Strategic Defence Review of the Republic of Kosovo John DeROSA*

CSFP Alignment and HR Aligment of the Western Balkans by Country and Declaration

	ALB	BiH	MNE	N. MKD	Serbia
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures in view of Russias actions destabilising the situation in Ukraine, published 31/01/2018 https://bit.ly/2Svx5Il	✔ ☐		✔ ☐		
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures against the Democratic People's Republic of Korea, published 07/02/2018 https://bit.ly/2SxZYDv	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures in view of the situation in Venezuela, published 14/02/2018 https://bit.ly/2GMIVa1	✔ ☐	✔ ☐	✔ ☐	✔ ☐	
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures in view of the situation in South Sudan, published 23/02/18 https://bit.ly/2GILeus	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures against Zimbabwe, published 16/03/2018 ttps://bit.ly/2X2Cjdb	✔ ☐	✔ ☐	✔ ☐	✔ ☐	
Declaration by the High Representative on behalf of the EU on Syria: The massacre in Eastern Ghouta must stop now, published 23/02/2018 https://bit.ly/2tjleOs	🟧		🟧	🟧	
Declaration by the High Representative on behalf of the European Union on the alignment of certain third countries concerning restrictive measures against Belarus, published 22/03/2018 https://bit.ly/2RZskBv	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain countries with the Council Decision of 26 February 2018 concerning restrictive measures against ISIL (Da'esh) and Al-Qaeda, published 14/03/2018 https://bit.ly/2tjLt7z	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain countries with Council Implementing Decision concerning restrictive measures against Syria, published 26/03/2018 https://bit.ly/2WVfNTo	✔ ☐		✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, published 26/03/2018 https://bit.ly/2WZ00mN	✔ ☐		✔ ☐		

Declaration					
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, published 26/03/2018 https://bit.ly/2STIkJK	✔ ☐		✔ ☐		
Syria: Declaration by the High Representative Federica Mogherini on behalf of the EU, published 15/03/2018 https://bit.ly/2H6YsmE	🟧		🟧	🟧	
Declaration by the High Representative Federica Mogherini on behalf of the EU on the Autonomous Republic of Crimea and the city of Sevastopol, published 16/03/2018 https://bit.ly/2tTrGPb	🟧		🟧	🟧	
Declaration by the High Representative on behalf of the European Union on the alignment of certain third countries concerning restrictive measures against Syria, published 19/04/2018 https://bit.ly/2tmGZNq	✔ ☐		✔ ☐	✔ ☐	
Declaration by the High Representative on behalf of the EU on the International Day for the Elimination of Racial Discrimination, published 21/03/2018 https://bit.ly/2TQ4XvY	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures in view of the situation in Libya, published 19/04/2018 https://bit.ly/2S2cnun	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Egypt, published 19/04/2018 https://bit.ly/2UXxIqY	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures against the Democratic Republic of the Congo, published 18/05/2018 https://bit.ly/2GItP53	✔ ☐	✔ ☐	✔ ☐	✔ ☐	
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures directed against certain persons and entities in view of the situation in Iran, published 18/05/2018 https://bit.ly/2TQrc5c	✔ ☐	✔ ☐	✔ ☐	✔ ☐	
Declaration by the High Representative Federica Mogherini on behalf of the EU on strikes in Syria, published 14/04/2018 https://bit.ly/2GqTiAT	🟧		🟧	🟧	
Declaration by the High Representative on behalf of the EU on the situation in Venezuela, published 19/04/2018 https://bit.ly/2UXy3de	🟧	🟧	🟧	🟧	
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures against the Democratic	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐

People's Republic of Korea, published 18/05/2018 https://bit.ly/2SAgPpu					
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures against Myanmar/Burma, published 24/05/2018 https://bit.ly/2SzkZ0V	✔ ☐	✔ ☐	✔ ☐	✔ ☐	
Declaration by the High Representative on behalf of the EU on the alignment of certain countries with Council Decision concerning restrictive measures against the Democratic People's Republic of Korea, published 12/06/2018 https://bit.ly/2EaWnTh	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, published 12/06/2018 https://bit.ly/2RYdr2w	✔ ☐		✔ ☐		
Declaration by the High Representative, Federica Mogherini on behalf of the EU on the occasion of the International Day Against Homophobia, Transphobia and Biphobia, 17 May 2018, published 16/05/2018 https://bit.ly/2GKH2KL	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the EU on the presidential and regional elections in Venezuela, published 22/05/2018 https://bit.ly/2RLTBav	🟧	🟧	🟧	🟧	
Declaration by the High Representative on behalf of the EU on the findings of the Joint Investigation Team on the downing of flight MH17, published 25/05/2018 https://bit.ly/2X5VNgO	🟧		🟧	🟧	
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures against Syria, published 12/06/2018 https://bit.ly/2UZJXTB	✔ ☐		✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative, Federica Mogherini, on behalf of the EU on the occasion of the International Day in Support of Victims of Torture, 26 June 2018, published 25/06/2018 https://bit.ly/2BAOLrs	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, published 31/08/2018 https://bit.ly/2DCNznx	✔ ☐		✔ ☐		
UPDATED: Declaration by the High Representative, Federica Mogherini, on behalf of the European Union on the occasion of the Day of International Criminal Justice, 17 July 2018, pulished 16/07/2018 https://bit.ly/2SLUJ2F	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures against ISIL (Da'esh) and Al-	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐

