



CHALLENGES AND PRACTICES OF INCLUSIVENESS IN KOSOVO'S SECURITY SECTOR



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KEY FINDINGS

- The KSF's challenges in the representation of non-majority communities are largely related to political developments outside of its competences. Therefore, addressing them requires extensive inter-institutional cooperation;
- The mechanisms for ensuring the representation of non-majority communities in the KSF are at a satisfactory level. However, following the resignations of Serb members in the last two years due to Serbia's pressure there was a significant regression in the representation of non-majority communities in the KSF;
- The KSF continues to cultivate the principle of multi-ethnicity after the transformation of its mission. Moreover, after the transformation the KSF has increased its efforts to develop the inclusion process by adapting various specific documents on gender and ethnic representation;
- The gender representation of non-majority communities in the KSF is at a very poor level. Only 22 women from all communities are engaged in the KSF;
- Since visibility in all communities is very important for promoting the KSF and encouraging inclusion, the non-presence of the KSF in all regions of Kosovo hinders the process of inclusion;
- Out of 8,861 total personnel in the Kosovo Police including civil and uniformed personnel, 1,406 of them represent non-majority communities of Kosovo. Hence, it is understood that around 16 percent of civil and uniformed personnel of the KP is composed by staffers belonging to non-majority communities;
- The Kosovo Serb community is represented by 12 percent in total within the police, therefore it can be stated that Kosovo Serb community is well-represented in the security institutions, with particular emphasis on the Kosovo Police. Other 4 percentages are shared among other non-majority communities (Bosniak, Turkish, Gorani, Ashkali, Roma, Egyptian, Circassian, Montenegrin, Croat and Macedonian communities as indicated by the provided KP statistics). While, Kosovo Albanian as the country's majority population counts 84 percent of personnel in the KP;

- The Kosovo Police counts 1,011 civil personnel and 7,850 uniformed personnel distributed into different ranks and positions within the institution. Out of these numbers, 109 of them from civil personnel are among the non-majority communities and 1,297 others are police officers (uniformed personnel) representing different non-majority communities. Hence, 8 percent of civil personnel represents Kosovo Serb community, while uniformed personnel belonging to Kosovo Serb community is 12 percent;
- The Kosovo Serb community appears that it is posed well within the ranking system of the police. Among uniformed personnel, two Kosovo Serbs are colonels, 4 lieutenant colonels, 7 majors, 14 captains, 26 junior police officers, 28 lieutenants, 52 sergeants, while 821 or majority of them are ranked as police officers serving in different police regional directorates of the KP;
- With reference to gender representation of the Kosovo Serb community in the Kosovo Police, there are 148 female and 889 male. These numbers both genders include both personnel – civil and uniformed ones;
- However, evidences show that the police regional directorate of Mitrovica-North is severely challenged when it comes to integrity of its police officers and good governance overall. There are some cases which demonstrate that serious allegations exist how police officers in the north of Kosovo are suspected for having been involved in illegal activities and misconducts.

INTRODUCTION

Since its early stages, the development of the security sector, particularly Kosovo Security Forces (KSF) and Kosovo Police (KP) has been based on the principle of inclusiveness. Today the KP numbers about 16 percent of non-majority communities while KSF numbers up to 8 percent. On the other hand, women in the KP constitute 15 percent of the total number while in the KSF about 8 percent of uniformed members are women. Whereas the level of representation of non-majority communities in KP and KSF is satisfactory and reflects the ethnic composition of Kosovo, representation in higher ranks, leadership positions, and representation of women from non-majority communities is wanting. Despite the progress in representation of non-majority communities, the sustainability of inclusion of non-majority communities, namely the Kosovo Serb community is constantly challenged by the political connotation given to it, consequently overshadowing the actual developments and challenges of inclusion practices in the KP and KSF.

This paper provides an overview of the current level of inclusion of non-majority communities in KP and the KSF. It analyzes the state of inclusion in these institutions and the measures taken to ensure consistency in the process. Moreover, particular focus is given to the recruitment process, the practices on this regard and the specific measures taken to bring communities closer to these institutions. In addition, the paper offers an overview of the functioning of existing internal mechanisms that oversee and contribute to the development of inclusive policies. Among other, the paper focuses on the integrity of non-majority members, especially in the KP and the challenges posed in ensuring integrity.

The paper reflects the extensive research KCSS team did in the key Serbian majority inhabited municipalities in the recent years as well as the field work in municipalities where other non-majority communities reside. For the purposes of the paper two public discussions were organized in Gracanica and Shterpeca and series of face-to-face interviews were conducted with civil society, local institutions and government representatives. Moreover, the primary data of the report have been formally obtained from KP and KSF, while the research team did thorough content analysis of official documents, reports and relevant legal framework. The report data also rely on existing KCSS programs on integrity and inclusiveness in security institutions, ongoing consultations and meetings with experts and institutional representatives as well as the involvement of KCSS team in relevant processes in the security sector in Kosovo and the region.

LEGAL FRAMEWORK OF THE KSF ON ETHNIC INCLUSION

The basis of the representation of non-majority communities in the Kosovo Security Forces (KSF) stems from the **Constitution of the Republic of Kosovo** and the new **Law on Kosovo Security Forces**, which entered into force in January 4, 2019. Both these documents affirm that the KSF shall “*reflect ethnic diversity of the people of the Republic of Kosovo*”.¹ The **Law on KSF** explicitly states that one of the fundamental principles of KSF is its comprehensive and multi-ethnic character.² In addition, the Service on the KSF is guided by the principle of non-discrimination; as specified by the **Law on the Service on the KSF**, every “*KSF member is entitled to fair and equal treatment, appreciated and respected as an individual, supported and rewarded in compliance with rules and terms of service*”.³ Moreover, the **Law on Ministry of Defense (MoD)**, which repealed the previous law on the Ministry of KSF, shapes the MoD as a state administration body, composed by civil servants and military personnel of KSF. Thus, the civil servants employed in the MOD, apart from the political appointees, are subject of the laws regulating the civil service of the Republic of Kosovo.⁴ As such, the **Law on the Civil Service of the Republic of Kosovo** guarantees the fair and equitable treatment of all civil servants, regardless of ethnicity, and states that the civil service of Kosovo must reflect multi-ethnicity and gender equality.⁵

In addition to the legal framework that offers a stable basis for ensuring continuous inclusivity of non-majority communities, the MoD adopted also a specific “**Strategy for Integration of Non-majority Communities (2019-2023) in the MoD/KSF**” and the action plan for its implementation.⁶ Through this strategy, the MoD aims to ensure a sustainable integration of non-majority communities, provide greater growth opportunities in terms of grades and

