



INNOVATIONS FOR SUCCESSFUL SOCIETIES

BUILDING THE POLICE SERVICE IN A SECURITY VACUUM: INTERNATIONAL EFFORTS IN KOSOVO, 1999 - 2011

SYNOPSIS

In 1999, the North Atlantic Treaty Organization (NATO) intervened to end a brutal war between the Kosovo Liberation Army on one side and the Yugoslav Army and Serb police on the other. After 78 days of air strikes over Kosovo and Serbia, Yugoslav forces officially disengaged from Kosovo on June 20. The departure created a policing vacuum in a society that had deep ethnic divisions. Kosovo's Albanians attacked residents of Serb descent in retaliation for earlier ethnic violence. Crime and looting spread while criminal gangs asserted control in lawless parts of the territory. Serb officers had vastly outnumbered Albanians in Kosovo's police service and had taken their direction from Belgrade. As many Serbs fled and others refused to cooperate with Kosovan authorities, Kosovo lost its trained police and police infrastructure. To fill the void, the United Nations assumed executive authority over the territory. Together with other international groups, the U.N. mission worked to establish and maintain law and order while organizing and training a Kosovo Police Service to assume gradual control. By 2008, the Kosovo police had become a professional force, securing law and order and developing one of the best reputations among the region's police forces. This case study offers an example of how a sustained effort by the international community can produce an effective police service in the wake of conflict.

Morgan Greene, Jonathan Friedman, and Richard Bennet drafted this case study on the basis of interviews conducted in Prishtina and Mitrovica, Kosovo, in July 2011, as well as interviews conducted in Kosovo by Arthur Boutellis in July 2008. Case published February 2012.

INTRODUCTION

In June 1999, after 78 days of air strikes, the North Atlantic Treaty Organization (NATO) drove Serbian-dominated Yugoslav forces from Kosovo. The Serb withdrawal included the police, leaving no law enforcement behind to maintain order. International organizations, led by the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Organization for

Security and Co-operation in Europe (OSCE), held a mandate with two objectives: establish law and order in the short term and develop an indigenous Kosovo police service that could help restore the rule of law. Sven Frederiksen, a Danish police officer with regional experience in Croatia and Bosnia and Herzegovina, and Steve Bennett, a retired United States marine officer with police experience, led the efforts.

Frederiksen became the first U.N. police commissioner in Kosovo, and Bennett organized and oversaw the training of the Kosovo police on behalf of the OSCE mission, inaugurating the first class of recruits just weeks after the fighting ended.

Kosovo emerged from a brutal war that was part of the regional disintegration of the Socialist Federal Republic of Yugoslavia. When Yugoslavia began to break apart in 1991 and war erupted in several of its constituent republics, ethnic Albanian leaders in the autonomous region of Kosovo declared independence. The central government in Belgrade (the capital of Serbia and Yugoslavia) did not recognize the move.

In 1995, the signing of the Dayton Accords ended the war in nearby Bosnia and Herzegovina. Frustrated by the lack of progress in obtaining independence, the Kosovo Liberation Army (an ethnic Albanian separatist group) stepped up attacks against Serb targets, provoking a harsh military response from Yugoslav leader Slobodan Milosevic. NATO intervened in March 1999 to put an end to Milosevic's campaign of terror and bloodshed. Prior to the conflict, Kosovo's population totaled 1.6 million. Albanians comprised 90% of this total, while Serbs comprised 6%. Attempts at "ethnic cleansing" created an estimated 800,000 ethnic Albanian refugees in the neighboring countries of Macedonia, Albania and Montenegro, and an additional 500,000 internally displaced citizens.¹ Fearing retributive acts of violence, an estimated 100,000 Kosovan Serbs, nearly half the Serb population in the region, fled north to Serbia.

Before the war, the Ministry of the Interior in Belgrade had administered police services in Kosovo. The police had been mostly ethnic Serbs. Milosevic had purged ethnic Albanians from the service in 1989, when he revoked Kosovo's autonomy and replaced government and security officials with Serb partisans to quash Albanian nationalism. As a result, when

Belgrade's forces retreated in 1999, Kosovo faced a security vacuum, with no functioning police service. Incidents of ethnic violence, primarily by Albanians against Serbs, along with nonpolitical crime and looting, were frequent. Criminal gangs asserted control in lawless parts of Kosovo. Some 33,000 NATO troops intervened to stem the bloodshed but lacked law-enforcement training. "A growing atmosphere of fear imperils efforts to create the rule of law in Kosovo," warned a U.N. report at the time.²

U.N. Security Council Resolution 1244 established UNMIK in June 1999, and the mission assumed executive authority until the political status of Kosovo was determined. UNMIK provided civilian and security personnel to administer all state functions while establishing and mentoring indigenous institutions that would assume administrative functions for the long term. U.N. leaders appointed Bernard Kouchner, a former French health minister and member of the European Parliament, as the head of UNMIK in July 1999, with Frederiksen as the commissioner of police. UNMIK's top priority was to create institutions in Kosovo that could support law and order.

This case study details the progress of international efforts to partner with Kosovans in building an indigenous and sustainable police force in the years following armed conflict.

THE CHALLENGE

In 1999, when he took command in Kosovo as the U.N. police commissioner, Frederiksen faced two tasks. First, he had to enlist sufficient numbers of U.N. police to establish and maintain law and order as hundreds of thousands of displaced ethnic Albanians flooded back into the country. Second, he had to create and deploy an effective, diverse and trusted local police service to assume control of the domestic security situation. A key requirement for the U.N. force was to train Kosovans in democratic policing,

with an emphasis on protecting civilians. This was a significant departure from the Yugoslav model that aimed to protect the state from its citizens.

Though an effective international police force was necessary to secure law and order in the interim, the development of the Kosovo Police Service was the primary long-term goal, and one that presented a host of challenges. The first was coordination with multiple international institutions, such as NATO, the European Union, and the OSCE. These institutions had overlapping security mandates and responsibilities and needed to adopt a coherent strategy for the development of the Kosovo police.

