Security Force in the Making

Capacity Building in Kosovo

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Sammanfattning

Studien analyserar det stöd som det internationella samfundet gett till uppbyggandet av Kosovos nya säkerhetsstrukturer, såsom *Kosovo Security Force* och *Kosovo Security Council*. Detta görs genom att använda ett antal utmaningar för stöd till kapacitetsbyggande inom säkerhetssektorn som analytiskt ramverk. Dessa har tidigare identifierats av FOI. Utmaningarna inkluderar lokalt ägarskap, att utbilda och utrusta kontra institutionsbyggande, givarsamordning, långsiktighet samt att använda kapacitetsstöd som en utfasningsstrategi för en insats. Studien visar att alla dessa utmaningar är aktuella i fallet Kosovo. Det lokala ägarskapet har varit begränsat då Kosovo hellre hade sett att en armé, snarare än en säkerhetsstyrka, byggts upp. Vidare har ägarskapet varit begränsat till en grupp aktörer och detta bör beaktas vid fortsatt stöd till säkerhetssektorn. Adekvat kompetens bland rådgivarna har många gånger saknats då militära rådgivare har gett stöd till uppbyggandet av civila strukturer. För att främja demokratiseringen av säkerhetssektorn borde fler mentorer och rådgivare vara civila. Givarna har också brustit i samordning och långsiktighet i sitt engagemang. Beslutet om att styrkan uppnått full operativ förmåga tycks styras mer av en specifik tidpunkt än av faktisk uppnådd kapacitet. Det innebär att stöd till styrkan sannolikt kommer behövs även efter att det deklarerats att styrkan uppnått fulloperativ förmåga. Slutligen har grundandet av de nya säkerhetsstrukturerna komplicerats av att en majoritet av stater fortfarande inte erkänt Kosovo som en självständig stat. Sammantaget har dessa och andra utmaningar påverkat effektiviteten och hållbarheten i stödet till Kosovos säkerhetssektor.

Nyckelord: Kosovo Security Force, Kosovo Security Council, kapacitetsstöd, säkerhetssektorreform

Summary

This study examines the support given to the new security structures in Kosovo, such as the Kosovo Security Force and the Kosovo Security Council. This is done by using the previously identified challenges and factors for success as an analytical framework. These include the question of local ownership, donor coordination, training and equipping versus institution building, long-term impact and sustainability of the support given, as well as capacity building as an exit strategy. The report shows that all of these challenges are valid also in the Kosovo case. Local ownership has been limited, as Kosovo would have preferred an army rather than a security force. Ownership has also been rather limited to certain stakeholders, and this should be taken into consideration when developing future support to the Kosovar security sector. Adequate competences among the mentors and advisers have been lacking since primarily military support has been given to civilian structures. To promote democracy within the security sector, a larger amount of the mentors and advisers should be civilians. Therefore, the opportunity to deploy civilian advisers should be explored. Donors have also lacked in coordination and long-term engagement. To make improvements in this area a single North Atlantic Treaty Organization (NATO) structure for supporting the Kosovo Security Force and its ministry should be developed. The decision on reaching Full Operational Capability seems to be guided by a certain date rather than at a certain state, which means that further support will probably be needed. Finally, the establishment of the new security structures has been complicated by the fact that a majority of states have not recognised Kosovo as an independent state. All in all, this has affected the effectiveness and sustainability of the Kosovar security sector.

Keywords: Kosovo Security Force, Kosovo Security Council, capacity building, Security Sector Reform

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1 Introduction

The international community has been involved militarily in Kosovo for over a decade due to the eruption of conflict between the Serbian Army and the Kosovo Liberation Army (KLA) during the 1990s.

Kosovo's declaration of independence on 17 February 2008 meant that several new security structures were established. Previously dominated by Yugoslav structures, the Kosovars had little experience in public administration. This resulted in Kosovo and the international community having to build state institutions from scratch. One main focus has been on Security Sector Reform (SSR).

As a result, the military support has started to shift from providing a safe and secure environment to supporting these new security structures, such as the Kosovo Security Force. By providing such support, the international presence will gradually decrease and eventually withdraw from Kosovo. However, providing support to institution building is complicated by the fact that a majority of states have not acknowledged Kosovo as an independent state. This has meant that organisations such as the European Union (EU), the North Atlantic Treaty Organization (NATO) and the United Nations (UN) have not been able to act as if Kosovo was independent.

Capacity building[1] within the security sector is a way to enhance a country's capability to provide for its own security. It has become a common strategy in peace support operations because of the importance of a state's ability to function independently. Building capacity also means that external support eventually will no longer be needed and therefore might become an exit strategy for the international community's military engagement.[2] Capacity building support is constantly evolving and each intervention can provide new insights on how these activities could be improved. It is therefore interesting to study the case of Kosovo and the support given to its security sector to see what lessons could be learned for the future.

1.1 Aim

This study is part of a broader effort at the Swedish Defence Research Agency (FOI) to study capacity building within the security sector, and should be seen as a case study to gain a better understanding of capacity building as well as its

[1] For a theoretical discussion on capacity building see Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace: The Sensitive Business of Capacity Building', FOI.R--3269--SE.

[2] For a discussion on exit strategies, see Nilsson, Claes and Svensson, Emma, 2009. 'Exit Strategies in Peace Support Operations', FOI-R--2816--SE.

challenges. Previous research at FOI has identified several challenges regarding capacity building and SSR. These include: local ownership; donor coordination; training and equipping versus institution building; the emphasis on the military sector; long-term impact and sustainability; and capacity building as an exit strategy.[3]

The purpose of this study is to analyse the capacity building support given to the Kosovo security sector by using the previously identified challenges and factors for success as an analytical framework. Ultimately, the study seeks to inform future capacity building efforts in the Kosovar security sector. A secondary purpose is to follow up on the Swedish support to these structures.

1.2 Capacity Building and Security Sector Reform

The term capacity building has been defined in several different ways.[4] In this report it will be used to describe a "process by which a state is enabled to carry out set activities and meet set objectives."[5] As the focus here is on the security sector, capacity building in this report should be seen as one of several strategies in an SSR process. It is important to emphasise that capacity building is not the objective of SSR itself. It has been argued that:

> *The primary goal of SSR is to support the provision and equal access of all to justice and security in ways that foster democratic governance and human rights. The distinction is crucial because the existence of a capacity says nothing about whether that capacity is used and whether its use is accountable, effective, efficient or conducted in a democratic manner.*[6]

Nevertheless, capacity building can be an important part of the support to the security sector. This means that when capacity building challenges are discussed in the report, this is done bearing in mind that the support given is part of a larger SSR process. Therefore, both SSR and capacity building will be used in this report.

[3] Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace'; Nilsson, Claes and Svensson, Emma, 2010. 'Säkerhetssektorreform i förändring'.
[4] Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace'.
[5] Ibid, p. 12.
[6] Scheye, Eric, 2007. 'UNMIK and the Significance of Effective Programme Management: The Case of Kosovo', in Hänggi Heiner, Scherrer Vincenza (Red), *Security Sector Reform and UN Integrated Missions – Experiences from Burundi, the Democratic Republic of Congo, Haiti and Kosovo*, LIT/DCAF, p. 183.

The security sector is defined as "all those institutions, groups, organisations and individuals – both state and non-state – that have a stake in security and justice provision".[7] This includes:

- Core security actors: the armed forces, the police service, intelligence and security services, coastguards et cetera.
- Management and oversight bodies: the executive, the legislative, ministries, customary and traditional authorities, civil society organisations et cetera.
- Justice and rule of law: judiciary, prisons, criminal investigation and prosecution services et cetera.
- Non-statutory security forces: liberation armies, guerrillas, private security companies and political party militias.[8]

As mentioned earlier, several challenges have been identified when studying capacity building and SSR. Before going into the specific case of Kosovo, these challenges merit an introduction. They have previously been identified by going through a wide range of literature, including various case studies, as well as interviews with both practitioners and academics.[9]

Local ownership, meaning that the recipient country is in a lead position, is at the heart of SSR. According to the UN Secretary-General, SSR needs to be nationally led if it is to succeed.[10] If local ownership is not in place, the sustainability of the capacity building is at risk. In reality, the main challenge in previous interventions has been the lack of local ownership, since SSR is regularly donor driven. Donors might not want to fund a project without having any say about the development of the project, but at the same time the recipient country is not willing to just accept an externally imposed programme.[11]

Also, the lack of a viable local partner might be exactly the reason why capacity building is needed in the first place.[12] This means that it is not always possible to have local ownership as a prerequisite when establishing a programme. However, when ownership is lacking, it should always be a goal to promote the

[7] OECD/DAC, 2007. 'OECD DAC Handbook on Security System Reform: Supporting Security and Justice', p. 22.
[8] Ibid.
[9] See Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace'; Nilsson, Claes and Svensson, Emma, 2010. 'Säkerhetssektorreform i förändring'.
[10] General Assembly and Security Council, 2008. 'Securing peace and development. The role of the United Nations in supporting security sector reform', Report of the Secretary-General, A/62/659 – S/2008/339, p. 11.
[11] Donais, Timothy, 2008. 'Understanding Local Ownership in Security Sector Reform', in Donais, Timothy (ed.), *Local Ownership and Security Sector Reform*, Geneva Centre for the Democratic Control of Armed Forces.
[12] Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace'. p. 25.

development of local ownership during the reform process. This also demands a thorough understanding of the local context on the part of the donor.