1 The Constitution of the Republic of Kosovo, Article 126 [Kosovo Security Forces].

2 Law no. 06/L-123 on Kosovo Security Forces, Article 5 [Principles of KSF].

3 Law No. 06/L-124 on the Service on the Kosovo Security Force, Article 25 [Rights of Kosovo Security Force Member]

4 Law no. 06/L-122 on Ministry of Defense, Article 4 [Ministry of Defense].

5 Law No. 03/L-149 on the Civil Service of the Republic of Kosovo, Article 3&43.

6 MOD/KSF Annual Report 2019.

positions, raise the visibility and activities of KSF to the non-majority communities, and offer a long term vision for continuous integration at the MOD/KSF. The strategy derives from the strategic commitment of the Government of the Republic of Kosovo to integrate all communities into the institutions of the Republic of Kosovo and is designed based on the strategic objectives of the MoD.⁷ Furthermore, in 2017 the MoD⁸ also adopted the *“Recruitment Plan for the Active Part of Non-Majority Communities”*, which enabled an eased recruitment process for non-majority communities, by providing mobile recruitment teams in non-majority populated municipalities to accept and encourage applications to the KSF.⁹

Alongside ensuring the multi-ethnicity, the national legal basis in Kosovo guarantees and promotes also gender equality as an essential value of social development. While the Constitution of the Republic of Kosovo remains the main protective pillar of gender equality, the **Law on Gender Equality**, **Law on the Protection from Discrimination** and the **Law on the Civil Service of the Republic of Kosovo**, provide specific measures to ensure the non-presence of gender-based discrimination and underrepresentation in public institutions. These provisions at a considerable extent are embodied also in the **Law on Kosovo Security Forces**, **Law on the Service on the KSF** and **Law on Ministry of Defense (MoD)**, which guarantee fair and equal treatment for all members of the MoD and the KSF.

7 Ibid.

8 At the time this plan was adopted, the Ministry of Defense was officially known as the Ministry of Kosovo Security Forces.

9 Balaj, S. and Boshnjaku, T. (2018). *Multiethnicity destruction tendencies - Massive resignations of Serbian members from the Kosovo Security Force and Serbia's Role*. KCSS.

AN OVERVIEW OF INCLUSIVITY PRACTICES IN THE KSF

The gradual transition of Kosovo's defense sector has been characterized with close cooperation with the international community, as well as careful standardization with NATO's standards and practices. Thus, apart from the legal basis, since its establishment in 2009, the representation of non-majority communities in the KSF has been under constant oversight by all local and international stakeholders. Despite the challenges, the continuous efforts in developing KSF's multi-ethnic character has received support by its partners and created a solid basis for further advancing of its mission. On December 14, 2018, the parliament of the Republic of Kosovo adopted new laws¹⁰ regulating the Kosovo Security Forces (KSF) functioning and mandate, which enabled the transition of KSF from *"... an instrument of Security, to support the Government of the Republic of Kosovo"*¹¹ to *"... a multi-ethnic, professional, armed and authorized military force to serve in the country and abroad..."*¹² The transition of KSF was perceived as ill-timed by NATO¹³. While some NATO members believed that the transition should have happened with constitutional changes rather than changes on laws. This criticism was used by certain exponents as a momentum to propagate the transition as "dangerous" in a continuation of a destructive campaign to undermine the KSF's multi-ethnic character.¹⁴ The narrative built around such campaign was the threat the transition of KSF could present to non-majority communities, namely the Kosovo Serb community, and their position within the KSF and the Ministry of Defense.¹⁵

10 The laws that went into force after the approval in the parliament are: 1) Law No. 06/L-123 on Kosovo Security Forces; 2) Law No. 06/L-124 on the Service on the Kosovo Security Force; 3) Law no. 06/L-122 on Ministry of Defense.

11 Repealed Law No. 06/L-123 on Kosovo Security Force, Article 10 [Missions and Tasks].

12 Law no. 06/L-123 on Kosovo Security Forces, Article 5 [Competences and Duties].

13 NATO. (2018). *Statement by the NATO Secretary General on the adoption of the laws on the transition of the Kosovo Security Force*. Available at: https://www.nato.int/cps/en/natohq/news_161631.htm

14 Balaj, S. and Boshnjaku, T. (2018). *Multiethnicity destruction tendencies - Massive resignations of Serbian members from the Kosovo Security Force and Serbia's Role*. KCSS.

15 Insajderi. *Serbët po mundohen ta ndalojnë transformimin e FSK-së në ushtri*. Available at: <https://insajderi.com/serbet-po-mundohen-ta-ndalojne-transformimin-e-fsk-se-ne-ushtri/>

Nevertheless, Kosovo institutions representatives were very vocal in pointing out that the inclusion of non-majority communities will continue to be a core value after the transition of KSF's mandate as well, and through legal guarantees, its sole purpose will be the protection of the interests of Kosovo and all its citizens, regardless of ethnicity.¹⁶ The MoD has also provided trainings to all units of the KSF related to the legal framework, with focus on the responsibilities of the KSF members during their engagement at the KSF and human rights and gender aspect.¹⁷ Moreover, in 2019 an internal survey was conducted by the KSF with members of all non-majority communities regarding the transition of its mission. In addition, this survey also analyzed the treatment of non-majority communities while on duty, discrimination, the external pressure they face due to their engagement at the KSF and the way forward to a continuous and sustainable integration and career development.¹⁸ The majority of the respondents have expressed positive perception for the transition of the KSF mission¹⁹, however, as these results are not accessible to the public, the perception on other issues addressed by the survey are not known.

THE CURRENT STATE OF INCLUSION IN THE KSF

Currently, the non-majority communities represent eight percent of the total number of KSF members. Out of 217 non-majority communities' members, 49 come from the Kosovo Serb community ; while the two most represented communities in the KSF are the Bosniak community with 64 members and the Turkish community with 55 members.²⁰ Detailed statistics on non-majority communities representation within the KSF are indicated on the following figure. Non-majority communities are well represented on the category of noncommissioned officers and junior officer ranks, while the representation in the mid-level officers ranks and senior officers ranks is wanting. The under representation in officer ranks is more visible when it comes to the Kosovo Serb community , with three members holding the lowest officer

16 The President of the Republic of Kosovo Thaci, H. (2017). In the conference "*The attitudes of K-Serb community on the transition of KSF mandate*". Kosovar Centre for Security Studies and Security Policy Research Centre, Prishtina, Kosovo.