The recruitment, selection, and training of the Kosovo Police Service posed additional challenges. Though UNMIK sought to include ethnic minorities in the recruitment process, minority applicants were limited in the wake of the conflict. Kosovo lacked qualified police trainers, training facilities, materials, and equipment. Hundreds of ethnic Albanians had experience in the Yugoslav police prior to 1989, but UNMIK initially refrained from recruiting them for the new service, fearing that Yugoslav training could subvert the goal of creating a new force that focused on protecting the community rather than the state.

Building trust in the police was another major challenge. Influenced by a history of police abuses under the Yugoslav system and the spate of post-conflict ethnic violence, Kosovans did not view the police as competent problem solvers. As a result, citizens often failed to report crimes, especially in Serbian enclaves.

Political meddling was another problem. Although UNMIK had executive command, Kosovan politicians gradually acquired positions of authority for the first time. Iver Frigaard, who later became UNMIK's acting police commissioner in 2008, said he was concerned at the time that politicians with newfound powers might try to stymie the development of a professional, apolitical police service.

Additionally, the government in Belgrade sought to thwart the development of functional autonomous institutions in Kosovo to prevent the region's secession. Belgrade paid shadow wages to ethnic Serbs to retain their loyalty and actively tried to subvert Kosovan control in the Mitrovica region.

The potential for spoilers to disrupt efforts to establish law and order concerned UNMIK as well. After NATO demobilized the 10,000-member Kosovo Liberation Army, high unemployment and insufficient opportunities in Kosovo's developing security sector raised concerns that widespread frustration among this group could lead to violence and lawlessness.

FRAMING A RESPONSE

The U.N. resolution vested all legislative and executive authority over Kosovo in UNMIK, led by Kouchner, the special representative of the secretary general. In two U.N. reports, he laid out the structure, responsibilities and goals of the international mission. The two overarching objectives guiding the police mission were the provision of interim law-enforcement services and "the rapid development of a credible, professional and impartial Kosovo Police Service," according to Kouchner.³ These goals would be accomplished in three phases. First, the NATO-led forces would maintain order and ensure safety while UNMIK prepared to assume responsibility. Second, UNMIK would take over policing responsibilities and recruit, select, train, and deploy the Kosovo Police Service and the Kosovo Protection Corps, an emergency response force established to complement the police. Third, UNMIK would transfer policing responsibility to the Kosovo Police Service, a shift that required the creation of effective monitoring institutions.

In 1999, Kouchner initially requested 3,155 U.N. police—1,800 for the civilian force, 1,150 special police, and 205 for borders. A few months later he increased the request to 4,718 officers,

which the U.N. approved. Although other U.N. police missions around that time had smaller police contingents, Kouchner increased the request based on UNMIK's unique executive mandate. The U.N. resolution assigned the OSCE the task of building institutions, including the police, under the authority of UNMIK. However, the two organizations shared some responsibilities. For instance, UNMIK handled the recruitment process and the OSCE vetted applicants. The OSCE also established and directed all training conducted at the police academy, while U.N. Police, deployed throughout Kosovo, conducted subsequent field training for officers. Although the OSCE lobbied to develop the curricula and benchmarks for field training in order to create a natural follow-on to classroom training, UNMIK insisted on managing all field-training matters.

From the outset, the OSCE and UNMIK fought a turf war over control of different aspects of the recruitment and training processes. In part, the rivalry reflected the heavy U.S. influence on the OSCE and the OSCE's close working relationship with the International Criminal Investigative Training Assistance Program (ICITAP) of the U.S. Department of Justice, in contrast to the U.N.'s more European influence. To a lesser extent, this same battle continued over monitoring efforts. Both organizations participated in developing the Kosovo police promotion tracks. The OSCE took the lead on community policing efforts and human rights monitoring, while UNMIK led efforts to establish internal investigations units within the police and later within the Ministry of Internal Affairs. UNMIK also established the Ombudsperson Institution in Kosovo, an external oversight agency that focused on protecting human rights.

To ease the potential threat posed by the former Kosovo Liberation Army troops who were not selected for the new police service, Kouchner assigned NATO the job of creating and monitoring a Kosovo Protection Corps that

would consist of 3,000 active and 2,000 reserve personnel recruited from among demobilized military personnel. Members of this corps would be unarmed and would not conduct law and order operations. Instead, they would serve in an emergency-response capacity and assist in reconstruction, land mine removal, and search-and-rescue operations. The International Organization for Migration, an intergovernmental organization based in Switzerland, would assist with recruitment and vetting.

A shortcoming of international strategic planning in 1999 was that the U.N. and the OSCE developed plans with minimal input from Kosovans. As late as 2001, UNMIK officials drafted a three- to five-year strategy with almost no Kosovan involvement. In mid-1999, UNMIK did establish the Kosovo Transitional Council, consisting of Kosovans of different ethnicities and political allegiances. Even though it met on a weekly basis to discuss political developments and consult with UNMIK, the council suffered from political infighting among ethnic Albanians. Ethnic Serb representatives pulled out of the council altogether in October 1999, in protest of what they considered UNMIK's ineffectiveness in protecting the ethnic Serb population. As UNMIK and the OSCE began to build the Kosovo police during the next several years, the ethnic and political tensions would continue to ebb and flow.

GETTING DOWN TO WORK

On September 6, 1999, UNMIK began to build the Kosovo Police Service, selecting 200 Kosovans from 19,500 applicants to form the first class of police cadets. The OSCE prepared training modules with the assistance of ICITAP (the U.S. Department of Justice program) even before the NATO military campaign had concluded. This pre-planning was the key to the success of the recruiting process, according to Robert Perito, who was responsible for providing policy guidance and management support to U.S.

police programs in Bosnia, Kosovo, and East Timor. He added: “On the basis of that work, we were able to very quickly recruit the first incoming class and get the academy up and running within a matter of weeks after we arrived in Kosovo.” Of the original class, 173 officers, including 39 women and 17 minorities, graduated six weeks later. Development of both internal and external police monitoring structures followed, including increasing levels of participation from the nascent Kosovo Police Service until it achieved institutional autonomy with Kosovo’s Unilateral Declaration of Independence in 2008.