Another problem is that of who constitutes the local ownership. Often, the focus is on formal state structures, partly because they mirror the donors' views of what the recipient state should look like, whereas, for example, the civil society might be excluded. This may result in international actors focusing their support on actors that might not represent the local community as a whole.[13] It has been argued that it is sometimes more correct to talk about a factional ownership rather than a local ownership, meaning that ownership might be limited to certain stakeholders.[14]

The second challenge is the question of **training and equipping versus institution building**. SSR means that the security sector is transformed into a system consistent with democratic norms and good governance.[15] All parts of the security sector as well as both effectiveness and democratisation have to be taken into account to be able to call an activity SSR.[16] However, in general, this has not been the case in practice. When looking at several SSR processes in different parts of the world, there has been an emphasis on improving the effectiveness of the security sector at the expense of building institutions and improving democratic governance. Also, some sectors, such as the military, have been prioritised. There are several reasons for this. The support given normally reflects the capacities of the donors and they may lack the resources and adequate competences to take on other tasks. It is also easier to show results when focusing on training and equipping rather than institution building.[17] However, by narrowing the focus of capacity building, long-term effectiveness is put at risk.

The lack of donor coordination has further complicated reform processes. When SSR is taking place there are normally a number of actors involved, both organisations and states, and one of the main challenges is how to coordinate the given support.[18] Several concepts have been developed to enhance coordination and cooperation. Whereas the UN integrated mission concept aims to coordinate

[13] See Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace', p. 23; Nilsson, Claes and Svensson, Emma, 2010. 'Säkerhetssektorreform i förändring'.
[14] Giustozzi, Antonio, 2008. 'Shadow Ownership and SSR in Afghanistan', in Donais, Timothy, (Ed.) *Local Ownership and Security Sector Reform*, Geneva Centre for the Democratic Control of Armed Forces, pp. 215–231. p. 215.
[15] OECD/DAC, 2005. 'Security System Reform and Governance', Guidelines and Reference Series, p. 20.
[16] Hänggi, Heiner and Hagmann Jonas, 2006. 'United Nations Approaches to Security Sector Reform', background paper for the workshop on 'Developing an SSR Concept for the United Nations', DCAF, p. 5.
[17] Nilsson, Claes and Svensson, Emma, 2010. 'Säkerhetssektorreform i förändring'; Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace', p. 37.
[18] Nilsson, Claes and Svensson, Emma, 2010. 'Säkerhetssektorreform i förändring', p. 27.

UN activities, the EU and NATO have developed concepts for coordinating with external partners. Nevertheless, coordination in the field continues to be challenging.[19] Donors have had different agendas and sometimes their work has overlapped. This has affected the effect and sustainability of the support given. Furthermore, donors tend to sometimes overwhelm recipient countries with a range of (uncoordinated) programmes and projects. Without donor coordination, the ability to absorb support to capacity building is in question.[20]

Experiences from SSR activities have shown **the need for long-term engagement** when supporting a reform process. As the Secretary-General of the UN has put it:

> *There are no quick fixes for establishing effective and accountable security institutions. The development of strategies, structures and capacities is a time-consuming effort. The evolution of perspectives, dialogue and understanding is equally a long-term process*.[21]

This is also true for establishing a new security force and making it self-sustainable. Suggestions for how long this takes range from a decade up until a generation.[22] Even though it might be difficult to give a certain time frame, it is evident that a long-term engagement is needed when supporting the security sector to have an effect in the long run. In reality, however, this has not always been the case.

The fifth challenge relates to **capacity building becoming an exit strategy**. According to Dominik Zaum, a peace support operation's exit strategy can best be described as "the transition of authority and functions exercised by a peace operation to local institutions".[23] A well-functioning security sector will, in the end, be a way out for the international community. There are two determinants for exit strategies: the 'end state', focusing on a certain outcome, and the 'end date', where a point in time is the focus.[24] Even though often used, the end date concept has been criticised for being too simplistic for a post-conflict setting.[25] That said, using an end state is not an uncomplicated process. Questions to raise

[19] Nilsson Claes, Hull Cecilia, Derblom Markus and Egnell Robert, 2008. 'Contextualising the Comprehensive Approach – the Elements of a Comprehensive Intervention', FOI-R--2650--SE.
[20] Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace', p. 34.
[21] General Assembly and Security Council, 2008. 'Securing peace and development. The role of the United Nations in supporting security sector reform' , p. 19.
[22] See Dubik, James M, 2009. 'Building security forces and ministerial capacity – Iraq as a primer', p. 2; Freier, Nathan, 2010. 'The New Theology: Building Partner Capacity', Small Wars Journal, p. 2.
[23] Zaum, Dominik, 2008. 'Peace Operations and Exit'. The RUSI Journal, Volume 153, Number 2 (2008), p. 37.
[24] Nilsson, Claes and Svensson, Emma, 2009. 'Exit Strategies in Peace Support Operations', p. 12.
[25] Ibid. p. 15.

are how to know when enough capacity has been built and how to create measurable goals for an activity when not controlling all variables? Furthermore, using capacity building as a way to exit tends to reinforce the focus on training and equipping.[26]

Another challenge is the main **focus on the military sector**, which has meant that other sectors, such as the police and the justice system, have received little support. Since this study does not cover all parts of the security sector, this challenge will not be part of the analysis.

Finally, **timing** is a challenge when working with capacity building and SSR.[27] The question is when to engage in support to capacity building and SSR and how to do so in a preventative manner. Since the structures studied were not established until the post-conflict phase, this challenge will also be omitted from the study. As for the other challenges, they will, in the Kosovar context, be further elaborated upon in chapter 4.

1.3 Method and Delimitations

Kosovo as a case study has been chosen for several reasons. First of all, it was important to find a case where Sweden has played a substantial role because the results and lessons identified should be relevant for possible Swedish support to the security sector in the future. Sweden is a large contributor of personnel and other resources to the structures supporting the Kosovo Security Force and the Kosovo Security Council. Second, it was chosen as a case where support to the security sector had been ongoing for some time, to be able to identify positive and negative effects. The third criterion was to have a case where capacity building has mainly taken place in a post-conflict setting.

The study is based on a wide range of literature, including academic literature, official NATO and Kosovo documents and reports by non-governmental organisations. It is also based on semi-structured interviews with Kosovo representatives, Kosovo Force (KFOR) and NATO officials, as well as representatives from other international and national organisations working with the security sector in Kosovo. These were conducted in May 2011. Unfortunately, the research team was not able to interview any representative from the Kosovo Security Force. The interview structure (see Appendix 1) was devised beforehand and was generally the same, with minor differences depending on affiliation, for all interviews. Follow-up questions were adapted to the answers given by the responders.

[26] Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace', p. 44.
[27] For a lengthier elaboration of these challenges, see Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace'; Nilsson, Claes and Svensson, Emma, 2010. 'Säkerhetssektorreform i förändring'.

The main focus in this report is the support given to the new security structures that were created after Kosovo's declaration of independence. Therefore, the work done in the security sector prior to 2008 is only mentioned briefly. Another delimitation is that the purpose has primarily been to study the military support to the security sector, therefore mainly focusing on the Kosovo Security Force and the Kosovo Security Council. Other structures, such as the police and the justice system, are therefore only part of the study when interfacing with the Kosovo Security Force or the Kosovo Security Council. Furthermore, the main focus is the mentoring and advising support given to these structures. As it is the international community's support to capacity building that is of interest, the report does not discuss the conflict dynamics or the political development within Kosovo, if not directly affecting capacity building.

1.4 Outline

Chapter 2 gives the reader a brief overview of the international community's engagement in Kosovo and how it has developed over the years. Chapter 3 focuses on the post-independence security structures, such as the Kosovo Security Force and the Kosovo Security Council, and the support these structures have received. In chapter 4, capacity building challenges are discussed. In the final chapter (chapter 5), possible future changes within the Kosovar security structures are considered.

2 The International Community's Engagement in Kosovo

In the 1974 Yugoslav constitution, Kosovo was granted autonomy and was given the status of a federal unit within the Serbian Republic. By 1989, the Serbian President Slobodan Milosevic revoked the autonomy and placed Serbian security forces in Kosovo. During the 1990s, the KLA took up arms to fight for independence, and by 1998 a fully fledged conflict had erupted between the Serbian military forces and the KLA. In October the same year, a ceasefire agreement was reached.[28] The international community responded by setting up the Kosovo Verification Mission (KVM) headed by the Organization for Security and Co-operation in Europe (OSCE). It was mandated to (a) verify the ceasefire, (b) monitor movement of forces and (c) promote human rights and democracy building.[29] However, fighting resumed in the beginning of 1999, and in March the same year the KVM had to withdraw.

At the same time, a six-nation contact group[30] convened both parties to peace talks in Rambouillet, France, proposing an agreement that would give Kosovo autonomy and enable the Serbian forces to be replaced by an international military presence. After three years an international meeting would determine a mechanism for a final settlement for Kosovo.[31] Serbia refused to sign the agreement.