17 KSF Annual Report, 2018.

18 KSF Annual Report, 2019.

19 Ibid.

20 The Annual Report of the Community Affairs Office, 2019.

ranks Second Lieutenant and Lieutenant respectively.²¹ Consequently, the highest leadership position that the Serbian members of the KSF can hold based on their ranks, is the platoon leader.²² By 2023, the KSF aims to advance the representation of non-majority communities in all levels. In this regard, the main objectives of the strategy for integration of non-majority communities are to increase the representation of non-majority communities to 10 percent; increase the representation of non-majority communities in all ranks and further the visibility of KSF activities to the non-majority communities.

Table 1 The structure of KSF non-majority communities members by ethnicity.

Ethnic background	Number
Serb	49
Bosniak	64
Turkish	55
Gorani	2
Ashkali	31
Roma	3
Egyptian	10
Montenegrin	2
German	1
Total	217

²¹ Ibid

²² Regulation No. 03/2018 on Career Development of the KSF Members.

EXISTING INTERNAL INCLUSION MECHANISMS IN THE KSF

The Permanent Secretary of the MoD, through its subordinates: The Human Rights Unit (HRU) and the Community Affairs Office (CAO), is the main body that ensures the practical use of legal provisions focusing on ethnic and gender representation²³. These two mechanisms were established to promote the internal accountability, mostly on inclusivity issues, assure the standardization of internal policies with international human rights standards and nation-wide legislation and foster cooperation with other relevant mechanisms, institutions and non-governmental organizations. Furthermore, their functioning contributes in internal policy-making by serving as advisory and monitoring bodies in policy drafting. Being so, they make sure that policy drafting in the MoD and the KSF take into account the relevant international and national legislature regarding non-majority communities rights.²⁴

The HRU and the CAO are included in the recruitment process as well. The latest recruitment campaign was monitored by these mechanisms from its early informing stage, to the selection phase. They have provided a report for the inclusion perspective of the process, through which they provided relevant findings and recommendations.²⁵ Moreover, during 2019, they conducted informative/monitoring visits to the KSF partner academies, that are mainly attended by non-majority members of KSF.²⁶ To further an unbiased recruitment process, the MoD has foreseen the digitized recording of all interviews in the recruitment process and a more detailed reporting procedure for the interview evaluation committee.²⁷ While there is no legal provision that foresees the ethnic and gender representation on the selection board of the recruitment process, the establishment of the interview evaluation committee shall take into account the ethnic and gender representation.²⁸ Moreover, the ethnic and gender representation is also envisaged in the Boards for Appointments and Promotions.²⁹ However,

23 Administrative Instruction No. 08/2019 On the Mission, Organization and Structure of the Ministry of Kosovo Security Forces. Available at: [https://mod.rks-gov.net/repository/docs/Admin percent20Instruction percent20on percent20the percent20MKSF.pdf](https://mod.rks-gov.net/repository/docs/Admin%20Instruction%20on%20the%20MKSF.pdf)

24 Ibid.

25 KSF Annual Report, 2019.

26 Ibid.

27 The Integrity Plan of the MoD/KSF 2019-2022.

28 Draft regulation (MoD) No.XX/2019 on recruitment In Kosovo Security Force.

29 Regulation No. 03/2018 on Career Development of the KSF Members.

since the internal regulations set rank and position criteria to the members of these boards, ethnic representation is not guaranteed in absence of the relevant grades and positions.

COMMUNICATION AS A MEASURE OF INCLUSIVENESS

The knowledge of the Albanian or Serbian language is not an admission criterion in the KSF. Courses of both languages are provided to the members of the KSF; however, such courses do not have a binding character.³⁰ While it can be arguable that in the Defense sector the lack of knowledge of the institution's primary language may result in operational obstacles, in this case it was used as a strategic tool to bring the Serb community closer to the KSF. However, the KSF should use the knowledge of both official languages as an incentive to its members and new recruits. This can be done by proclaiming bilingualism as an advantage of obtaining certain lower grades and additional points in the recruitment process; while besides English, the knowledge of the two official languages should be obligatory to obtain higher grades and senior positions. By doing so, except for improvements in operational performance, the internal training and educational mechanisms will be promoted, better skill sets of recruits will be presented, the meritocracy principle would be strengthened and the language courses could be advanced to a well-consolidated military language school. As a result, this would potentially open the way for more involvement of the Kosovo Serb community in military education and strengthen the sense of belonging to the KSF. Apart from the internal communication, an important part of inclusion is the outreach to different communities through communication. In 2019, the KSF had more than 500 communication/media related presentations that include press releases, media appearances, media campaigns etc. In addition, four TV/Radio ads/campaigns were produced in Albanian and Serbian, while the press releases are translated in Serbian as well.³¹ However, despite the research team's interest in obtaining more information in this regard, the KSF has not provided clarity whether all media materials are translated into Serbian. On the other side, the regular KSF newsletter published by the MoD is only available in English. The legal framework is accessible in Albanian, Serbian and English through the MoD official website. Whereas, the sector of strategic documents on the official website has no available publications in Serbian. Similarly, the latest annual report

³⁰ Emini, D. (2014). Inclusion or Exclusion - Minorities in the Security Sector in Post-Independent Kosovo. KCSS.

³¹ KSF Annual Report 2019,

available in Serbian and English dates in 2017, while the annual report for 2018 and 2019 respectively is only available in Albanian.

OTHER SPECIFIC MEASURES

As the general legal framework foresees that apart from the existing legal framework, all public institutions shall take general and special measures to achieve gender equality³², the MoD has adopted the **“Human rights and gender equality policy in the MoD and the KSF”**. This document serves the MoD and the KSF as an effective and sustainable guideline for the protection and promotion of human rights, gender equality and non-majority communities' inclusion.³³ This document aims to achieve the objective of raising the level of gender and ethnic representation in the MoD and KSF through specific activities. These activities include the organization of specific informing campaigns aimed at non-majority communities and women as an encouraging measure, as well as seminars to promote the multi-ethnic character of the KSF. As there is lack of awareness for the importance of inclusion in the general opinion in Kosovo, especially for gender representation, the KSF aims to tackle such issue in the community-level by producing documentaries and written materials for raising awareness.³⁴ The KSF also undertakes different activities aimed at the non-majority communities to broaden their visibility to the respective communities. On this regard, from 2010 the KSF offers monthly medical examination and assistance to the Kosovo Serb community in Serbian majority municipalities in the Istog region. The KSF has provided logistical support in different infrastructural projects in different municipalities and small rural areas, mostly in the municipalities populated by non-majority municipalities.³⁵