Recruitment and selection

UNMIK independently established a detailed recruitment and selection process in 1999 that remained unchanged through 2011 despite its transfer to Kosovan control in 2003. As Perito described it: “By the time we arrived in Kosovo we had literally several three-inch thick loose-leaf binders full of information on the recruiting plan. We had worked out a recruiting strategy. We had developed applications. We developed recruiting posters, ads for newspapers, ads for radio broadcast, and posters to go up on walls in villages. We worked out a set of criteria for new applicants. We developed the plans and actually identified participants to be on review committees.” UNMIK recruited cadets by using multilingual public radio broadcasts and newspaper advertisements. Because of Kosovo’s 65% unemployment rate, attracting well-qualified and educated applicants was relatively easy. Initial salaries were low but exceeded those offered to doctors and teachers.

In addition to identifying recruitment goals for former Kosovo Liberation Army fighters, the U.N. mission set high goals for the inclusion of women and ethnic groups. The target was 15% female representation in the police service, which was very high compared to other European countries. In Spain, for example, women comprised 1.9% of the police force in 1995 and

8.7% by 2007.⁴ The 15% standard aimed to make Kosovo one of the continent’s leaders in female police representation.

The U.N. mission also sought to maintain minority representation at levels that exceeded those in the general population, with careful attention paid to including ethnic Serbs. UNMIK refrained from recruiting ethnic Albanians from the former Yugoslav police because of concerns that their Yugoslav training could conflict with the community-oriented ethos of the new Kosovo police. This policy was abandoned in March 2000, when an initial U.N. police shortfall warranted recruitment of experienced officers. Because these former police had experience working in a multiethnic police service in the former Yugoslavia, many adapted quickly to the training and development program, advancing to senior management positions. Regardless of previous experience, however, all cadets underwent training by the OSCE and UNMIK.

After completing the seven-page application and being fingerprinted, recruits underwent a rigorous review process that involved a written exam followed by an oral interview, a physical-fitness assessment that was identical for men and women, a medical exam, and a psychological exam. This process changed very little in 2003, when the Kosovan police assumed responsibility and published its first formal set of procedural policies for recruitment and selection. The formalized process called for the police service to announce vacancies in three languages—Albanian, Serbian, and English—for 21 days while confirming the established recruitment quotas. The policy note specified that the written test consist of 100 questions focusing on math, verbal skills, and general knowledge. The interviews, psychological tests, physical tests, and medical exams remained unchanged.

However, the recruitment and selection process suffered from three problems. Perito described the first one: “By the time we got around to adding together all of these quotas,

there was almost no room in the force left." The service risked being unable to hire recruits who had the right education and fitness criteria but did not belong to one of the protected groups.

The second problem was the destruction of records during the war, which made it difficult to determine who had committed atrocities and other serious crimes, especially among former military personnel. Although the OSCE compensated by publicizing the names of recruits and interviewing neighbors in an attempt to uncover information that applicants might have withheld, the efforts had limited success in keeping out undesirable recruits. Perito recalled: "In Kosovo, we actually had situations where classes were convened and students stood up and pointed across the room at another student and said, 'That man killed my brother.' Or 'That man was in the group that came and destroyed our village.'"

Third, some recruits forged education documents to meet the OSCE's minimum standards. Most of the 126 officers expelled from the Kosovo police between 2002 and 2003 were found to have fabricated degree certificates. Given the relatively small size of the country and the lack of clear records, the OSCE had limited options. Many Kosovan and international officials acknowledged the process' shortcomings.

Training

"Probably the best international police training effort that has ever been done by the United States was the effort that was done in Kosovo because it drew on all the experience of Haiti and Bosnia," Perito said. "The curriculum was actually developed before the intervention. It was developed by ... American police officers who had a great deal of experience in previous operations."

The OSCE conducted police basic training at the Kosovo Police Service School in Vushtrri, about 30 kilometers northwest of Priština. Steve Bennett, the OSCE's director for police education

and development and director of the school, selected the site at Vushtrri because of its relative quiet and because it had a facility that he planned to refurbish. The school's first class graduated after six weeks of academy training and went on to six weeks of field training with UNMIK police officers. U.S. and European police officers initially led multilingual training classes with interpreters and gradually ceded responsibility to Kosovan trainers beginning in 2001. By 2008, 107 Kosovo police trainers in Vushtrri conducted all police training with OSCE oversight.

After the initial classes of cadets graduated, Bennett extended training, first to nine weeks in the classroom and 19 weeks of field training, and eventually to 20 weeks in the classroom and 20 weeks in the field. He added courses based on the recommendations of joint task forces including representatives from the Kosovo police, UNMIK and the OSCE, which met with graduates of the police training school to survey what additional training they required. Training covered such topics as patrol duties, use of force and firearms, criminal investigation, gathering forensic evidence, traffic control, defensive tactics, first aid, applicable laws, interviewing techniques, and riot control.

Cadets rotated between the classroom and the field. With the extended training schedule, cadets spent about three months in the academy followed by two months in the field, and then rotated between the field and the classroom every week or two, though the durations fluctuated. "So there was a constant mix of practical, on-the-job experience and classroom training with an opportunity to reaffirm lessons learned and to spot evident gaps and to fill those gaps," Perito said. Police returned to Vushtrri each year for recertification and additional training in supervision and management, advanced and specialized training, and staff development.

In the field, up to four cadets were assigned to a U.N. Police training officer. UNMIK headquarters issued instructions to the training

officers regarding the skills to teach and specific benchmarks their cadets had to meet. The training officers wrote daily, weekly, monthly, and yearly reports on cadets' progress and overall assessments at the end of the field-training period, with nonbinding recommendations on the cadets' fitness to join the service.