Due to Serbia's continued use of force against the civilian population, in March 1999, NATO launched a bombing campaign against Serbia. This was done without UN authorisation. Following the NATO bombings and the capitulation of President Milosevic, the UN Security Council adopted Resolution 1244 (1999), establishing the United Nations Interim Administration Mission in Kosovo (UNMIK) and mandated it to work as an interim administration.[32] UNMIK brought together four pillars under a UN leadership: (1) the police and justice system led by the UN, (2) civil administration, also led by the UN, (3) democratisation and institution building led by the OSCE and (4) reconstruction and economic development led by the EU. In addition, resolution 1244 called for an international military presence and therefore KFOR, led by NATO, was established to create and maintain security.[33]

[28] International Crisis Group, 'Kosovo Conflict History', http://www.crisisgroup.org/en/key-issues/research-resources/conflict-histories/kosovo.aspx, retrieved 28-06-2011.
[29] OSCE mission in Kosovo, 'overview', http://www.osce.org/kosovo/43378, retrieved 28-06-2011.
[30] United States, United Kingdom, France, Germany, Italy and Russia.
[31] The Rambouillet Agreement, Interim Agreement for Peace and Self-Government in Kosovo, http://www.state.gov/www/regions/eur/ksvo_rambouillet_text.html, retrieved 28-06-2011.
[32] United Nations Security Council, Resolution 1244 (1999).
[33] Ibid.

UNMIK's mandate meant that the UN administrated Kosovo. At the same time, capacity building efforts were undertaken in all sectors to be able to create conditions for a Kosovar takeover of responsibility. A lot of emphasis was put on the establishment of a Kosovar Police force, but the judiciary also received some support. However, the reserved powers played a considerable role in the security sector. Even though reforms were carried out, for a long time the UN (UNMIK) and NATO (KFOR) controlled all matters concerning the security sector, and because of the sensitivity of the future status of Kosovo, the one area where no capacity building took place was the military. Instead, a civil emergency corps was created (see below). All in all, this meant that the Kosovars did not get the opportunity to develop the ability for planning within the area of defence and security.[34]

2.1 Reforming the Kosovo Liberation Army

The KLA (or the UÇK – Ushtria Çlirimtare e Kosovës) was established in 1993 by people who believed that an independent Kosovo could only be achieved by force. Soon the organisation was labelled as 'terrorist' by the international community.[35] However, during the peace talks in Rambouillet in February 1999, the KLA and one of its leaders, Hashim Taçi, were recognised by the international community and therefore became a legitimate party in the negotiations. Following resolution 1244, the KLA and other armed groups were demanded to demobilise. By 20 June 1999, the KLA and KFOR had signed the *Undertaking of Demilitarisation and Transformation by the UÇK*. During the transformation process KLA members were to be reintegrated into the society or incorporated into the new police force and to a national guard, named the Kosovo Protection Corps.[36]

The Kosovo Protection Corps was a transitional solution awaiting the final status arrangements. It was mandated to provide disaster response services, perform search and rescue operations, provide capacity for humanitarian assistance, assist in demining and contribute to rebuilding infrastructure and communities.[37] It was intentionally designed as a civil emergency corps and was not mandated in the areas of defence or law enforcement. Instead, it was used as a KLA containment

[34] Kosovo Internal Security Sector Review 2006, p. 134.
[35] Özerdem, Alpaslan, 2003. 'From a 'Terrorist' Group to a 'Civil Defence' Corps: The Transformation of the Kosovo Liberation Army', in *International Peacekeeping*, 10: 3, 79–101, p. 80; see also the United Nations Security Council Resolution 1160 (1998).
[36] Undertaking of Demilitarisation and Transformation by the UCK, 20 June 1999.
[37] UNMIK Regulation 1999/8.

strategy by the international community. However, the KLA saw the protection corps as a de facto army.[38]

The responsibility for reforming the KLA into the Kosovo Protection Corps fell on the International Organization for Migration (IOM). Out of the over 25,000 KLA combatants that registered for demobilisation, 5,000 were selected to become part of the corps.[39] Those not chosen were given the opportunity to take part in a reintegration programme. The IOM then conducted a four-year long training programme for the corps. The programme was funded by the United States, but, since 2004, the support to the corps has been minimal.[40]

2.2 The Ahtisaari Plan and a New International Presence

During 2006, as to inform the final status talks, an Internal Security Sector Review was undertaken. The work was headed by the United Nations Development Programme (UNDP) and was one of the first comprehensive SSR reviews ever done. The review, building on vast consultations with the population, suggested a new security architecture for Kosovo. This included, among other things, new institutions such as a security council and a defence force.[41]

In November 2005, the UN Secretary-General appointed Martti Ahtisaari as Special Envoy for the future status process for Kosovo. The process was meant to lead to a political settlement, determining the status of Kosovo. After negotiating with both parties to the conflict, Ahtisaari came to the conclusion that they would not be able to agree on a common solution.[42] Instead, on 26 March 2007, the Special Envoy presented his proposal for the future status of Kosovo to the UN Security Council. The proposal called for an independent Kosovo, initially supervised by the international community.[43] Therefore, the Comprehensive Proposal for the Kosovo Status Settlement, or the Ahtisaari Plan, laid the foundation for an independent Kosovo.

[38] International Crisis Group, 2006. 'An Army for Kosovo?', Europe Report No. 174, p. 12; Özerdem, Alpaslan, 2003. 'From a 'Terrorist' Group to a 'Civil Defence' Corps', p. 92.
[39] International Organization for Migration, 2004. 'Kosovo Protection Corps Training Program', p. 16.
[40] International Crisis Group, 2006. 'An Army for Kosovo?', p. 16.
[41] Kosovo Internal Security Sector Review, 2006.
[42] United Nations Security Council, 2007. 'Letter dated 26 March 2007 from the Secretary-General addressed to the President of the Security Council', S/2007/168.
[43] United Nations Security Council, 2007. 'Letter dated 26 March 2007 from the Secretary-General addressed to the President of the Security Council: Addendum Comprehensive Proposal for the Kosovo Status Settlement', S/2007/168/Add.1. Hereafter referred to as the Comprehensive Proposal for the Kosovo Status Settlement.

The Ahtisaari Plan outlined a new international presence in Kosovo. Instead of UNMIK and the Special Representative of the Secretary-General (SRSG), the international community was to be represented by an International Civilian Representative (ICR) and his/her office. The ICR was given the responsibility to supervise the implementation of the plan as well as to support the Kosovar authorities. The EU was also to create a European Security and Defence Policy (ESDP) mission,[44] mandated in the area of rule of law, including the police, the judiciary, border control, customs and corrections services.[45] The European Union Rule of Law Mission (EULEX), as the mission was named, is now mentoring, monitoring and advising the police, the judiciary and the customs services, but it also has a number of limited executive powers.[46] As the new international presence was set in place, UNMIK was to withdraw. However, as a majority of states have not recognised Kosovo, among those Russia and Serbia, resolution 1244 could not be abandoned, and therefore UNMIK could not be terminated. Even though downsized and with a somewhat vague role, UNMIK is still in place.

Using the recommendations of the security sector review, the plan also outlined a new structure for the security sector, including the Kosovo Security Force and its pertaining ministry, the Kosovo Security Council, the Kosovo Intelligence Agency and a Civil Aviation Authority. As for the international military presence, it was to supervise and support the establishment and training of the new security force.[47]

[44] Now called the Common Security and Defence Policy (CSDP) mission.
[45] Comprehensive Proposal for the Kosovo Status Settlement, Annex IX.
[46] Ibid, Annex X.
[47] Ibid, Annex XI.

3 The New Security Structures

On 17 February 2008, Kosovo declared itself independent and the new security structures proposed in the status settlement (the Kosovo Security Council, the Kosovo Security Force, the Kosovo Intelligence Agency and the Civil Aviation Authority) were written into the new constitution.[48] However, since the security sector had first been controlled by Yugoslavia/Serbia and second, since 1999, by the international community, the Kosovars had little experience in the area of defence and security. Therefore, capacity building was needed.[49]

The Ahtisaari Plan has been the main starting point both for the local authorities and the international community when developing Kosovo's new security structures. In July 2011, Kosovo adopted its first national security strategy. The strategy outlines a broad range of challenges[50] to national security and the importance of interagency as well as international cooperation to address them. However, it says little of the specific capacities of each security institution and it is too broad and general to give clear guidance on how the security institutions should develop to meet the challenges identified.[51] A strategy for the Kosovo Security Force is being developed but has yet to be approved. Therefore, there has so far been little national guidance on the establishment of the new security structures.

In accordance with the Ahtisaari Plan, NATO, in June 2008, at the meeting of NATO Defence Ministers, decided to give KFOR the task "to support the development of professional, democratic and multi-ethnic security structures".[52] In reality, this meant supporting the standing down of the Kosovo Protection Corps and establishing the Kosovo Security Force as well as its pertaining ministry.[53] These tasks have been further elaborated in KFOR's Operational Plan.