32 Law No. 05/L -020 on Gender Equality, Article 5&6.

33 Human rights and gender equality policy in the MoD and the KSF.

34 Ibid.

35 KSF Annual Report 2018.

THE CHALLENGES OF INCLUSION OF NON-MAJORITY COMMUNITIES IN THE KSF

The inclusion of non-majority communities was the watchword of all processes that defined the establishment of Kosovo institutions. While multi-ethnicity was one of the founding principles of local institutions, the position of Kosovo Serb community in Kosovo was used by the opposing actors to defy the local ownership, especially in the security sector. By applying an unconstructive approach in opposing the statehood of Kosovo, using a certain community to do so and the incorporation of local communities' inclusion in Kosovo Institutions in bilateral relations, has damaged the inclusion process to some extent. Thus, constructive criticism of the process of inclusiveness in the security sector and genuine analysis in this regard have been overshadowed and this process has taken a political turn. Despite continuous efforts and forming a bedrock of inclusion in a comprehensive legal framework, the effectiveness of managing inclusivity in the KSF was warned by the political narrative around it.

EXTERNAL INTERFERENCE

In the last 2 years, Serbia has undertaken a fierce campaign to damage the inclusion of the Kosovo Serb community in Kosovo institutions, which consequently led to regress in the inclusion process within the KSF as well. In the case of the KSF, this campaign has taken violent proportions. During 2018, a series of orchestrated attacks were directed against the properties of Serbian members of KSF, mainly in the region of North Mitrovica.³⁶ Moreover, many of the Serbian members of KSF were detained at the border with Serbia when they traveled for family visits, while some of them were banned from entering Serbia.³⁷ To add further pressure, Serbia's leaders, while these attacks were ongoing, called for the Kosovo Serb community in

36 Shehu, B. (2018). *Kosovë: Dënohen sulmet ndaj pjesëtarëve serbë të FSK-së*. DW. Available at: <https://www.dw.com/sq/kosov-percentC3-percentAB-d-percentC3-percentABnohen-sulmet-ndaj-pjes-percentC3-percentABtar-percentC3-percentABve-serb-percentC3-percentAB-t-percentC3-percentAB-fsk-s-percentC3-percentAB/a-44108891>

37 Koha NET (2018). *FSK-ja fton serbët t'i bashkohen në procesin e transformimit*. Koha.NET. Available at: <https://www.koha.net/arberi/120996/fsk-ja-fton-serbet-ti-bashkohen-ne-procesin-e-transformimit/>

Kosovo not to join the KSF.³⁸ A similar approach was applied by the Kosovo Serb community political representatives in Kosovo Assembly. Instead of condemning the attacks, they strongly opposed the arrest of suspects for attacks on Serb members, and joined the destructive narrative that Kosovo Serb community in Kosovo should not be involved in the KSF.³⁹ Thus, a large number of Serbian members of the KSF were forced to resign from their duties, significantly reducing the representation of this community in the KSF.

The KSF was highly effective in implementing the prior strategy for the integration of non-majority communities (2017 – 2020), by meeting the main objective of raising the representation of non-majority communities to over 10 percent. However, the forced resignation imposed the KSF to make a step backwards and prevented a potential growth on the desirable percentage of the representation of non-majority communities. Besides the damages done to the KSF in the inclusion process, the interference of Serbia and its subordinates in Kosovo has had negative impact in other areas as well. In the beginning of this year, a Kosovan Serb has been selected and agreed to join the Kosovo National Football Team. As a result, his parents were threatened and were sanctioned with the exception of working in the Serbian-majority municipality of Gračanica.⁴⁰ This has highlighted that problems with inclusivity in the KSF do not stem from the KSF itself and the challenges cannot be resolved solely with the efforts of the KSF. After the transition of its mission, the KSF has deepened its cooperation with other institutions to address the challenges of inclusion from a comprehensive perspective. MoD representatives have had meetings with the Ministry of Regional Development and the Ministry for Community and Return to present the stance of non-majority communities KSF members towards the transition process and the way forward for continuous inclusion.⁴¹ However, having in mind that direct attacks towards KSF members are of a security nature, there is no available information whether such issues were discussed in security institutions setting or if a common plan to address this problem is in place. KSF in close cooperation with other security institutions should come up with a clear plan on how to prevent external influences and provide security to all its members affected by direct attacks due to their en-

38 Kallxo.com. (2018). *Beogradi nuk dëshiron të shohë pjesëtarë serbë në FSK*. Available at: <https://kallxo.com/shkurt/beogradi-nuk-deshiron-te-shohe-pjesetare-serbe-ne-fsk/>

39 Shehu, B. (2018). *Arrestohen e lirohen pesë serbë të Kosovës*. DW. Available at: <https://www.dw.com/sq/arrestohen-e-lirohen-pes-percentC3-percentAB-serb-percentC3-percentAB-t-percentC3-percentAB-kosov-percentC3-percentABs/a-44603540>

40 Klan Kosova. (2020). *Përjashtohen nga puna prindërit e futbollistit Iviq, reagon MKRS*. Available at: <https://klankosova.tv/perjashtohen-nga-puna-prinderit-e-futbollistit-iviq-reagon-mkrs/>

41 The Annual Report of the Community Affairs Office, 2019.

agement in the KSF. The research team has made several attempts to obtain information on whether external interference is incorporated into the security strategy, the MoD/KSF strategy or if a specific plan for addressing it has been developed, however, KSF officials have not responded to our requests in this regard.

ENHANCING INTERACTIONS BETWEEN KSF AND HESITANT COMMUNITIES

While the KSF aims to increase visibility in municipalities inhabited by non-majority communities, its non-presence in the North Mitrovica region presents an obstacle to the efficiency of achieving this objective. Although there has been a tacit agreement since its establishment that its presence in the North would have serious political implications, it appears that in 2013 then the Prime Minister Mr. Hashim Thaçi, pledged through a written agreement that the KSF would not extend to the north of the country without the prior approval of KFOR, respectively NATO.⁴² The President of Kosovo at the time, concurrently the former Supreme Commander of the KSF, was not aware of such agreement, despite having several meetings with KFOR and Prime Minister's representatives after the conclusion of the respective agreement.⁴³ Thus, the political level has once again affected the functioning of the KSF in terms of inclusiveness, regardless of its legal framework, mandate and clear objectives for wider geographical reach, as a crucial measure for the inclusion of non-majority communities, namely the Kosovo Serb community. Moreover, unlike all regions of Kosovo, the KSF enjoys very little trust from the citizens of the North Mitrovica region. 52.4 percent of respondents from this region in the Kosovo Security Barometer stated that they have no trust at all in the KSF.⁴⁴ Given the lack of trust of citizens in the North and the agreement that incapacitates its activities in this region, the KSF does not have much space to its capacity for the integration of citizens from this region into the KSF, as well as the integration of the KSF itself to the region. Therefore, the KSF in coordination with other institutions should seriously consider how to manage this situation