Differences in policing techniques between the classroom and the field limited the success of the rotational training. The training school at Vushtrri was run by the OSCE, whose Kosovo contingent, including Bennett, the director, was largely from the U.S. In contrast, the U.N. force comprised police and advisers from more than 55 countries. The U.N. police brought various techniques and backgrounds, which sometimes differed from techniques taught at Vushtrri, causing confusion among cadets rather than reinforcing their classroom training.

By February 2000, 347 officers had graduated from the police training school. The pace quickened as more U.N. police trainers arrived, filling the Vushtrri facility to its capacity of 700. By March 2001, a total of 3,138 officers had completed the classroom portion of their training. Police recruitment and basic training was suspended in 2006, when the service reached its quota of 7,335 officers in addition to 1,600 civilian support staff and 600 guards to secure government buildings and installations. UNMIK determined the numbers based on an international standard ratio of population to police.

In 2006, Carsten Twelmeier replaced Steve Bennett as head of the Kosovo police training school and used his experience as a German police officer to review and improve the training curriculum. He extended basic training to a full one-year program and harmonized training techniques and the methodology to reduce the confusion that arose from contradictory and inconsistent training administered by the OSCE and UNMIK.

Additionally, Twelmeier harmonized training with European standard practices as part of the Bologna Process, which sought to standardize higher-education systems across Europe in order to facilitate exchange programs. Twelmeier hoped that joining the Bologna Process would facilitate the integration of the Kosovo police into Europol, the European Union's criminal police organization. He wanted to align the training curriculum with European standards as a way to make training more relevant for the Kosovan context. American trainers at Vushtrri taught methods that were not especially relevant in the Kosovan context. For example, they taught a pursuit technique whereby two police cars would block a third car, even though most Kosovan officers lacked drivers' licenses at the time. Twelmeier eliminated such segments from the new curriculum.

Despite the suspension of basic training in 2006, the Kosovo police continued to emphasize training and development of officers through numerous specialized courses covering a wide range of topics including investigations, border monitoring, and advance patrolling techniques. They also provided management and leadership courses, which were required for promotion. These focused on training at each supervisory level, from first-line supervisor to senior staff. Perito stressed the importance of this: "You need people who have specialized skills and you also need people who are trained to operate at different ranks and exercise management." In 2009 alone, the Kosovo police also sent officers to over 20 countries to receive bilateral police training.

Promotions

In 2001, after training the new officers, UNMIK needed a system to handle promotions. The primary track was an open application process. All officers were invited to apply for promotion to 42 positions of first-line supervisor

at the rank of sergeant. As many as 1,000 officers applied. This primary-track process involved a 150-question examination covering criminal and constitutional law, management and leadership, and general police knowledge; an oral interview; and an additional background check. Three-person panels that included one UNMIK official, an OSCE official, and a representative of the Kosovan police made decisions. Over time and with increasing Kosovan involvement, this process evolved to include an interview board consisting entirely of Kosovo police officers and a practical exam that emphasized skills such as task prioritization, written communication, and decision making.

UNMIK implemented a second promotion track in 2001 to fill senior positions within the police. The mission selected six officers for promotion—five to lieutenant colonel and one to colonel—based on their leadership potential, performance, and popularity in their local communities. The six received three weeks of senior-management training before assuming their new ranks. In 2008, Behar Selimi, one of the five officers promoted to lieutenant colonel via the UNMIK system, said that the process was rushed and that the people selected did not have the requisite experience to shoulder their new responsibilities. Riza Shillova, head of criminal investigations in 2011, echoed this sentiment, citing the appointees' lack of knowledge about low and mid-level policing functions. Though Selimi and Shillova thought these promotions may have been premature, the expanded training and gradual transfer of command to Kosovan authorities allowed all ranks of the Kosovan police to benefit from continued oversight and partnership with the international community.

Internal monitoring

Steps to combat public distrust began with the development of internal oversight mechanisms in 1999, when UNMIK established the Kosovo police Professional Standards Unit to

investigate misconduct by police officers. Initially, the unit had a staff of 16 civilian investigators and 76 police officers stationed in all six police regions and headquarters. The staff was responsible for receiving complaints, investigating alleged misconduct, and reporting to the UNMIK police commissioner. From 1999 to 2005, these investigations resulted in the dismissal of 317 officers.

However, the standards unit suffered from several shortcomings. First, the complaint-driven investigation process meant that accountability efforts were reactive rather than preventative. Second, the lack of institutional independence created concerns about its legitimacy and the possibility of meddling by other elements of the police service. Also, the standards unit lacked well-equipped offices and dedicated vehicles, and staffing suffered from inadequate recruitment, selection, and training standards. For example, the Kosovo police required unit staff to possess only a secondary-level education and it lacked the capacity to provide significant specialized training. For the small number of officers who received specialized training, there was no standard curriculum. Some staffers attended a five-day course at Vushtrri and others completed a criminal-investigation training course.

As a result of these shortcomings and in an effort to meet international standards for police ethics and accountability, UNMIK established the Police Inspectorate of Kosovo in July 2006. UNMIK intended the inspectorate to be an independent oversight body with a civilian staff and its own budget, housed within the Ministry of Internal Affairs in order to maintain institutional independence.

Minimum application requirements for inspectorate staff included a university degree, preferably in a subject related to law or social science, five years of work experience with at least three years in a managerial position, and clearance following a background investigation. An interview board consisting of five senior

ministerial members from across the Kosovan government recommended applicants based on demonstrated performance as well as gender and ethnic quotas. The board then recommended these applicants to the Ministry of Internal Affairs for confirmation.

Minimum application requirements for the post of the inspectorate's director were similar. However, selection required nomination by the Senior Public Appointment Committee established under UNMIK regulations in 2001. This committee's job was to safeguard against the politicization of senior civil servants. Its membership included the prime minister and ministerial representatives from across the government, including representatives of minority populations. But because the appointment committee was never formally established under Kosovan authority and the minister of internal affairs had final appointment authority, questions remained regarding the reliability and sustainability of these checks in preventing political influence.