At the same time, the UNDP supported the development of effective democratic oversight of the security sector and capacity building within the Kosovar

[48] See The Constitution of the Republic of Kosovo.
[49] See Kosovo Internal Security Sector Review, p. 134.
[50] These are: Good Governance, Rule of Law, Corruption, Organised Crime, Terrorism, Illegal Weapons and Explosives, Disasters and Civil Emergencies, Explosive Ordinance, Economy, Integration of all Communities, Education and Research, Unemployment and Poverty, Agriculture, Public Health, Environment and Cultural Heritage.
[51] See the Security Strategy of the Republic of Kosovo.
[52] NATO, NATO's Role in Kosovo, http://www.nato.int/cps/en/natolive/topics_48818.htm, retrieved 28-06-2011.
[53] The international community only recognises the ministry with a lower-case letter as many states have not recognised Kosovo as a state.

government.[54] As for the Kosovo Security Council, its Situation Centre had been given support since 2006, first by the United Kingdom and then, from 2007, by Sweden. Therefore, SSR was ongoing at several levels of the security sector. However, the main focus here will be on the Kosovo Security Council and the Kosovo Security Force.

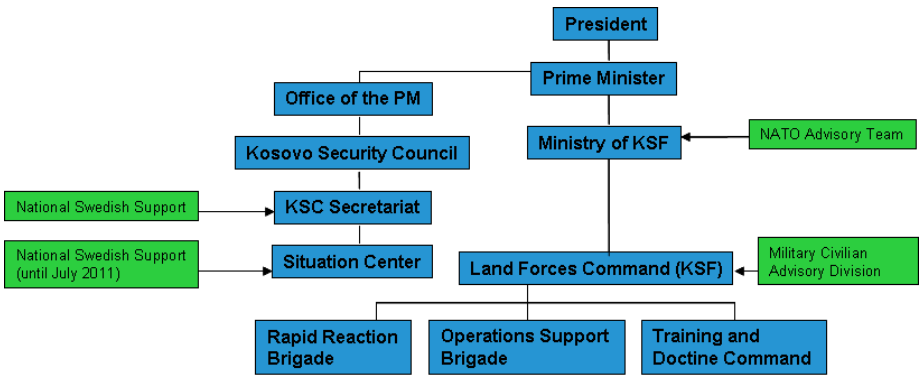

Figure 1: Structure of the Kosovo Security Council and the Kosovo Security Force and the Swedish and NATO support given to these structures

3.1 Kosovo Security Council

The law on the establishment of the Kosovo Security Council was signed in 2008 and stipulates that the Council shall play an advisory role to the Prime Minister and the government on all matters relating to the security of Kosovo and its contribution to regional stability. Furthermore, it shall provide information and assessments on the security situation in Kosovo to enable the government to take relevant actions. The council is responsible for the development and review of the Security Strategy of Kosovo and the 10-year plan for the Kosovo Security Force. It also has an advisory and overseeing role regarding all policies within the security sector.[55]

The Security Council sits directly under the Prime Minister, who also chairs the council, and has a number of permanent members – primarily ministers with

[54] United Nations Development Programme, 'Support to Security Sector Development', http://www.ks.undp.org/?cid=2,103,281, retrieved 14-06-2011.
[55] Republic of Kosovo, 2008. Law No. 03/L-050, On the Establishment of the Kosovo Security Council.

executive authority.[56] Heads of relevant agencies, such as the Secretary of the Kosovo Security Council, the Commander of the Kosovo Security Force and the General Director of the Police are also permanent members of the council, but in an advisory capacity. In addition, the law regulates that if none of the permanent ministers belong to the Kosovo Serb Community, the Prime Minister shall appoint one additional member among the Kosovo Serb Ministers.[57]

In the case of a state of emergency in Kosovo, the Security Council will have executive authorities and be headed by the President. However, this has never been exercised, and one interviewee questioned whether it is effective to have the President as Chair, who normally is not involved in crisis management.[58] The Council has also been criticised for being an unnecessary structure within a country the size of Kosovo, where its tasks could be dealt with by the government in its regular setting.

The Kosovo Security Council has two supporting bodies: a Secretariat of the Council and a Situation Center, see below.

3.1.1 Kosovo Security Council Secretariat

The everyday work of the Council is done by the Secretariat of the Council. It is headed by a Secretary and has the main responsibility for:

a) preparing periodic reports and analysis on political-security related issues for the government of the Republic of Kosovo and the Kosovo Security Council;

b) coordinating the development of Kosovo's security strategy and policies, including also capacity building, policy and research instruments; *and*

c) providing administrative and functional support for the Kosovo Security Council.[59]

So far, the Secretariat has received very limited external support. According to several interviewees, it needs to develop its capacity in the area of analysis and policy development.[60]

[56] These are: the Prime Minister, Deputy Prime Minister, Minister for the Kosovo Security Force, Minister of Foreign Affairs, Minister of Internal Affairs, Minister of Justice, Minister of Economy and Finance and Minister of Returns and Communities.
[57] Republic of Kosovo, 2008. Law No. 03/L-050.
[58] Interview KFOR staff 2, Pristina 11 May 2011.
[59] Republic of Kosovo. Law No. 03/L-050.
[60] Interview Kosovar representative 1 and 2, international partner 1, Pristina 10 May 2011.

3.1.2 Situation Center

The Situation Center is a 24/7 supporting mechanism to the Secretariat. It serves as an operational centre for information gathering, basic analysis and support of crisis management, and shall provide timely situational awareness to the Kosovo Security Council. The Situation Center is responsible for coordinating Kosovo-wide operational response activities.[61]

The Situation Center reports to the Secretariat and shall liaise with, and be supported by, local and regional crisis management authorities. These are the Kosovo Police, the Kosovo Intelligence Agency, the Kosovo Customs Service, the Kosovo Security Force, the Agency for Emergency Management, Regional Centers for Emergency Management, Municipal Security Committees and relevant ministries.[62]

3.1.3 Support to the Kosovo Security Council

As mentioned earlier, the Kosovo Security Council was established in 2009 through support from the UNDP. The Situation Centre, however, had already been established in advance. Therefore, International efforts have, up until mid-2011, been focused on the Situation Center. The support has been relatively small, consisting of one Military Adviser. From the beginning, the United Kingdom provided the support, but in 2007 Sweden became involved and is, since 2009, now the sole contributor. Apart from providing a Military Adviser, Sweden has contributed to the training of the staff in the areas of information gathering and database management. Equipment for data collection and analysis has also been financed through Swedish support as well as the expertise needed to learn how to use the equipment.[63] As the Situation Centre has reached Full Operational Capability, the support will shift towards the Secretariat and their policy and analysis capacity, which is in line with what the interviewees expressed as the most prominent need.[64]

One main challenge for the Situation Center is its employees' English skills. Global information gathering becomes difficult when the members of staff can only communicate in Albanian and Serbian. Nevertheless, according to several interviewees, the centre has sufficient capacity to start working on its own without the support from an adviser, even though there is still room for

[61] Republic of Kosovo. Law No. 03/L-050.
[62] Rushiti, Visar, 2010. 'The role and future challenge of the Kosovo Security Council', American University in Kosovo, p. 42.
[63] Swedish Ministry of Defence 2011. 'Fortsatt stöd till säkerhetssektorreform projekt i Kosovo', press release 17 March 2011, http://www.sweden.gov.se/sb/d/14288/a/163731, retrieved 28-06-2011; Interview Kosovar representative 2, 11 May 2011.
[64] Interview Kosovar representative 1 and 2, international partner 1, Pristina 10 May 2011. See also Rushiti, Visar, 2010. 'The Role and Future Challenges of the Kosovo Security Council'.

improvement.[65] Furthermore, the level of English of the Situation Center staff has complicated the support given, since this has affected the communication between the adviser and the Secretariat and the Situation Center.

Another disadvantage is the lack of experience of relevant functions within a state's administration, since Kosovo-Albanians have only recently gained access to these positions. This means that the employees have been, and in some ways still are, in need of support regarding fundamental processes and functions within the state structure.[66]

Furthermore, the fact that capacity is being built from the bottom up might result in there not being sufficient capacity on the top to use the information provided by the Situation Center to the furthest extent possible. In the long run, this might mean that support is not only needed within the council but also in other parts of the government, such as the Prime Minister's office and the Ministry of the Interior.

3.2 Kosovo Security Force

The Ahtisaari Plan proposed that the Kosovo Protection Corps should be dissolved, and this task was given to NATO. Instead of the protection corps, a security force, consisting of approximately 2,500 active personnel and 800 reserves, was to be established.[67] The standing down of the Kosovo Protection Corps came to be a balancing act between taking care of a large amount of former officers and soldiers and, at the same time, shaping a new neutral non-army security force. A part of the new force was therefore reserved for former corps members. Out of 2,500 members at least half would come from the corps.[68] Those Kosovo Protection Corps members not recruited into the force were to be resettled, reintegrated or retired. A resettlement programme funded by a NATO Trust Fund was implemented by a local partner under the supervision of the UNDP.[69] The protection corps ceased its operational activities on 20 January 2009 and was formally dissolved on 14 June 2009. In parallel, the Kosovo Security Force was developed to ensure that key capabilities were available for emergency situations.

Recruiting personnel from the Kosovo Protection Corps to the new security force was not unproblematic. As mentioned earlier, the corps consisted of former KLA

[65] Interview Kosovar representative 1 and 2, international partner 1, Pristina 10 May. See also Rushiti, Visar, 2010. 'The Role and Future Challenges of the Kosovo Security Council'.
[66] Interview Kosovar representative 2, 11 May 2011.
[67] United Nations Security Council, Comprehensive Proposal for the Kosovo Status Settlement.
[68] Clewlow Ade, 2010. 'Kosovo's Security Transition: A Critical Study into the Establishment of the Kosovo Security Force', NUPI, Security in Practice 13, p. 11.
[69] NATO, 'NATO's Role in Kosovo'.

members. During the conflict in the 1990s, the KLA committed terrorist acts and profited from crime, and some members also continued to be involved in criminal activities when enrolled with the corps.[70] Therefore, without a thorough vetting and selection process, there was a risk of recruiting criminal elements into the new force.