42 Shehu, B. (2020). *Albin Kurti publikon një marrëveshje "sekrete" të Thaçit me NATO-on*. DW. Available at: <https://www.dw.com/sq/albin-kurti-publikon-nj-percentC3-percentAB-marr-percentC3-percentABveshje-sekrete-t-percentC3-percentAB-tha-percentC3-percentA7it-me-nato-on/a-52545036>

43 Kallxo.com. (2020). *Marrëveshja e Thaçit me NATO-n u bë fshehtas Komandantes Supreme*. Available at: <https://kallxo.com/shkurt/marreveshja-e-thacit-me-nato-n-u-be-fshehtas-komandantes-supreme/>

44 Marku, D. (2019). *Kosovo Security Barometer - Ninth Edition*. KCSS. Available at: http://www.qkss.org/repository/docs/KSB2019_339996.pdf

in the future, so that multi-ethnicity can be reflected in this area as well and prevent a hasty and volatile integration deriving from political agreements, as in the case of the Kosovo Police. To tackle the challenges of inclusion in the KSF, except for the efforts to have an effective inter-institutional cooperation, it is important that all communities in Kosovo embrace the importance of diversity and inclusion in the defense sector. Moreover, being a key security institution, KSF shall be used by all communities as a platform to address their needs and challenges, while the total lack of contact of citizens from the North Mitrovica region with this institution does not enable this. The Government of Kosovo in cooperation with international partners should extensively work in a gradual increase of the KSF's visibility in the North Mitrovica region. This can be done by ensuring the participation of KSF in various activities in the North Mitrovica region that have no military character, such as lectures in schools, humanitarian campaigns, assistance in infrastructure development etc. Such activities could be jointly organized with KFOR, in which case the close cooperation of the KSF with NATO would be confirmed and an additional guarantee for the defensive and comprehensive character of KSF would be offered.

BRIDGING THE GENDER GAP

Another challenge that extends to the national level, consequently reflecting to the KSF as well, is poor gender representation, especially in the non-majority communities. From the total number of non-majority community members of KSF, only 23 of them are women.⁴⁵ While in total there are 222 women engaged in the KSF in different ranks, with one of them holding the highest military rank in the KSF, Brigadier General.⁴⁶ Based on the Human rights and gender equality policy in the MoD and the KSF, the internal challenges of women representation are the overall low representation of women, with emphasize in leadership and decision-making positions.⁴⁷ On the other side, the overall mindset in Kosovo also affects the women representation in the KSF resulting with slower acceptance of the concept of uniformed women in service by the general public.⁴⁸ The KSF aims to address the challenges on

45 The Annual Report of the Community Affairs Office, 2019.

46 Human rights and gender equality policy in the MoD and the KSF.

47 Ibid.

48 Aliu, L. (2018). *The woman shaping Kosovo's future soldiers*. Kosovo 2.0. Available at: <https://kosovotwopointzero.com/en/the-woman-shaping-kosovos-future-soldiers/>

this regard by providing preferential treatment, recruitment, employment and promotion in the areas within KSF where there is unequal representation and taking special temporary measures to achieve gender equality, where inequality exists, as required by applicable laws.⁴⁹ The KSF should consistently train, support and promote individuals within the institution that are responsible for gender issues and define their work specifically for all areas of its organization. Moreover, it should be focused in representing women in trainings and education, in order to encourage women to participate more in professional trainings, thereby increasing the chances of representation in all grades.

⁴⁹ Human rights and gender equality policy in the MoD and the KSF.

LEGAL FRAMEWORK OF THE KP ON ETHNIC INCLUSION

Ethnic inclusion within the KP is regulated through the Law No. 04/L-76 on Police as the basic legal document of the KP. There are specific provisions within the law addressing the multi-ethnic character of the KP. In this regard, one of the guiding principles of the KP is commitment to employment, advancement and assignment of duties in comprehensive, merit-based and non-discriminatory manner through reflecting the multi-ethnic character of Kosovo.⁵⁰

In terms of ethnic representation of the KP, the Law on Police states that the ethnic composition of the police officers within a municipality reflects the ethnic composition of the population within the municipality.⁵¹ When it comes to inclusion of non-majority communities, with particular regard of the Kosovo Serb community into the KP, the law has adopted flexible approach in terms of integration. Therefore, it determines that in municipalities where Kosovo Serb community is the largest ethnic community, Commanders of Police Stations and Commanders of substations are appointed by the Ministry of Internal Affairs with the proposal of Municipal Assembly and the General Director of the KP.⁵²

50 Paragraph 1.7, Article 2, Law No. 04/L-76 on Police. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2806>.

51 Paragraph 4, Article 35, Law No. 04/L-76 on Police. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2806>.

52 Article 42, Law No. 04/L-76 on Police. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2806>.

THE CURRENT STATE OF ETHNIC INCLUSION IN THE KOSOVO POLICE

Integration of non-majority communities within the KP is rather solid in terms of representation within this institution. It is worth mentioning that out of 8,861 total personnel in the KP, 1,406 of them represent non-majority communities of Kosovo. This implies that inclusion is among the key principles applied by the Kosovo institutions for establishing a multi-ethnic police force reflecting its ethnic diversity of the society generally. Detailed statistics on ethnic representation within the KP are indicated on the following figure.

When considering total numbers into representation percentages, it is understood that around 16 percent of civil and uniformed personnel of the KP is composed by staffers belonging to non-majority communities. In this regard, Kosovo Serb community is represented by 12 percent in total within the KP, thus it can be stated that Kosovo Serb community is well-represented in the security institutions, with particular emphasis on the KP. Other 4 percentages are shared among other non-majority communities (Bosniak, Turkish, Gorani, Ashkali, Roma, Egyptian, Circassian, Montenegrin, Croat and Macedonian communities as indicated by the provided KP statistics). While, Kosovo Albanian as the country's majority population counts 84 percent of personnel in the KP.