The police inspectorate served two primary functions: inspection and investigation. Through both planned and unannounced inspections approved by the minister of internal affairs, the Inspection Department scrutinized police performance in 14 areas, including traffic policing, crime investigation, border policing, procurement, and finance. Meanwhile, the Investigations Department probed allegations of serious misconduct by Kosovo police officers of any rank. The initial drafting of the inspectorate's mandate in 2006 failed to extend this investigative authority to all ranks, a shortcoming corrected in a 2010 amendment. The inspectorate's assumption of investigative authority reduced the Professional Standards Unit's role so that after 2006 it examined only minor instances of police misconduct.

Inspection and investigative officers visited police stations, interviewed all police officials regardless of rank and, if necessary, confiscated

police documents as part of their investigations. The inspectorate reported the results of investigations and inspections to the appropriate Kosovo police department, along with recommendations for improvement. If the Kosovo Police Service failed to act on the recommendations, the inspectorate could forward its reports to its own chief executive and the minister of internal affairs.

Public availability of the inspectorate's reports provided transparency and established the inspectorate's legitimacy as an oversight body. Two high-profile examples demonstrated this independence and competence. The first involved an inspectorate report issued in response to the death of two demonstrators shot with rubber bullets by U.N. police officers in February 2007. Ilir Dugolli, research director of the Kosovar Institute for Policy Research and Development, said the report was professional and well done despite the controversy that surrounded the incident. The comprehensive report analyzed several data sources including film footage, police briefing materials, and formal interviews with Kosovo Police Service and UNMIK officials to provide recommendations for improvement as well as an independent assessment of the UNMIK investigation. The second example involved a 2008 report that revealed waste in the police service, especially involving the careless use of police vehicles. The report concluded that frequent accidents and poor vehicle maintenance unnecessarily strained the police budget. The report's willingness to challenge the police hierarchy persuaded many Kosovans that the inspectorate was truly independent of police influence.

External monitoring and community policing

Recognizing the need for external oversight, UNMIK established the Ombudsperson Institution in June 2000 with the purpose of enhancing human rights protections in Kosovo. UNMIK authorized the new agency to investigate

complaints from any person or organization in Kosovo, conduct investigations, and make recommendations regarding compatibility of Kosovan laws with international standards.

Organized into three departments—general discrimination, gender discrimination, and discrimination against children—and operating across four regions, the Ombudsperson Institution reported to UNMIK’s special representative of the secretary general until changes associated with Kosovo’s unilateral declaration of independence made the agency accountable to parliament. Although Sami Kurteshi, Kosovo’s ombudsperson since 2009, said in 2011 that Kosovo police were not a major source of complaints, his office’s narrow human-rights focus precluded any comprehensive oversight of the police. Additionally, the parliament’s inaction regarding Ombudsperson recommendations further diminished the institution’s power to perform a credible oversight function.

Meanwhile, UNMIK, OSCE, and ICITAP funded innovative community policing programs. In 2003, OSCE and ICITAP sponsored Community Safety Action Teams that aimed to strengthen ties between the police and the public at the local level. These teams of police and local leaders consulted with communities about the problems they faced and worked together to implement solutions. The program sought to bolster communication between the police and the communities and to make the police more aware of their communities’ needs. Bennett introduced the program after witnessing its success in the western United States. He assigned Julie Fleming, a former police officer and law enforcement trainer with extensive community policing experience in the U.S., to run the operations with support provided by the police training school in Vushtrri.

Before appointing officials to recruit the teams, Fleming contacted police-station chiefs and municipal leaders to describe the program

and gain their support. The four-person recruitment panels she set up in each municipality included a municipal leader, a police official, a community leader, and a local minority leader. These panels recruited 40 people for each team, including 20 community leaders, 10 police, and 10 municipal officials. The program favored low-ranking police officers who conducted street patrols, because these officers were more engaged in local communities than their superiors. Community volunteers included businessmen, religious leaders, and teachers. Minority leaders ensured that women and ethnic minorities were well represented on the teams.

Team members underwent several weeks of training at Vushtrri. Then they returned to their communities and organized town hall meetings to hear grievances and prioritize local needs. After these meetings, the team members traveled back to Vushtrri, where they focused on problem-solving techniques to map out responses. The teams then returned to their communities and implemented the response programs.

The Community Safety Action Teams dealt with diverse complaints about human trafficking, illegal woodcutting, drug use, water and electricity shortages, and environmental issues. Internal impact assessments showed the primary areas of improvements were in ethnic relations (ethnic Serbs and Albanians working together), traffic safety, freedom of movement by minority groups, and closer relations between police and community members. In one example, the local police station responded to parents’ concerns about drug use in schools by starting patrols with plain-clothes officers on school grounds.

After the initial 12-week supervised program, Fleming encouraged teams to undertake new projects. The program also featured an executive council, which met twice a year to discuss and coordinate local team activities. Each team sent two members to the council. By July 2008, there were 20 teams with 800 members and 40 representatives on the executive council. Of the

40 council members, only two left the program, a sign of continued momentum.

UNMIK extended its outreach effort in 2005 by creating Local Public Safety Committees to make the police more responsive to community needs, especially with regard to improving police relationships with ethnic minority groups. In 2006, UNMIK also established Municipal Community Safety Councils. In contrast to the community teams and safety committees that focused on the community level, the safety councils targeted safety and security issues across the broader municipality. UNMIK transferred control of the community-policing programs to the Kosovo police in 2008 with the passage of Kosovo's Law on Police.

Further administrative law in March 2009 required the establishment of safety councils in all municipalities. Mayors chaired the councils, with participation by the local police station commander and representatives of civil society and religious communities and members of community teams and local safety committees. The OSCE and ICITAP provided the training. The Law on Police also authorized the general director of the Kosovo police to establish safety councils within specific areas when in the "best interests of community policing." By 2010, Kosovo's 24 Local Public Safety Committees had implemented dozens of safety projects, including trash cleanup, installation of speed bumps on roads, and the removal of an unstable boulder near a village school.