3.2.1 Establishing a New Force

The first step in establishing the new force was to decide who of the former Kosovo Protection Corps members were to take part in the Kosovo Security Force. However, the selection and recruiting process did not run smoothly. For example many staff officers filled positions for which they did not have sufficient experience.[71] In the end, when the selection was finalised, unselected members were invited back to take part of the initial training as a measure to lower the growing discontent among those not selected and the population in general.[72] This was a risk, considering the past of some of the potential recruits. Guaranteeing a clean past of the force members therefore became difficult.

3.2.2 Tasks

By mid September 2009, the Kosovo Security Force had reached Initial Operational Capability.[73] The primary responsibility of the new security force is to be a civil crisis response function. More specifically, it has the following mandate:

a) to participate in crisis response operations, including peace support operations. This will include operations outside the territory of the Republic of Kosovo where invited to do so;

b) to assist civil authorities in responding to natural and other disasters and emergencies, including as part of a regional or international response effort,

c) to conduct explosive ordnance disposal,

d) to assist civil authorities through civil protection operations.[74]

The core capabilities of the force are demining, search and rescue, firefighting and dealing with hazardous materials.

[70] Pozidaev, Dmitry and Andzhelich, Ravza, 2005. 'Beating Swords into Plowshares: Reintegration of former Combatants in Kosovo', Center for Political and Social Research, p. 31, 49-50; see also International Crisis Group, 2000. 'What Happened to the KLA?', Europe Report No. 88, 3 March 2000.
[71] Clewlow Ade, 2010. 'Kosovo's Security Transition', p. 27.
[72] Ibid, p. 27-28.
[73] NATO, NATO's Role in Kosovo.
[74] Republic of Kosovo 2008. Law No. 03/L-046; Law on the Kosovo Security Force, Art 10.

In accordance with the Athisaari Plan, the security force is lightly armed and possesses no heavy weapons, such as tanks, heavy artillery or air capability.[75] A full review to these set conditions is to be carried out no earlier than five years after the entering into force of the law of the security force, which would be in March 2013 at the earliest.[76]

These tasks and limitations make the Kosovo Security Force a security force and not an army. The mandate was primarily an international construction and was heavily affected by the fact that not all states have recognised Kosovo. The Kosovars had already seen the Kosovo Protection Corps as a future army, and this seems also to be true for the force. For example, Commander Agim Ceku, then Commander-in-Chief of the Kosovo Protection Corps, stated: "[w]e see the KPC as a bridge towards the future, from the KLA as wartime organisation towards a regular, modern army of Kosovo."[77] Furthermore, the *Kosovo Internal Security Sector Review*, from 2006, outlined the establishment of a Kosovo Defence Force.[78] This is a complicating factor, since the new force being built might not be what the Kosovars want.[79] In fact, the minister for the security force has already suggested changes to its mandate. In a draft memorandum of understanding with the Ministry of Internal Affairs, the force is given policing duties, such as riot control, something that KFOR opposes.[80] It is likely that the security institutions and the mandate of the security force will be revisited when the Kosovo status settlement is reviewed.[81] During the course of this study, the majority of the interviewees were of the opinion that the Kosovo Security Force will turn into an army as soon as that opportunity is given.

3.2.3 Structure of the Force

The structure and names within the Kosovo Security Force is very similar to that of an ordinary army division. It divides its functions into core, enabling and supporting capabilities. The Land Forces Command (LFC) acts as the

[75] Republic of Kosovo 2008. Law No. 03/L-046, Art 10.
[76] Ibid.
[77] Quoted in Heinemann-Grüder, Andreas and Paes, Wolf-Christian, 2001. 'Wag the Dog: The Mobilization and Demobilization of the Kosovo Liberation Army', BICC brief 20, Bonn International Center, p. 22.
[78] The Kosovo Internal Security Sector Review, 2006.
[79] Interview Kosovo Center for Security Studies, 9 May 2011.
[80] 'Controversy over new role for KSF', Southeast European Times, 27 June 2011, http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2011/06/27/feature-04, retrieved 06-07-2011; 'NATO says Kosovo civil emergency force not intended for riot control, policing', Associated Press, http://www.google.com/hostednews/canadianpress/article/ALeqM5gWdtF8KdshooVKo5j1zPZf-fpgJQ?docId=7088151, retrieved 06-07-201.
[81] See Geci, Sinan, 2011. 'Kosovo Security Force Post 2012', p. 19, American University in Kosova, 6 May 2011.

Headquarters of the force and commands and controls three brigades: the Operational Support Brigade (OSB), the Rapid Reaction Brigade (RRB) and the Training and Doctrine Command (TRADOC). The OSB consists of approximately 800 persons and is in charge of the core capabilities, which each represent one company. There are also one Logistics Battalion, one Engineers Battalion and one aviation company organised within the OSB. The RRB consists of around 1100 persons. It is divided into three battalions, which entails a number of crisis response units. The RRB is supposed to support other authorities in Kosovo if joint operations are to take place abroad. The TRADOC brigade is responsible for the overall training of the force and, in coordination with the ministry, develops doctrine, documents and regulations. TRADOC comprise of approximately 200 persons. [82]

The Kosovo Security Force is headed by the ministry for the Kosovo Security Force. It is an integrated ministry, consisting of civilian (60%) as well as uniformed personnel (40%).[83] The minister is also a member of the Kosovo Security Council, see section 3.2.[84] The ministry is divided into two directorates: Policy and Plans and Operations. The Force Commander functions as a key adviser. The Commander also heads the LFC.

3.2.4 Reaching Full Operational Capability

As of April 2011, just over 2,000 members of the Kosovo Security Force had been recruited. However, the reservists have not been recruited due to the lack of a regulatory framework.[85] To this day, the force has carried out several exercises and a few real operations, including support to Albania during the flooding in 2009.[86] The overall focus is to ensure that the security force reaches Full Operational Capability, meaning that "The KSF have developed to a point were they have sufficient capacity and self-sustaining capabilities, to standards designated by NATO, to conduct its function in the core capabilities and are able to continue its development."[87] Whether the Kosovo Security Force has reached Full Operational Capability is decided by the North Atlantic Council (NAC), NATO's supreme political body, upon the recommendation of the Commander of KFOR. This will happen in two to five years from when Initial Operational

[82] Ministry for the Kosovo Security Force, 2010. 'Stand-up, Challenges and Success', p. 10-11; Presentation given by MCAD, Pristina 11 May 2011.
[83] The Security Forum, 2011. 'Kosovo Security Force – between current challenges and vision for the future', Kosovar Center for Security Studies, p. 7; Ministry for the Kosovo Security Force, 2010. 'Stand-up, Challenges and Success', p. 5.
[84] Ministry for the Kosovo Security Force, www.mksf-ks.org, retrieved 20-05-2011.
[85] Interview MCAD staff 1, Pristina 11 May 2011.
[86] Ministry for the Kosovo Security Force, 2010. 'Stand-up, Challenges and Success', p. 17.
[87] Presentation given by MCAD, Pristina 11 May 2011.

Capability was reached,[88] which, as mentioned before, was in September 2009. A number of interviewees stated that it would happen by the end of 2011.[89] However, what standard the force should actually reach is unclear, since none of the interviewees knew what the NATO standards were. Some interviewees even stated that no NATO standards existed for these tasks.[90]

NATO has developed standards in several different areas. To the furthest extent possible, the organisation should adopt already existing civil standards when applicable. However, these are to be applied on military forces. Whether this means that there are no suitable standards to use when evaluating the Kosovo Security Force or if such standards exist without the information being distributed into the field remains unclear to the authors. It is in any case serious that no guidance has been provided from NATO Headquarters. Furthermore, there was a feeling among several of the interviewees that the process of reaching Full Operational Capability is being rushed by NATO in order to be able to withdraw as soon as possible.[91]

To address the problem of missing standards, an assessment tool for verifying at what level the security force is has been developed by the Military Civil Advisory Division (MCAD) at KFOR. The tool is divided into seven objectives:

1) the force conducts its functions in accordance with a regulatory framework and operates according to standards designated by NATO;
2) the force has sufficient capacity and is self-sustaining in executing core operational capabilities;
3) the force is able to recruit, select, screen, vet and train individuals;
4) the force is able to career manage personnel, including appointments, promotions, discipline and pensions;
5) the force is able to support planning, doctrinal development and budgeting to resource and maintain the force;
6) the force is able to plan and conduct exercises and training; and
7) the force is able to undertake crisis response operations within Kosovo.[92]

Each objective has then been given several criteria that should be met in order to fulfil the objective. Some of the criteria are more crucial than others

[88] Ibid.
[89] Interviews with MCAD staff 1 and 2, NAT staff 1–4, KFOR staff 2 and 3 and international partner 4, Pristina 10–12 May 2011.
[90] Interviews MCAD staff 1 and 2, Pristina 11 May 2011.
[91] Interviews MCAD staff 1 and 2, NAT staff 4, international partner 4, Pristina 10–12 May 2011.
[92] Presentation given by MCAD, Pristina 11 May 2011.

to reach Full Operational Capability.[93] It is important to point out that the assessment tool has been developed in the field by the mentors and advisers that work with the Kosovo Security Force and not by NATO on a strategic level.