Table 2 - Total number of personnel (civil and uniformed) of the Kosovo Police - based on ethnic background⁵³

Ethnic background	Number	Percentage
Albanian	7455	84.1%
Serb	1037	11.70%
Bosniak	203	2.29%
Turkish	72	0.81%
Gorani	39	0.44%
Ashkali	19	0.21%
Roma	15	0.17%
Egyptian	8	0.09%
Circassian	6	0.07%
Montenegrin	3	0.03%
Croat	3	0.03%
Macedonian	1	0.01%
Total	8861	100.00 percent

As regards civil and uniformed personnel, the KP counts 1,011 civil personnel and 7,850 uniformed personnel distributed into different ranks and positions within the KP. Out of these numbers, 109 of them from civil personnel are among the non-majority communities and 1,297 others are police officers (uniformed personnel) representing different non-majority communities. Hence, 8 percent of civil personnel represents Kosovo Serb community, while uniformed personnel belonging to Kosovo Serb community is 12 percent as indicated in the table below.

⁵³ Statistical data have been provided to Kosovar Centre for Security Studies by the Kosovo Police on 2 March 2020.

Table 3 – Number and percentage distribution of the KP personnel divided by civil and uniformed personnel (based on ethnic background)⁵⁴

Ethnic background	Number		Percentage	
	Civil Personnel	Uniformed Personnel	Civil Personnel	Uniformed Personnel
Albanian	902	6553	89.22 percent	83.48%
Serb	83	954	8.21 percent	12.15%
Bosniak	13	190	1.29 percent	2.42%
Turkish	7	65	0.69 percent	0.83%
Gorani	3	36	0.30 percent	0.46%
Ashkali	1	18	0.10 percent	0.23%
Roma	1	14	0.10 percent	0.18%
Egyptian		8		0.10%
Circassian		6		0.08%
Montenegrin		3		0.04%
Croat	1	2	0.10 percent	0.03%
Macedonian		1		0.01%
Total	1011	7850	100.00 percent	100.00 percent

As regards grades that members of Kosovo Serb community hold in the KP, it appears that they are posed well within the ranking system of the police. Thus, among uniformed personnel, two Kosovo Serbs are colonels, 4 lieutenant colonels, 7 majors, 14 captains, 26 junior police officers, 28 lieutenants, 52 sergeants, while 821 or majority of them are ranked as police officers serving in different police regional directorates of the KP. Additionally, it is important to note that Kosovo Serb community is part of the management structure of the police given that the KP's Deputy General Directors for Resources is a member of this non-majority community.⁵⁵ Therefore, Kosovo Serb community is integrated and represented in a manner way in the whole structures of the KP.

⁵⁴ Statistical data have been provided to Kosovar Centre for Security Studies by the Kosovo Police on 2 March 2020.

⁵⁵ See the following link on Deputy General Directors of the Kosovo Police: <https://www.kosovopolice.com/en/about-us/deputy-general-director-of-kp/>

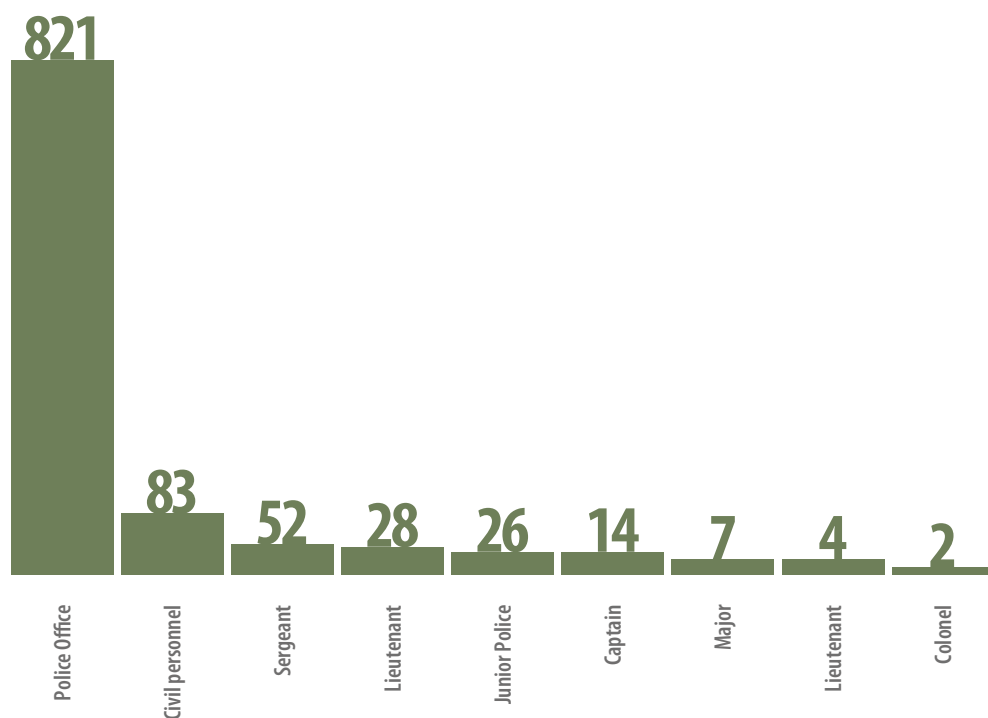


Figure 1 - Police ranks distribution of the Kosovo Serb community in the KP⁵⁶

Statistics provided by the KP evidence that the highest number of police officers among the Kosovo Serb community are distributed and represented in the northern municipalities of Kosovo, more precisely at Mitrovica-North's Police Regional Directorate. Consequently, 466 police officers in this regional directorate are Kosovo Serbs followed by Gjilan, Prishtina and Ferizaj.

⁵⁶ Statistical data have been provided to Kosovar Centre for Security Studies by the Kosovo Police on 2 March 2020.