Results from these community-policing programs were mixed. Specific project snapshots gave the appearance of program effectiveness yet hid the variances in public participation and police enthusiasm, as well as inefficiencies caused by lack of coordination and institutional overlap. For example, although laws had addressed the establishment of safety councils, there was no corresponding legal basis for mayoral action on the municipal side of government. International

organizations created the programs without extensive Kosovan input, and heavy reliance on donor funding raised questions about long-term sustainability.

Cooperating with the international community

In addition to serving an executive law enforcement function, UNMIK was also the preeminent police monitoring institution from its inception in 1999 until Kosovo's declaration of independence in February 2008. UNMIK guided police conduct through on-the-job training as well as advising and mentoring, and formally monitored police performance by issuing regular performance assessments from the field to both Kosovo Police Service and UNMIK police leaders. UNMIK issued noncompliance reports in response to misconduct by Kosovan officers, and UNMIK police advisers attempted to correct the behavior of the offenders through additional training and mentoring. If the offending officer's performance improved within 60 days, the complaint would be rescinded. Kosovan officials lauded the system, which stressed rehabilitation rather than punishment, as an effective way to improve police conduct.

The OSCE augmented UNMIK's efforts through its Human Rights Monitoring Section. With a 17-person staff distributed across all six Kosovan regions and within the police headquarters in Priština, the OSCE operation focused on individual cases of human rights abuses by the Kosovo police until 2005. After that, the OSCE shifted its focus to larger human rights trends as police capacity improved. OSCE human rights advisers were deployed to police stations, where they provided confidential criticisms and recommendations based on an agreement with the Kosovo police. The confidential nature of the criticisms helped build trust between the police and the OSCE, according to officials, and facilitated the adoption of recommendations. Additionally, the OSCE

mission maintained a capacity-building department that conducted intermittent refresher training at the request of the Kosovo police.

UNMIK's sustained presence allowed the transfer of authority to proceed gradually and in stride with the growing competence of the Kosovo police, mostly avoiding the rushed transfer of command that often subverted U.N. police reform efforts elsewhere.

Transfer of authority began in 2001 and followed four stages. First, UNMIK handed over patrol responsibilities. Kosovan officers, who initially learned patrol procedures and tactics by accompanying U.N. police patrols, took over patrol duties as they gained competence. Second, the Kosovans assumed command of tactical functions as first-line supervisors in police stations. Complete transfer of station authority depended on four criteria: reaching 85% of authorized personnel strength, possessing adequate equipment and a sufficient budget to sustain operations, lowering crime to an acceptable level, and developing community acceptance. Third, the Kosovans assumed command of operational functions in middle-management positions. Fourth, they assumed senior leadership positions to complete the strategic transition. The first two stages took place at the 32 police stations in six regions. The final two occurred on the highest operating level: UNMIK and Kosovo police headquarters in Priština.

UNMIK began transferring patrol responsibilities in 2001 with two police stations: Gračanica in the Priština region and Kačanik in the Gnjilane region. UNMIK transferred six stations to Kosovan command by 2003, 15 by 2004, 27 by 2005, and the rest by 2006, except for the station in Mitrovica, where ethnic tensions remained high. In 2005, UNMIK transferred command of the Gnjilane region, followed by the transfer of four of the other five regions by 2008. Only the Mitrovica region remained under international police control.

After the transfers to Kosovan control, UNMIK still provided advisers for each station commander and director of operations in Kosovo's 32 police stations, with a more extensive supervisory role on the regional level. UNMIK intervened only in specific situations to protect human rights, to prevent an offense by a Kosovan official, or to save a life. Otherwise, UNMIK effectively relinquished its executive command, assuming an advisory and monitoring role, even though it retained legal command under the original U.N. resolution.

UNMIK transferred administration duties to the Kosovan command by 2007. Selimi, one of the first Kosovans promoted to lieutenant, was deputy commissioner of administration from 2004 to 2007 and was the highest-ranking Kosovan helping to manage the transition. He supported the quick transfer of administration because it managed long-term projects that, he argued, were better run by Kosovans, who would remain in their positions longer than the standard six to nine months for UNMIK personnel.

Other responsibilities remained under UNMIK executive authority, with international representatives serving as commissioners and Kosovans as deputy commissioners. UNMIK retained command of the Organized Crime Directorate and investigations of high-profile Kosovans in order to reduce the complications that might arise from having Kosovan officials investigate politicians or other powerful Kosovans.

Preparations for the transfer of command at the highest level began in 2006 with the formation of the Ministry of Internal Affairs, led by Zenum Pajaziti, former chief liaison of the prime minister to UNMIK and executive director of Kosovo Action Together, a Kosovan non-governmental organization (NGO) that monitored youth centers throughout Kosovo. Kosovan police reported to both the minister and the police commissioner. The ministry had authority over all police matters, but in order to

reduce the opportunity for political interference, it could not intervene in tactical police operations. UNMIK command of sensitive investigations further reduced the potential for undue pressure from the ministry.

The transfer of authority from UNMIK to the European Union Rule of Law Mission in Kosovo (EULEX Kosovo or EULEX) in December 2008 represented a significant reduction in international police monitoring. UNMIK police had numbered as many as 4,446, but authorized strength fell to just 510 by July 2009. Meanwhile, EULEX reached operational strength in April 2009 with 1,600 international staff, about one-third of UNMIK's 2001 total. As a result, EULEX was able to monitor only the top three Kosovo police officers at each station, and patrol monitoring of the Kosovo police in the field became impossible.

OVERCOMING OBSTACLES

Ethnic tensions in the Mitrovica region constituted the single greatest obstacle to establishing law and order across Kosovo. Mitrovica was the only region with an ethnic Serb majority, but ethnic Albanian Kosovans insisted that it remain part of the Kosovan state. After the war, Belgrade initially lobbied for partitioning Mitrovica, with the northern, Serb-dominated areas incorporated into Serbia.