3.2.5 Support to the Kosovo Security Force

The international community has supported the Kosovo Security Force in several different ways. NATO provides support through two mechanisms: the MCAD at KFOR and the NATO Advisory Team (NAT). Both the NAT and the MCAD, being NATO structures, consist of primarily military staff. In addition, a NATO Trust Fund has been established. Through the Trust Fund, equipment has been donated. As of 2010, 7 million euros had been donated to the fund.[94] There is also bilateral support taking place, mainly provided by the United States and the United Kingdom. Sweden contributes with mentors and advisers both through the MCAD and the NAT. Sweden has also contributed to the Trust Fund and has provided the opportunity to attend training in Sweden.

According to the Ahtisaari Plan, "NATO shall support the development of structures and expertise in Kosovo to ensure the effective civilian control and management over the KSF".[95] At a strategic level, this is done at the ministry for the Kosovo Security Force by the NAT. The NAT was specifically created for this task and is not part of the KFOR structure but is led directly from NATO in Brussels. It advises different actors within the ministry and consists of around 10 advisers. Each adviser has his/her own area of responsibility, such as policy and plans, logistics or training and operations. The NAT's support can be divided into three phases: the creation of a structure for the ministry of the force; the execution and production of relevant documents, such as laws and Standard Operational Procedures; and the full stand up of the ministry. According to one staff member at the NAT, the support has reached phase three.[96]

The MCAD was created within KFOR to support the standing down of Kosovo Protection Corps and the creation of the Kosovo Security Force. The task it has been given is to train, advise, mentor and evaluate the establishment and training of the force. It has executive authority over the forces until it has sufficient operational capability and is self-sustainable in accordance with standards designated by NATO.[97] The MCAD has mentors at the Land Force Command,

[93] Interview MCAD staff 1.[94] Ministry for the Kosovo Security Force, 2010. 'Stand-up, Challenges and Success' p. 12.
[94] Ministry for the Kosovo Security Force, 2010. 'Stand-up, Challenges and Success' p. 12.
[95] United Nations Security Council, Comprehensive Proposal for the Kosovo Status Settlement, Annex XI.
[96] Interview NAT staff 1, 12 May 2011.
[97] Presentation given by MCAD, Pristina 11 May 2011.

the Rapid Reaction Brigade, the Operational Support Brigade and the Training and Doctrine Command. Apart from that there is also a Force Vetting Unit and a Force Advisory Office. The Force Advisory Office is thematically organised, focusing on personnel, plans and policy, training and operations as well as support such as logistics and budget.[98] Therefore, there are areas where the NAT and the MCAD overlap one another, creating frictions between the two structures. This hampers the effect of the support given.

The mentors and advisers are working hard to enable the Kosovo Security Force to reach Full Operational Capability during autumn 2011. However, the support given could be somewhat questioned, since it is mainly military and the security force is supposed to be a civilian structure. In addition, the mentors and advisers have troubles sticking to a strict mentoring role and sometimes tend to do the work on their own.

Apart from the multilateral support given to the force through NATO, the force also receives bilateral support from several different countries, for example the United States, the United Kingdom, Albania, Turkey, the Netherlands, Lithuania and Japan.[99] As of 2010, approximately 90 courses had been provided from different donors according to the ministry of the force.[100] However, it is difficult to make a comprehensive overview of the bilateral support since, at the time of writing, a compilation of the bilateral donors did not exist. A concern raised during the interviews was that the bilateral support was not sufficiently coordinated.[101]

[98] Ibid.
[99] Ministry for the Kosovo Security Force, 2010. 'Stand-up, Challenges and Success' p. 12.
[100] Ibid.
[101] Interview NAT staff 3, 12 May 2011.

4 Capacity Building Challenges

How both the Kosovo Security Council and the Kosovo Security Force are supposed to work and what support is given to these structures to reach that objective has been outlined above. Both structures are making progress and have had a positive development during the time support has been given. However, several challenges, many of the coinciding with previously identified ones, have been present and affected the effect of the capacity building efforts. These have been briefly touched upon, but will be further discussed below. Recommendations for how the support to the Kosovar security structures could be improved are also outlined.

4.1 Kosovo's Status

Before going into each of the specific challenges, the question of Kosovo's status needs to be addressed. This issue complicates the international community's relation to Kosovo and, therefore, also the support given. Organisations such as the UN, NATO and the EU have had difficulties to speak with one voice since some of their member states have not recognised Kosovo.[102] This problem was raised in almost all interviews. For example, within KFOR there have been some troop contributors that have been sceptical to the whole idea of establishing a security force.[103] Another indication is that the NATO Trust Fund has received little support.[104] The idea of creating a security force and not an army, further discussed below, relates to the question of Kosovo's status. Clearly, this has affected the capacity building work done, and it is therefore important that each organisation's lessons for working under these types of circumstances are taken care of and discussed to facilitate similar situations in the future.

4.2 Local Ownership

As previously mentioned, local ownership is at the heart of SSR, and without it present, the sustainability of the support given is put at risk. Establishing local ownership during the reform process is one of the main challenges when working with capacity building and SSR.

Local ownership has, for several reasons, been difficult to obtain in Kosovo. As mentioned earlier, KFOR, through MCAD, has executive authority over the Kosovo Security Force, meaning that the ultimate decision regarding the force is

[102] The EU and NATO members that have not recognised Kosovo are: Cyprus, Greece, Romania, Slovakia and Spain.
[103] Clewlow Ade, 2010. 'Kosovo's Security Transition', p. 30.
[104] Ibid, p. 8.

out of Kosovo's hands. Furthermore, the mentors and advisers sometimes take an implementing role rather than an advising one, which also undermines local ownership. This will be further discussed below.

Another aspect is that there have been no local plans or strategies to follow. Instead, these have been developed along the way. This further demonstrates the complexity of local ownership. When starting a reform process, local actors should be involved from the start, but, at the same time, there might be no local ownership to build upon until capacity building activities have already started. In one way the support given contributes to establishing the local ownership needed.

The most serious limitation to local ownership in the Kosovar case is, however, the creation of the security force in itself. It is clear that the Kosovars prefer an army and not a security force, and it is likely that the force will transform into an armed force when the opportunity is given. This means that the core capabilities of the force will change even though the same structures might be used. Part of the capacity being built might therefore be done in vain. Hopefully, the capabilities will be transferred to another agency or kept in parallel with new military tasks, but there is no guarantee that this will happen. The question of Kosovo's status has complicated this issue, but using capacity building as a containment strategy of former combatants, rather than for the future, is not an efficient way of using resources. More importantly, it deprives the Kosovars of their local ownership.

However, local ownership is complicated, which is illustrated in the discussion on having former KLA members as part of the Kosovo Security Force. A completely locally owned process might have resulted in the international community not being able to sort out any former KLA combatants. Another aspect is the question of who represents the local ownership. As mentioned earlier, there is a risk of local ownership being limited to certain stakeholders. In the Kosovar case this could refer to the Kosovar Albanian majority and, to some extent, former KLA members. The northern parts of Kosovo, where the majority of the Serbian minority lives, is, to a large extent, not taking part in the build up of the new security structures. Therefore, factional ownership is a reality in Kosovo. This needs to be taken into consideration when developing future support to the Kosovar security sector.

4.3 The Importance of Adequate Competence

SSR means that the security sector is transformed into a system consistent with democratic norms and good governance.[105] In practice, training and equipment,

[105] OECD/DAC, 2005. 'Security System Reform and Governance', Guidelines and Reference Series, p. 20.

rather than institution building and good governance, has normally been the focus when building capacity. This has also been the case in Kosovo, and is closely connected to the competences of the mentors and advisers. In Kosovo, the Kosovo Security Force and the Kosovo Security Council are civilian structures with civilian capabilities. However, support given to these entities has primarily been military. The MCAD consists of all military staff, the majority of the NAT have a military background and the adviser to the Security Council has, up until July 2011, been a military. Therefore, they might not have experience in the areas of responsibilities of the security force or the Council.

For example, support has been given in areas such as personnel, plans and policy, budget, human rights and law. More importantly, support has been given at a ministerial level through people that, in many cases, do not have experience of ministerial work. Using military support might therefore become ineffective and is an inefficient way of spending resources, hampering the effectiveness of the structures supported. It might also result in democratisation being put aside, even if it is done unintentionally, since the democratic control, oversight and accountability over the security forces, being an army or not, are civilian tasks. Therefore, there is a need to be able to provide trainers, mentors and advisers from a broader spectrum of competences than what is done today. One of the challenges is that the donors might lack such competences.[106] Developing that type of capacity should therefore be a priority for the donors. The Swedish decision to provide a civilian adviser to the Secretariat of the Security Council is a positive development and the opportunities to do the same within the NAT should be explored. One way to simplify such a procedure could be to do a thorough inventory, in advance, of the competences needed on each specific position.