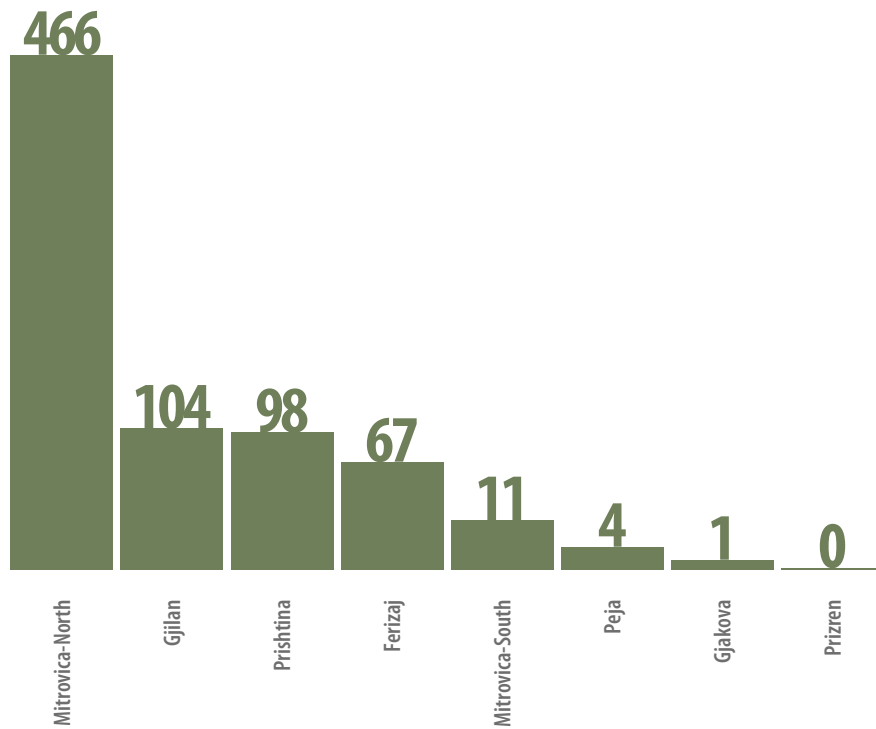


Figure 2 – Representation of Kosovo Serb police officers among Regional Directorates of the Kosovo Police⁵⁷

With reference to gender representation of the Kosovo Serb community in the KP, there are 148 female employed in the KP and 889 male. These numbers both genders include both personnel – civil and uniformed ones.

⁵⁷ Statistical data have been provided to Kosovar Centre for Security Studies by the Kosovo Police on 2 March 2020.



Figure 3 - Gender representation of the Kosovo Serb community in the Kosovo Police (civil and uniformed personnel)⁵⁸

⁵⁸ Statistical data have been provided to Kosovar Centre for Security Studies by the Kosovo Police on 2 March 2020.

CHALLENGES OF INTEGRITY AND GOOD GOVERNANCE AMONG KOSOVO SERB POLICE OFFICERS'

Despite the level of Kosovo Serb community's integration and representation within the KP is compact, however there are several challenges when it comes to integrity of police officers from this community. In this regard, the most problematic region remains to be north of Kosovo which was integrated into the KP only in 2013 as a result of Brussels Agreement, thus a new regional police directorate in Mitrovica-North was established to enhance integration of Kosovo Serbs in the four Kosovo's northern municipalities into the KP. Prior to that, there were operating parallel structures in the area of security being financed by Serbia, while many former members of the Serbian Ministry of Interior (most commonly known as MUP) have been recruited within the KP, that is to say on Mitrovica-North's police regional directorate.⁵⁹

According to the 2013 Brussels Agreement, Kosovo and Serbia agreed to dissolve the Serb-based parallel structures and integrate its members into the Kosovo institutions.⁶⁰ Therefore, the agreement states that there is "one police force in Kosovo called the Kosovo Police" and that police in the north of Kosovo shall be integrated in the Kosovo Police framework.⁶¹ With reference to recruitment process of Kosovo Serb police officers in the north of Kosovo, 285 members of parallel structures were integrated into the KP (police regional directorate of Mitrovica-North). However, there was a criticism that integration or recruitment procedures were not fully applied when former members of parallel structures joined the KP in the north of Kosovo. Furthermore, they went through a one-week training instead of a 9-month regular

59 Balaj, S. (2019). *Perception of Kosovo Serb community towards Kosovo Police: A friend or a foe?* Prishtina: Kosovar Centre for Security Studies, p. 7. Available at: [http://www.qkss.org/repository/docs/Serb-Community_KosovoPolice-eng_\(1\)_239167.pdf](http://www.qkss.org/repository/docs/Serb-Community_KosovoPolice-eng_(1)_239167.pdf)

60 Ibid., p. 11.

61 The Brussels Agreement of Principles Governing the Normalization of Relations is available here: http://www.kryeministri-ks.net/repository/docs/FIRST_AGREEMENT_OF_PRINCIPLES_GOVERNING_THE_NORMALIZATION_OF_RELATIONS,_APRIL_19,_2013_BRUSSELS_en.pdf

training into the KP which is a standardised procedure for hiring police officers.⁶² While, there is lack of information about their profile and background while serving as MUP members taking into account that they undertook an eased and accelerated vetting process towards joining the KP.⁶³

On the other hand, the Police Inspectorate of Kosovo is present in the north of Kosovo, however evidences show that the police regional directorate of Mitrovica-North is severely challenged when it comes to integrity of its police officers and good governance overall. There are some cases which demonstrate that serious allegations exist how police officers in the north of Kosovo are suspected for having been involved in illegal activities which will be briefly presented here.

CASE OF ZUBIN POTOK'S POLICE STATION

On February 2020, the KP released a public information that during a conducted inspection in Mitrovica-North's police regional directorate, it has found some misconducts at the police station in Zubin Potok.⁶⁴ According to media reports, some police equipment including firearms have been stolen from the testimony room of the police station in Zubin Potok,⁶⁵ therefore three officials of this police stations are suspended already - a senior police officer in charge of the testimony room, head of investigation and commander of the respective police station.⁶⁶ Furthermore, the KP has confirmed that following the preliminary investigations, a police officer among Kosovo Serb community is suspected for misusing official duty due to

62 Balaj, S. (2019). *Perception of Kosovo Serb community towards Kosovo Police: A friend or a foe?* Prishtina: Kosovar Centre for Security Studies, p. 12. Available at: [http://www.qkss.org/repository/docs/Serb-Community_KosovoPolice-eng_\(1\)_239167.pdf](http://www.qkss.org/repository/docs/Serb-Community_KosovoPolice-eng_(1)_239167.pdf)

63 Bjeloš, M., & Elek, B. (2014). *Police Integration in North Kosovo: Progress and Remaining Challenges in Implementation of the Brussels Agreement*. Belgrade and Prishtina: Belgrade Centre for Security Policy and Kosovar Center for Security Studies, p. 9. Available at: http://www.qkss.org/repository/docs/Police_Integration_in_North_Kosovo_851241.pdf

64 See the press release of the Kosovo Police at the following link: <https://www.kosovopolice.com/policia-e-kosoves-ne-zbatim-te-planit-vjetor-te-punes/>

65 Donika Voca Gashi, "Në Stacionin Policor të Zubin Potokut u morën armë në dhomën e dëshmive - tre të suspenduar", Koha.Net, March 04, 2020. Available at: <https://www.koha.net/arberi/211761/ne-stacionin-policor-te-zubin-potokut-u-moren-arme-ne-dhomen-e-deshmive-tre-te-suspenduar/>

66 See the press release of the Kosovo Police at the following link: <https://www.kosovopolice.com/policia-e-kosoves-ne-zbatim-te-planit-vjetor-te-punes/>

that different types of firearms have been stolen by the testimony room of the police station in Zubin Potok.⁶⁷

This case is currently under investigation by the Police Inspectorate of Kosovo and Basic Prosecution in Mitrovica.⁶⁸ As the results of the investigations are not revealed and they are concluded yet, it can be assumed that integrity of police officers within KP's regional directorate in Mitrovica-North is questioned due to this misconduct. This potentially can be attributed also to accelerate procedures of recruitment of police officers in the northern municipalities of Kosovo as mentioned earlier.