Tensions between ethnic groups in Mitrovica repeatedly led to violence and were a top concern for UNMIK and the Kosovo Police Service. In 2004, two ethnic Albanian children drowned in a pond, and rioting and several deaths followed amid allegations that an ethnic Serb had forced them into the water. Always under threat of attack, Serbs faced severe restrictions on their movements and often required security escorts when traveling.

Organized crime and smuggling were other significant concerns in Mitrovica. UNMIK, which retained responsibility for organized-crime

operations, was unable to disrupt the criminal networks. Criminal enterprises smuggled large amounts of fuel across the border from Serbia, resulting in fuel costs that were significantly lower than in the rest of Kosovo. By 2008, the police station in Mitrovica municipality and the command center in the Mitrovica region were the only installations not yet transferred to Kosovan control.

The situation in Mitrovica deteriorated in February 2008, when the Assembly of Kosovo, the 109-member parliamentary body created by the U.N. and based in Priština, unanimously established the independent state of Kosovo. Conflict erupted between ethnic Serbs and Albanians around a bridge connecting their respective halves of Mitrovica municipality. In March, ethnic Serbs took over the courthouse, which was administered by UNMIK. A joint UNMIK-NATO operation to reclaim the courthouse ended in several deaths and scores of injured civilians and U.N. Police. The courthouse remained out of commission, with a backlog of 1,800 unresolved cases piling up after just a few months.

After these events and under pressure from Belgrade, the 709 ethnic Serbs who were members of the Kosovo Police Service refused to serve and insisted on reporting exclusively to UNMIK. In northern Mitrovica, UNMIK and Kosovan authorities granted the request, and approximately 140 ethnic Serb policemen there returned to work under UNMIK supervision. UNMIK and Kosovan authorities refused to grant the request to ethnic Serb policemen operating in Serb enclaves (primarily in southern Kosovo) and insisted that they report to the Kosovo police. The majority refused to return to work. According to EU and U.N. officials, ethnic Serb police were known to receive parallel salaries from Belgrade and faced community pressure to remain defiant to the Kosovo police chain of command. Michael Jensen, the UNMIK police

director of operations, said he thought that many ethnic Serb officers wanted to return to work but acceded to outside political pressures.

Initially, the Kosovo police suspended Serbs who refused to return to work. After a 90-day paid suspension they were to be fired. However, the police service needed to maintain its ethnically diverse makeup in order to retain legitimacy in ethnic Serb areas. Following the advice of UNMIK, Pajaziti, of the Ministry of Internal Affairs, decided to extend suspensions with pay indefinitely. Meanwhile, police leaders used radio broadcasts to implore Serb police to return to work. Reshat Maliqi, the Kosovo police general director in 2011, said it was important to show patience and flexibility. International pressure on Belgrade to support Serb inclusion within the service, coupled with the Kosovo police's flexible policy, resulted in almost all ethnic Serbs returning to work by the June 2009 deadline.

Despite this success, control of Mitrovica remained uncertain. Parallel police structures run by Serbs in the Serb areas of the region received political guidance and pay from Belgrade. The additional income eroded the influence that the Kosovo police had over the Serb officers. Though many Serbs were satisfied with the status quo, many ethnic Albanians pressed for greater control of the region. The police became the primary instrument for the Kosovo government in those efforts. Barry Pollin, the chief EULEX police adviser in the Mitrovica region, said: "If you are a country that doesn't have an army, and your [government] institutions do not function north of the river, there is only one institution that can establish that foothold." The official mandate of EULEX was to mentor and advise the Kosovo police, but by 2011 the international community still served in a peacekeeping role in Mitrovica.

ASSESSING RESULTS

The Kosovo police reforms were a success, according to public opinion polls that measured

citizen trust in Kosovan institutions. A 2007 OSCE survey found the police service was the second most trusted organization in Kosovo, after NATO. Survey data collected in 2009 and 2010 identified the Kosovo Police Service as the most trusted Kosovan institution, with almost 77% of those polled saying they trusted the police "fully" or "very much." Although Kosovans were reluctant to approach police during the early years of police reform, Shantnu Chandrawat, deputy regional commander of UNMIK police in Mitrovica, said in 2008 that Kosovans "don't hesitate to come to the police regarding their own complaints." Robert Locke, deputy police commissioner for administration, said: "You can see now people will object—they will speak back to a police officer now. That's what they're supposed to do. They're not scared of that police officer. They will think. If they're justified, they will speak back."

Despite the apparent high levels of trust, it was difficult to determine how much of the trust derived from strong feelings of national pride and how much reflected police effectiveness. Although the 2009-10 polls found that 77% of all Kosovans said they had high levels of trust in the Kosovo Police Service, the same polls showed that most Kosovan Serbs had much lower levels of trust. Furthermore, in a June 2007 survey by a Kosovan NGO, about 41% of respondents trusted the Kosovo police "fully" or "very much" but also felt their neighborhoods were unsafe. Other variables affecting perceptions of public safety may have caused this apparent contradiction. Ferdinand Nikolla, executive director of the NGO Forum for Civic Initiatives, said he expected pride to gradually become less of a factor in the public's evaluation of police performance and effectiveness.

Crime statistics in Kosovo also provided a measure of the police service's effectiveness. U.N. data indicated that homicides, abductions and arson plummeted following the conflict and then stabilized. Between 2000 and 2001, the number of

murders dropped from 245 to 136, abductions from 190 to 165, and arson cases from 523 to 218. However, the numbers did not indicate what part of the decline was attributable to UNMIK's policing rather than Kosovo police effectiveness. Kosovo's homicide rate per 100,000 inhabitants remained high following the war, but acceptable compared with other countries in the region and the European Union. From 2005 to 2011, Kosovo's homicide rate fluctuated between 2.6 and 3.2 per 100,000 citizens, compared with the 2006 EU average homicide rate of 1.14 per 100,000 and the slightly higher 1.70 in Croatia and 2.25 in the former Yugoslav Republic of Macedonia.