Connected to the competences of the mentors and advisers are language skills. Several interviewees have pointed out the fact that language differences complicate the role of the advisers and mentors.[107] Both the level of English of the mentors and the advisers, as well as the ones receiving support, cause difficulties. There are also very few advisers that know either Albanian or Serbian. These differences affect the effectiveness of the support given. It would therefore be advisable to recruit mentors and advisers that can master not only English but also the local languages. Providing English lessons to the staff within the Council and the security force should also be continued.

[106] Nilsson, Claes and Zetterlund, Kristina, 2011. 'Arming the Peace', p. 35.
[107] Interviews MCAD staff 1 and 2, NAT staff 2, 3 and 4.

4.4 Coordination and Cooperation

Coordination and cooperation of support and activities towards the security sector is important for enhanced effectiveness, but, in general, it is hard to achieve. Different agendas among the donors are one of the main reasons for this. Furthermore, the recipient country's ability to absorb the given support is a complicating factor. This also seems to be the case in Kosovo, as several interviewees have pointed out that there is a lack of coordination between all different stakeholders providing support, not just towards the Kosovo Security Force, but to the security sector as a whole.[108]

One concrete example is the coordination and cooperation between KFOR and EULEX. When the Kosovo Security Force was established there was no discussion on its mandate between the government, KFOR, the EU and the Kosovo Police. This has resulted in overlapping mandates between the police and the security force in the area of emergency response.[109] For example, one of the tasks of the Kosovo Security Force is to conduct explosive ordnance disposal,[110] while the Kosovo Police has a mandate to search for explosives and to secure and inspect the scene of a criminal act.[111] It is therefore unclear as to who has the main responsibility if explosives are found.[112] It would seem natural if KFOR and EULEX, respectively, supported the security force and the police to find a solution to the problem. Instead, the conflict seems to be enhanced by the respective mentors and advisers, which is not conducive to finding a solution to the problem. If the security force, as suggested, is given riot control tasks, the need for cooperation between the police and the security force will increase even further, and so will the need for coordination between KFOR and EULEX.

Yet another example is the fact that there seems to be no comprehensive compilation of the bilateral support given to the new security structures, which of course makes coordination difficult. It may also affect the quality of the security force, since the training provided might not be coherent with one another. The development of a system for, as a minimum, information exchange between all actors involved is therefore necessary. Furthermore, the Secretariat of the Security Council has a mandate to coordinate the development of Kosovo's security strategy and policies, including also capacity building. It would therefore

[108] Interviews NAT staff 3 and 4, international partner 5, Kosovar Center for Security Studies, 9–12 May 2011.
[109] Derks, Maria and Price, Megan, 2010. 'The EU and Rule of Law Reform in Kosovo', Clingendael, p. 23.
[110] Republic of Kosovo 2008. Law No. 03/L-046.
[111] Republic of Kosovo 2008. Law Nr. 03/L-035, Law on the Kosovo Police.
[112] Interviews MCAD staff 1 and 2, international partner 2, Pristina 10–11 May 2011. In the newly adopted national security strategy it is stated that the security force, when ready, will be responsible for explosive ordnance disposal. However, the strategy was adopted after the interviews took place.

be advisable to support the Secretariat to enable it to take a more active coordinating role.

There are also internal coordination challenges within NATO. The cooperation between the MCAD and the NAT is not running smoothly, according to several interviewees.[113] The interviewees stated that there were several reasons for this. The MCAD and the NAT have different reporting lines, whereas the MCAD is part of KFOR which reports to the Allied Joint Force Command in Naples,[114] the NAT reports directly to the Supreme Headquarters Allied Powers Europe (SHAPE), the NATO military headquarters. Another reason is that the two structures have overlapping competences in areas such as plans and policy, training and operations, personnel and logistics.[115] Even though the MCAD is focusing on Kosovo Security Force and NAT on the ministry, there are times where both are doing similar things without consulting each other. There also appears to be disagreements on a personal level between the staff members of the two supporting structures. All in all, this does not contribute to a conducive environment for cooperation and is affecting NATO's effectiveness. To avoid this, it would seem logical that one NATO structure for supporting the Kosovo Security Force and its ministry is developed.

4.5 Full Operational Capability as an Exit Strategy

Capacity building and SSR becoming an exit strategy for the international military presence is not uncommon. Whether using an end state or an end date as a strategy varies, and measuring progress and deciding when enough capacity has been built is challenging no matter what approach is chosen.

In the case of Kosovo, the development of the Kosovo Security Force can be seen as a way for KFOR to be able to exit. Reaching Full Operational Capability would mean that KFOR could downsize and eventually withdraw. Therefore, it could be seen as an end state of the support given to the force. As mentioned before, standards designated by NATO are the basis for the development of the security force and would, in an ideal case, be a way to measure when the end state has been reached.

[113] Interviews MCAD staff 1 and 2, NAT staff 2 and 4 and international partner 4, Pristina 10–12 May 2011.

[114] Joint Force Command in Naples "prepares for, plans and conducts military operations in order to preserve the peace, security and territorial integrity of Alliance member states and freedom of the seas and economic lifelines throughout SACEUR's Area of Responsibility (AOR) and beyond". http://www.jfcnaples.nato.int/, retrieved 28-06-2011.

[115] Presentation given by MCAD interview NAT staff 4, 12 May 2011.

However, NATO standards are normally developed for military organisations and military tasks. According to two interviewees, there have been no criteria to rely upon.[116] This has created confusion as to what is actually the end state of the support given. What competences the security force should have are clear, but what level these capabilities should have reached has not been decided in advance. This has meant that the MCAD staff, in cooperation with the NAT and the Kosovo Security Force, have had to develop an assessment tool for Full Operational Capability and then, on its own, chosen what criteria are to be fulfilled.[117] Ideally, this would have been developed at a higher level, but, nevertheless, there are measurable criteria in place.

However, the main problem here is that the end state seems to have been transformed into an end date. The minister for the Kosovo Security Force has stated that he wants Full Operational Capability to be declared by the end of 2011.[118] It was the view of several interviewees that this was also the goal for KFOR and that Full Operational Capability might be declared without the force actually having acquired all competences needed in accordance with the assessment tool.[119] Of course, working towards a date rather than a specific state risks jeopardising the quality of the support given and the results achieved. Nevertheless, this is the reality to adapt to.

The assessment model for measuring what stage the security force has attained will be used, as two interviewees expressed it, to ensure that the force reaches a level that is 'good enough', rather than de facto Full Operational Capability.[120] The argument for a 'good enough' approach is that quality standards should be flexible. A minimum level is sufficient in the beginning as the standard could be raised along the way.[121] If this is the case, the providers of mentors and advisers need to consider that further support will be needed also after the declaration of Full Operational Capability, since only a minimum standard might have been reached.

4.6 Long-term Engagement

Establishing an effective and accountable security sector is a long-term process. The Kosovo Security Council, or the Situation Center, has been supported since 2006 and the Kosovo Security Force since 2008. This is a relatively short amount of time. One could argue that the support has been going on longer than that

[116] Interviews MCAD staff 1 and 2.
[117] Presentation given by MCAD, Pristina 11 May 2011.
[118] Interview KFOR staff 1.
[119] Interviews NAT staff 4, MCAD staff 1, international partner 4, KFOR staff 2.
[120] Interviews NAT staff 4, international partner 4.
[121] Dubik, James M, 2009. 'Building security forces and ministerial capacity – Iraq as a primer', Institute for the Study of War, Best Practices in Counterinsurgency Report 1, p. 23.

since several of the Kosovo Protection Corps's core capabilities were transferred to the force. Nevertheless, the process of establishing the new force seems somewhat rushed. The discussion on an end state versus an end date on the issue of reaching Full Operational Capability is but one thing signalling this. At the same time, there is no evident sign that the bilateral support to the security sector is decreasing.

Another aspect of long-term engagement of the support is the problem of mentors and advisers developing documents and strategies on their own rather than advising on how to do a certain thing, since might be connected to the time frame during which the structures supported are expected to develop. It may also be a result of the short- term rotations of the mentors, which in itself is an example of the lack of a long-term engagement. One has to bear in mind that what is often tried to be implemented are structures, behaviours and values that has taken the supporting states several hundreds of years to achieve. As one of the Kosovar responders said "the resource we need the most, but no one is willing or can even give to us, is time".[122] Capacity building should be allowed to take time. However, this is not a decision by the individual mentors and advisers, but something that should already have been discussed at the planning stage of an activity. Therefore, when contributing to such a support, one should consider a long-term commitment, so that it can have a sustainable impact.

4.7 From a Liberation Army to a Security Force

Apart from the above-mentioned challenges, a few more issues have been identified regarding capacity building in Kosovo. The first one is the heritage of the KLA.

One debatable assumption when building capacity is that the partners (the host nation, or the Kosovar security structures in this case) will pursue policies consistent with the values and interests of the providers of the support.[123] As mentioned before, the Kosovo Security Force is based on former KLA combatants. Since the KLA does not have a totally clean past, this may suggest that their values might differ somewhat from the international community's, and this has complicated the support given to the security force. Several of the interviewees have raised this as a concern.[124] As one interviewee put it, the KLA has been a "necessary evil that needs to be erased before Kosovo can move forward".[125] From a capacity building perspective, the main point is to ensure

[122] Interview Kosovar representative 2.
[123] Freier, Nathan 2010. "The New Theology: Building Partner Capacity".
[124] Interviews KFOR staff 2, international partner 3, NAT staff 4, Pristina 11–12 May 2011.
[125] Interview international partner 3, Pristina 12 May 2011.

that the competence transferred does not fall into the wrong hands and is used inappropriately in the future.