Qaeda and persons, groups, undertakings and entities associated with them, published 31/08/2018 https://bit.ly/2GqVGYn					
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures in view of the situation in the Republic of Maldives, published 31/08/2018 https://bit.ly/2UYzS9D	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, published 31/08/2018 https://bit.ly/2tnX05L	✔ ☐		✔ ☐		
Declaration by the High Representative on behalf of the EU on the 10 years anniversary of the conflict between Russia and Georgia, published 07/08/2018 https://bit.ly/2I9CgbV	🟧		🟧	🟧	
Declaration by the High Representative on behalf of the EU on the occasion of the International Day for the World's Indigenous Peoples, published 08/08/2018 https://bit.ly/2V2DgAx	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, published 22/10/2018 https://bit.ly/2qLHrn3	✔ ☐		✔ ☐		
Declaration by the High Representative on behalf of the EU on the alignment of certain countries concerning restrictive measures in view of the situation in Libya, published 22/10/2018 https://bit.ly/2E9esB0	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐
Declaration by the High Representative on behalf of the EU on the situation in Nicaragua, published 02/10/2018 https://bit.ly/2GreGpM	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the European Union on the recent developments on the case of Saudi journalist Jamal Khashoggi, published 20/10/2018 https://bit.ly/2BCcJ5x	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the EU on the situation in Venezuela, published 25/10/2018 https://bit.ly/2RS1ZG8	🟧	🟧	🟧	🟧	🟧
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures in view of the situation in Burundi, published 20/11/2018 http://alturl.com/bkwwb	✔ ☐	✔ ☐	✔ ☐	✔ ☐	
Declaration by the High Representative on behalf of the EU on the alignment of certain third countries concerning restrictive measures against the Republic of	✔ ☐	✔ ☐	✔ ☐	✔ ☐	✔ ☐

Guinea, published 20/11/2018 http://alturl.com/giq5d					
Declaration by the High Representative on behalf of the EU on the occasion of the International Day to End Impunity for Crimes Against Journalists - 2 November 2018, published 31/10/2018 https://bit.ly/2CQ1bx7	■	■	■	■	■
Declaration by the High Representative on behalf of the EU on the "elections" planned in the so-called "Luhansk People's Republic" and "Donetsk People's Republic" for 11 November 2018, published 10/11/2018 http://alturl.com/p6gyy	■		■	■	
Declaration by the High Representative on behalf of the EU on the alignment of certain countries with Council Decision concerning restrictive measures in view of the situation in Venezuela, published 21/12/2018 http://alturl.com/zytgg	✔ □	✔ □	✔ □	✔ □	✔ □
Declaration by High Representative Federica Mogherini on behalf of the EU on EU-Tanzania relations, published 15/11/2018 http://alturl.com/92dvx	■	■	■	■	■
Declaration by High Representative Federica Mogherini, on behalf of the EU, on the Democratic Republic of the Congo, published 22/11/2018 http://alturl.com/b3qck	■	■	■	■	■
Declaration by the High Representative on behalf of the EU on the escalating tensions in the Azov Sea, published 28/11/2018 http://alturl.com/wuzgd	■		■	■	
Declaration by the High Representative Federica Mogherini on behalf of the EU on Human Rights Day, 10 December 2018, published 09/12/2018 http://alturl.com/qh76m	■	■	■	■	■
Declaration by the High Representative, on behalf of the EU, on relations with the Democratic Republic of Congo on the eve of its elections, published 29/12/2018 http://alturl.com/o87ft	■	■	■		■