Kosovo's judicial system failed to achieve similar early success. As of November 2006, the backlog of unresolved cases totaled 45,699 and was growing. Because both UNMIK and EULEX had difficulty attracting international prosecutors and judges to Kosovo, prosecutions were often slow and unprofessional. The dearth of judicial personnel meant that despite successful police investigations, many criminals escaped prosecution, conviction and punishment. The weakness of the judicial system worked against the goal of establishing law and order. Dugolli, director of the Kosovar Institute for Policy Research and Development, argued that the public respected the police even more for doing their jobs despite knowing that the judicial system likely might not follow through.

The lack of substantial corruption in the lower ranks of the police was perhaps the police service's greatest achievement, given regional policing norms and paltry police wages. In a June 2007 survey conducted by a Kosovan NGO, Forum for Civic Initiatives, 39 of 1,200 Kosovan respondents reported paying bribes. Of the 39, only two involved police soliciting the bribes. Oliver Janser, deputy director of the Department of Public Safety for the OSCE, attributed this success to what he termed "the corporate

identity" of the police. According to Janser, UNMIK and Kosovo police leaders forged this identity through continued emphasis on professionalism and national service.

Though ethnic troubles in the north remained, the police service achieved its aim of diversity in terms of ethnicity and gender. Of 7,335 members of the Kosovo police in 2011, roughly 86% were ethnic Albanian, 10% ethnic Serb, and 5% other ethnic minorities. Women constituted nearly 15% of the service, slightly below the quota target but high in comparison to other regional police forces.

UNMIK and national police officials considered the transition of command to Kosovans a success. There were no significant weaknesses or failures under Kosovan command, largely reflecting the gradual pace of transition and the continued assistance and reassurance of international monitors. In 2008, Locke, the deputy police commissioner, stressed that Kosovan officials remained reliant on UNMIK supervision and were not yet ready to operate entirely on their own. By 2011, however, the Kosovo Police Service had matured and asserted its autonomy, evidenced by the publication of both a Strategic Action Plan and Annual Work Plan. These documents laid out a Kosovan policing vision that identified strategic objectives, intermediate tasks, timeline and budgetary constraints, and indicators with which to measure progress.

REFLECTIONS

A sustained and comprehensive effort by the international community underpinned UNMIK's success in building an efficient, trusted Kosovo Police Service that was free of political patronage. In 2011, 12 years after armed conflict, the U.N., NATO, and the OSCE all remained active in the region. The continued presence of thousands of U.N. police as late as 2008 provided time for the Kosovo police to receive proper training and

experience before gradually assuming command positions with continued UNMIK mentoring and assistance.

The formation of the Kosovo Police Service benefited from Kosovo's unique history. Under the leadership of Slobodan Milosevic, in 1989 the Yugoslav police had fired Albanian police officers, creating a pool of trained and experienced candidates for the new service 10 years later. Because they did not hold tightly to communist state policing methods, these former officers were receptive to democratic concepts and were ready to move quickly into leadership roles in the new police service.

Despite the sustained presence of the U.N. and other international organizations, there was a lack of continuity due to the brief tours of duty. U.N. staff served terms of six to 12 months. Both international staff and Kosovans criticized this duration as too short. Often, trainers would conclude their terms just as they gained insights into the most effective methods of training in the Kosovan context, taking into account cultural differences. Michael Jensen, director of operations for UNMIK in 2008, said: "So the problem is that every three or six months, when we have new officers, these officers thought that it was OK to tell police officers the way we do it in Sweden or in Denmark or in the U.K. or wherever, which of course confused police officers and frustrated them."

Rapid turnover also slowed inquiries, as international investigators in the Organized Crime Directorate or the Special Investigations group often would not remain for the duration of cases. Muhamet Musliu, an administrative assistant for UNMIK, explained: "In sensitive fields like crime, including general crime, you had international investigators working in very serious cases like murders of high-profile politicians, murders of police officers, local police officers who were investigators, for example. When the internationals took over cases to investigate, they started conducting the investigations. When they

reached a certain point of the investigations, their time came up. They had to leave the mission, so new ones had to come, and it took them maybe three or four months to get familiar with the case."

Additionally, U.N. police sometimes would be assigned tasks in fields for which they lacked appropriate training. Atifete Jahjaga, a former Kosovo Police Service deputy general director for personnel and training who became Kosovo's first woman president in 2011, recalled the challenge of assigning personnel to appropriate tasks. "Not the most competent people were working in a particular field," she said. "For example, you had [an] extremely professional crime-oriented person working in administration, while that person could much more benefit the crime pillar. Or you would have the extremely experienced human-resources person working in operations, where that person will be much more effective and efficient within the human resources or within personnel and training."

The transition from the U.N. mission to the European Union Rule of Law Mission was problematic as well. Although representatives from both groups outlined a detailed 90-day transition plan to ensure continuity, political considerations in the higher echelons of both organizations killed the plan. Instead, UNMIK and EULEX officials in Kosovo had to conduct a complete transfer of authority in a single day. As a result of the change, on December 9, 2008 EULEX was not prepared to take responsibility for several specialized Kosovo police units, according to one UNMIK official who was present during the transition and described it as "formal transition without transition." The abrupt move exacerbated problems involving the lack of investigation continuity and the weakness of the Kosovo judicial system by allowing lapses in investigation and prosecution.

Despite its shortfalls, the Kosovo Police Service was an example of a successful campaign by the international community to create a

multiethnic and gender-inclusive police force in a polarized, post-conflict state. Ethnic tensions remained high in Mitrovica in 2011, and there was room for improvement in higher level policing areas such as criminal investigations and organized crime Despite the need for

improvement in some areas, Ilir Dugolli, research director of the Kosovar Institute for Policy Research and Development, recognized the Kosovo police as the “jewel in the crown of the efforts of the international community” in Kosovo.

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