POLICE ACTION IN THE NORTH

The KP conducted some police actions in the north of Kosovo aiming to fight organized crime and corruption in the region. On May 2019, a police action jointly led by the Police Inspectorate of Kosovo and special units of the KP resulted on arresting a number of police officers⁶⁹ in the north among other persons arrested. They were arrested under grounded suspicious of being involved on smuggling goods, misusing official duty and bribery activities.⁷⁰ It is important to note that this specific police action in the north was impeded by members of the Kosovo Serb community who put barriers on the street, thus blocking the KP to implement its action specifically in Zubin Potok⁷¹. However, barriers were removed by the KP's special units while paving the way for fulfilling its policing duties for the implementation of police action.

67 Telegrafi, "Zubin Potok, zyrtari policor vjedh armë nga dhoma e dëshmive", March 03, 2020. Available at: <https://telegrafi.com/zubin-potok-zyrtari-policor-vjedh-arme-nga-dhoma-e-deshmive/>

68 Donika Voca Gashi, "Në Stacionin Policor të Zubin Potokut u morën armë në dhomën e dëshmive - tre të suspenduar", Koha.Net, March 04, 2020. Available at: <https://www.koha.net/arberi/211761/ne-stacionin-policor-te-zubin-potokut-u-moren-arme-ne-dhomen-e-deshmive-tre-te-suspenduar/>

69 Afërdita Fejzullahu, "Arrestime, plagosje e barrikada nga aksioni i sotëm i Policisë së Kosovës", May 28, 2019. Available at: <https://kallxo.com/shkurt/arrestime-plagosje-e-barrikada-nga-aksioni-i-sotem-i-policise-se-kosoves/>

70 Telegrafi, "Policia konfirmon aksionin në veri të Mitrovicës, jep detaje", May 28, 2019. Available at: <https://telegrafi.com/policia-konfirmon-aksionin-ne-veri-te-mitrovices-jep-detaje/>

71 Afërdita Fejzullahu, "Arrestime, plagosje e barrikada nga aksioni i sotëm i Policisë së Kosovës", May 28, 2019. Available at: <https://kallxo.com/shkurt/arrestime-plagosje-e-barrikada-nga-aksioni-i-sotem-i-policise-se-kosoves/>

CRITICISM ON THE PERFORMANCE OF MITROVICA-NORTH'S POLICE REGIONAL DIRECTORATE

Despite these challenges, the senior management of the KP's General Directorate based in Pristina have raised serious concerns about internal activities and performance of the police regional directorate in Mitrovica-North as regards to combating crimes in the north of Kosovo which fall under responsibilities of the police directorate. A letter addressed to the police regional directorate in Mitrovica-North on April 2018, the KP's management criticized that regardless of increased incidents in the north of Kosovo (fire incidents, arson, and hand grenade explosions), these cases have not been revealed and their perpetrators have not been brought to justice. The letter addresses, among other things, the issue of low trust of the KP in north by questioning that the public trust in the police cannot be expected to be increased when the outcome of investigations to these relevant cases are lacking.⁷² Based on this statement of the KP's senior management, it can be assumed that one of the reasons for the very low trust of the police in the north of Kosovo is the weak performance of police regional directorate in Mitrovica-North on combating crimes.

⁷² Kosova Press, "Ekskluzive: Raporti i krerëve të Policisë ku flitet për veriun (Dokument)", May 01, 2018. Available at: <http://www.kosovapress.com/sq/siguri/-160317/>

RECOMMENDATIONS

- The intelligence and prevention measures of Kosovo shall be improved, to better respond against external influences that aim to minimize the process of integration of non-majority communities in Kosovo, specifically the Kosovo Serb community.
- The KSF in cooperation with other institutions, with emphasis on security institutions, should develop a long-term plan for preventing external interference and providing additional security to its members directly affected by such interference.
- The KSF in cooperation with international partners and other institutions should work on extending its presence in the North Mitrovica region through non-military activities. This will contribute in increasing the trust of the Kosovo Serb community towards the KSF and further encourage inclusiveness.
- KSF should incorporate inclusion, especially the gender aspect, in the process of education of new cadets in order to ensure sustainability in this regard. This should be done by systematically introducing content on the importance of non-majority communities inclusion and gender equality.
- The KSF should engage more women and non-majority communities in training and education in order to provide additional promotion opportunities for as well as encourage other members to participate in such trainings/education.
- The KSF should continue and strengthen cooperation with multi-ethnic armed forces such as Switzerland in exchanging experiences and continuously developing the good practices in this regard.
- The Government of Kosovo should take a more pro-active role in enhancing the internal dialogue to address the issues of ethnic and gender inclusion. Such dialogues shall be focused in targeting the reluctant ethnic communities in Kosovo in particular.
- The Civil Society organizations should organize more debates and discussions with non-majority communities regarding the role of the KSF and the issue of stigmatization of non-majority communities KSF members from within the community.

- If it has not conducted yet, the Kosovo Police and the Police Inspectorate of Kosovo should undertake on frequent basis regular/extraordinary inspections towards the police regional directorate in Mitrovica-North. This due to increasing professional integrity and good governance within this police directorate which apparently is facing serious challenges as Zubin Potok's case points out.
- As the ethnic and gender representation are not sufficient components for enhancing integrity, the relevant Kosovo institutions should reconsider on offering a set of training programmes to police officers of Mitrovica-North's police regional directorate. These training programmes should be focused on integrity measurements with respect to anti-corruption and combating organized crime-related matters.
- Internal control mechanism or other relevant bodies of the Kosovo Police should conduct performance appraisal on every three-month period for all police regional directorates, including Mitrovica-North's region. Methodology used for performance appraisal should have specific indicators/sub-indicators for measuring progress based on activities conducted by the police regional directorates in the field of rule of law, thus influencing to enhance good governance and institutional integrity of both – Kosovo Police and police officers at all levels or ranks.

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