N r.	ACTIVITY/ OUTPUT	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Indicator of success	Responsible Institution	Respective institutions	Additional comments
	Action Plan of the process of the drafting of the Security Strategy of the Republic of Kosovo											
1	**Decision of the PM for the establishment of the Working Group for drafting of the Security Strategy of the Republic of Kosovo**	**17**							Signed decision of PM	PM Cabinet	SKSK	Decision of the PM for the establishment of the WG for drafting of NSS
2	**Informative meetings with the development partners**		**date**						commitments for supporting the process	PM Cabinet/ SKS	All donors that cover the security sector on the country	The goal of the process is to identify potential donors and coordinate their activities and support them in line with the goals of the process; Commitment to support
3	**Nominations of the members of the Working Group**		**date**						**Nominated WG members from institutions**	**PM Cabinet/ SKS**	**Institutions that are part of the WG**	Based on the PM's decision on the establishment of the WG, an e-mail is sent to the institutions for the nomination of members
4	**Adoption of the presentation of the process of the drafting of the strategic doc in line with the reg in power**		**date**							**OSP**	**PM's Cabinet**	See instructions on the guiding doc
5	**Analysis of the document: Analysis of the Review of the Security Sector Strategy (SSSR)**		**date**						**Relevant material extracted from the SSSR**	**PM's Cabinet OSP/SKS**	**Members of the WG**	Analysis of the Review of the Strategic Security Sector
6	**First Meeting of the WG**			**date**					**Members according to nominations**	**SKS/PM's Cabinet**	**Members from the Minister**	All members of WG including IO/Embassies/NGOs
7	**Analysis of the current state of security**			**date**					**presentation of analysis**	**KIA– MIA**	**Relevant institutions**	Based on the analysis of the SSSR in consultation with the relevant mechanisms, to refresh the analysis of the situation

8	**Delegation of tasks in accordance to the institutional responsibilities**			**date**					**Members are divided based on the respective fields**	**PM's Cabinet**	**Subgroups established**	Division of responsibilities as per respective fields
9	**Review of the Strategic Objectives (derived from SSSR)**			**date**					**3-5 proposed objectives**	**PM's Cabinet**	**Working Groups**	Based on the respective field, proposals are given for the strategic objectives for SSSR
10	**Starting of the drafting of the draft doc**				**date**				**First draft ready**	**SKS / PM's Cabinet**	**Working Groups**	Starting of the process of the drafting first draft NSS
11	**Second meeting of the working group**				**dates**				**Members according to nominations**	**PM's Cabinet/ SKS**	**WG members**	All members of WG including IO/Embassies/NGOs
12	**Addressing of the comments of the WG**				**dates**				**Draft doc with comments**	**OSP**	**PM's Cabinet / SKSK**	Addressing comments of the WG during the second meeting for the drafting of the NSS
13	**Workshop for the Action Plan of the NSS and its finalization**					**dates**			**First draft pf the Action Plan**	**PM's Cabinet/ SKS**	**Members of WG**	Starting of the process of the drafting Action Plan based on the NSS draft. Organization of the workshop tbc with potential donors
14	**Third meeting of the WG and addressing final comments**					**dates**			**Members according to nominations**	**SKS/PM's Cabinet**	**Members of WG**	All members of WG including IO/Embassies/NGOs
15	**Finalization of the final draft of the strategy**					**dates**			**final draft of the document**	**PM;s Cabinet/ SKS**	**Members of the WG**	finalization of final draft of the strategy with the Action Plan
16	**Sending the Final Draft of SSRK and the Action Plan for Public Consultation**						**dates**		**Final draft sent for public consultations**	**OSP**	**/**	Call for public consultation of the final NSS and Action Plan including Civil Society, Assembly and other stakeholders
17	**Addressing received comments during public consultations**						**dates**			**OSP**	**/**	Addressing comments received during the periods of public consultations from the stakeholders
18	**Opinion of the Ministry of Finance for the evaluation and financial impact**						**dates**		**Opinion of the Ministry of Finance for the evaluation and**	**Ministry of Finance**	**/**	

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19											**financial impact**
	Review of the draft of the NSS from the KSC of Kosovo						dates	**Review of the draft strategy**	**KSC**	**SKSK**	Recommendation of the KSC for the draft-strategy for approval in the Government and adoption in the Assembly
19	**Sending of the final draft of the strategy with opinion of the MF OSP for approval in the Government meeting**						dates	**Final draft of the document and the Action Plan**	**OSP**	/	Final draft of the strategy Action Plan, opinion of the Ministry of Finance Office for Strategic Planning for approval on the Government meeting
20	**Approval of the strategy in the in the upcoming Government meeting**						dates	**approved strategy**	**SKQ**	/	
21	**Sending in the Assembly**						dates	**Strategy sent in Assembly for approval**	**Cabinet of PM**	**SKQ**	Sending of the NSS and Action Plan for approval in the Assembly of the Republic of Kosovo