Having future soldiers with a criminal past is a problem in itself. However, by including former KLA combatants the neutrality of the force is also put at risk, since the KLA only represent one side of the conflict. The Kosovo Security Force should be a force for all of Kosovo and the support should contribute to a new structure that will not mistreat any ethnicities, political groups or others that have been a part in the former conflict. However, starting from a clean sheet might not have been political viable and it could have enhanced the risk of former KLA combatants turning to criminal activities to an even further extent. This has been called the "demobilisation dilemma", where excluding former security personnel (or in this case ex-combatants) may pose a new security threat, whereas including them might risk the population's trust in the new force.[126] In Kosovo, this last part might not be true for the majority of the population, but the security force is also there to serve the minority groups.

This is why it is of great importance to handle the vetting and recruiting for the new force in a thorough and transparent way. The selection of new personnel needs to be based on competence and personal history so as to minimise the risk of recruiting people with a criminal past. If not selected, the reasons need to be clear to avoid rumours about the selection process. A viable alternative for those not selected also needs to be in place. Both strategies are equally important, since the new security structures need to provide security for both those who supported the former armed group and those who fought against it.

4.8 The Role of the Mentors and Advisers

The second issue, not pertaining to previously identified challenges, is the role of the mentors and advisers. The main support given to the Kosovo Security Council and the Kosovo Security Force is done through mentors and advisers. This is a complicated role to play, since it includes working as a facilitator rather than as a teacher.[127] In such a position one is supposed to give advice without running the show.[128] Instead, it is the host nation and the supported structure that have the lead. This might mean that the process of reaching a result (for example the creation of a plan or a strategy) is even more important then the result itself,

[126] Call, Chuck, 1997. 'Police Reform, Human Rights and Democratization in Post-conflict Settings. Lessons from El Salvador, USAID Conference Promoting Democracy, Human Rights, and Reintegration in Post-conflict Societies, October 30–31,1997, p. 8.
[127] Portfolio-based Learning in General Practice, Royal College of General Practitioners, Occasional Paper 63, December 1993, p. 7–8.
[128] Sobel, Lena and Hultman, Jöran, 2005. 'Mentorn: en praktisk vägledning', Stockholm: Natur och kultur, p. 14.

because the receiver of the support cannot learn the skills needed in any other way.

During the interviews several inconsistent views regarding the meaning of being a mentor or an adviser appeared. One view was that the mentor or adviser was to focus on advising without providing a complete solution, but to let the advisees develop standards, strategies, plans et cetera on their own.[129] Others stated that the role was to tell the Kosovars what to do and, if necessary, give them a framework to implement.[130] Several interviewees were frustrated that the development of the supported structures was not achieved quickly enough; therefore, it was sometimes easier to just get the work done themselves.[131] This was also attributed to the fact that the advisers and the advisees had different views regarding long-term planning. According to several interviewees, the Kosovars regarded long-term planning as less important than the mentors and advisers.[132] Even though some level of frustration is understandable, the working methods described might have a negative impact on the learning process, since the advisees are not given enough room to develop their roles by themselves. This is not only connected to the issue of local ownership, which has all ready been discussed, but also to the long-term sustainability of the investments in capacity building.

The need for guidance in SSR programme management was already highlighted by the Organisation for Economic Co-operation and Development (OECD) in 2007.[133] Therefore, it would be advisable to discuss the role of the mentor/adviser in the pre-mission training and consider different working methods and approaches that could be used. No matter how experienced and supportive the mentors are, if they only tell others what to do, or even do the job themselves, the effect will be limited and the long-term sustainability of the force could be threatened.

To optimise learning conditions a relationship built on trust needs to be created between the mentor or adviser and the advisee. According to a study done on Australia's contribution to police capacity building, such a relationship might need to go beyond a professional level,[134]and this takes time. Several interviewees were of the opinion that by the time this was reached the mentors were already on their way home.[135] Thinking that it in six months will be

[129] Interview NAT staff 4, Pristina 12 May 2011.
[130] Interview MCAD staff 2, Pristina 11 May 2011.
[131] Interviews at NAT and MCAD, Pristina 11–12 May 2011.
[132] Interviews MCAD staff 1 and 2, NAT staff 2, 3 and 4, Pristina 11–12 May 2011.
[133] OECD/DAC, 2007. 'The OECD DAC Handbook on Security System Reform: Supporting Security and Justice', p. 23.
[134] Harris, Vanda, 2010. 'Building on sand? Australian police involvement in international police capacity building', *Policing & Society*, Vol. 20, No. 1, p. 86.
[135] Interviews international partner 3 and 4, MCAD staff 1, NAT staff 4.

possible to build personal trust and understanding strong enough to have an impact might be too optimistic. The working tasks within peacekeeping and peacebuilding missions have, to some extent, changed over the years, and they are often focused on mentoring and advising rather physical security. Mentoring or advising positions are in need of longer contracts than those that have traditionally been used. In the case of Kosovo, it would even be possible to create positions where one could bring ones family. Another alternative would be to be based at home and travel extensively to the country of interest over a period of several years.

5 Way Ahead

The Kosovo case has confirmed that the previously identified challenges are still prevailing when working with the security sector. The issues of how to deal with former combatants and the importance of a thorough vetting process, as well as the role of the mentors and advisers have been raised as additional challenges. These all represent issues that should be taken into consideration given the current situation in Kosovo as to improve the capacity building support. If not, the support given will be less effective than what it potentially could be.

Looking ahead, there seems to be major changes approaching within the Kosovar security sector that may affect the support given. This also needs to be taken into consideration when planning future support.

First of all there is the issue of a future army. As previously mentioned, the Kosovo Security Force and the international community are working hard to reach Full Operational Capability of the force. This might be reached already by the end of this year. Reaching Full Operational Capability will mean that NATO looses some of its opportunities to affect and control the force, since the force then is supposed to function on its own. Suggestions of adding riot control to the force's tasks have already been drafted. Furthermore, the set conditions, stating that the Kosovo Security Force could only be lightly armed and not possess any heavy weapons, will be able to be reviewed by March 2013. It is therefore highly likely that Kosovo will proclaim the force an army and create the military structures that they have informally been working on for so long. Such a development will, of course, also affect the international community and each of the states that, up until now, have supported the development of the security force.

This brings us to the second question: **Kosovo's status and how it will affect future support.** The fact that not all countries have recognised Kosovo has affected the different organisations' opportunities to support the Kosovar security structures. The Kosovo Security Force turning into an army will probably not be a welcomed development for these states. This might mean that, in the future, it will be difficult to support the development of the force through an international organisation. Instead, this may need to be based on bilateral support. The states now involved in supporting the force should therefore take into consideration the possibility of continuing their support through bilateral arrangements.

The third question to raise is **what will happen with the present core capabilities of the Kosovo Security Force?** If turning into an army these might not be prioritised. The capabilities may continue to be part of the force but, in the future, they might also fall under the responsibility of the Ministry of Internal Affairs. It is therefore important to monitor what happens with these capabilities for them not to vanish and continue to support the development of them, no

matter where in the Kosovar system they end up. If this is not done, the heavy investments, starting with the Kosovo Protection Corps, in these capabilities, may have been done in vain, and it would mean that long-term sustainability is completely set aside. To work around this, channelling support through the Swedish Police and the Swedish Civil Contingencies Agency to the Ministry of Internal Affairs could be a way forward. Continued military support should only be given to a future army and not civilian structures.

Finally, Kosovo is but one case where support to the security sector is taking place. Its setting is unique, as would have been the case with any country studied. However, this does not mean that it is impossible to make generalisations based on the findings in this particular study. It might therefore be valuable to take the lessons identified into consideration when planning for future support to capacity building within the security sector.

Abbreviations

CSDP	Common Security and Defence Policy
ESDP	European Security and Defence Policy
EU	European Union
EULEX	European Union Rule of Law Mission
FOI	Swedish Defence Research Agency
ICR	International Civilian Representative
IOM	International Organization for Migration
KFOR	Kosovo Force
KLA	Kosovo Liberation Army
KVM	Kosovo Verification Mission
LFC	Land Forces Command
MCAD	Military Civil Advisory Division
NAC	North Atlantic Council
NAT	NATO Advisory Team
NATO	North Atlantic Treaty Organization
OECD	Organisation for Economic Co-operation and Development
OSB	Operations Support Brigade
OSCE	Organization for Security and Co-operation in Europe
SHAPE	Supreme Headquarters Allied Powers Europe
SRSG	Special Representative of the Secretary-General
SSR	Security Sector Reform
TRADOC	Training and doctrine Command
UÇK	Ushtria Çlirimtare e Kosovës
UN	United Nations
UNMIK	United Nations Interim Administration Mission in Kosovo
UNDP	United Nations Development Programme

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Appendix 1: Interview Guide

- What support has been given to the Kosovo Security Force /Kosovo Security Council in terms of capacity building?
- What have the main challenges been?
- What effect has the support had?
- Have there been any unintended consequences?
- How has coordination and cooperation worked with other donors/actors?
- In your point of view, are there any changes that could be made to improve the support given?
- How can security sector support be developed in the future?