



POLICY BRIEF

NO WAY OUT?

Assessment of police cooperation between Kosovo and Serbia

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Table of content

List of abbreviations	4
Key findings.....	5
Introduction	6
Kosovo’s efforts for bilateral cooperation	6
Cross-border risks and threats	7
Facilitation or obstruction?.....	8
Overarching problems: lack of demarcation and militarization of border	11
Recommendations.....	12
Bibliography.....	13

List of abbreviations

BCP	Border Crossing Points
EU	European Union
EULEX	European Union Rule of Law Mission
Europol	European Police Office
IBM	Integrated Border Management
ILECU	International Law Enforcement Coordination Unit
Interpol	International Criminal Police Organization
KFOR	Kosovo Forces (North Atlantic Treaty Organisation-led international peacekeeping force)
KP	Kosovo Police
MFA	Ministry of Foreign Affairs
MIA	Ministry of Internal Affairs
MoJ	Ministry of Justice
MUP	Serbian Ministry of Interior (Ministarstvo Unutrašnjih Poslova)
NCB	National Central Bureau
NCBM	National Centre for Border Management
SAA	Stabilisation and Association Agreement
SAP	Stabilization Association process
SEE	South East Europe
UNMIK	United Nations Mission in Kosovo
UNOCD	United Nations Office on Drugs and Crime
WB	Western Balkans

Key findings

- All three parties – the EU, Kosovo, and Serbia lack a clear strategy on how to strengthen and formalize bilateral police cooperation. In particular, Serbia lacks the political will to establish bilateral police cooperation with Kosovo, despite EU requirements to introduce police cooperation with Kosovo in line with neighbouring countries.
 - Bilateral police cooperation between Kosovo and Serbia is mainly focused on “high politics”, so long as purely professional organisations rely on political directions. This context overshadows security as a joint and public good.
 - Transnational crime and other cross-border risks and threats are being facilitated by the lack of cooperation. There are a large number of criminal activities present at the border between the two countries as well as in the northern part of Kosovo.
 - Although UNMIK and EULEX are facilitating the communication between the two parties, there are strong indications that Kosovo is predominantly left out of the process and gets only very limited police information, be it by Serbia or other countries that do not recognise Kosovo’s independence.
- The “militarisation” of the border between Kosovo and Serbia is indicated by the presence of the Serbian Army. This represents the last “militarised” border zone in the Western Balkans. The presence of soldiers does not only manifest fear for the citizens living in the border areas but it is also against the EU’s concept of border security which emphasises the need for a police force to observe the borders.
 - The “Footnote Agreement” signed between Kosovo and Serbia, which intended to prevent the impeding of regional and international representation, is not entirely respected by Serbia. Serbia, moreover, has continued to obstruct Kosovo either directly – by hampering Kosovo’s participation in regional security initiatives, or indirectly – by using its (lately strengthened) international position and means to influence other countries to oppose Kosovo’s path towards equal representation.

For the time being, the direct communication between the two police forces – albeit limited - is primarily informal, and usually through phone calls. This creates significant obstacles in intelligence sharing for mutual benefit.

Introduction

Countries aspiring for membership into the European Union (EU) are required to foster good neighbourly relations. Sound inter-state relations contribute towards the enhancement of regional security and cooperation. In the context of the Western Balkans, police cooperation is considered one of the most important aspects as it serves the purpose of peace and stability. Hence, membership into the EU is conditioned, among other factors, with the enhancement of multi-lateral and bilateral security cooperation. The progress is measured through different mechanisms set up by the EU and other international organisations. While there has been an advancement in bilateral cooperation and multilateral cooperation through regional initiatives in general, a large gap remains due to the limited security cooperation between Kosovo and Serbia. This state of play is driven by the political factors over Serbia's refusal to recognise Kosovo, and the activities it undertakes to thwart its representation in the international system. This is despite contrary agreements and overshadows the potential of security cooperation. Furthermore, the ongoing refusal to formally recognise Kosovo as a sovereign state should not mark an obstacle to police cooperation, as this is for the benefit of both countries and people.

Bilateral agreements and the exchange of information are one of the oldest and most effective means of police and judicial cooperation (Greene, 2007). Such bilateral agreements are pursued with the aim of establishing cross-border cooperation by offering the legal means for the exchange of information. The formal bilateral police cooperation is mainly conducted between countries that hold trust in one another, indicating a sign of mutual confidence on police matters (Ibid). When examining police cooperation as a mutual good in the Kosovo-Serbia context, the only positive example found out is the Integrated Border Management (IBM) Agreement,¹ which was facilitat-

ed by the EU. This agreement however suffers from an absence of communication with other institutions, namely the police, leading to huge obstacles in implementing the core principles of IBM. The limited communication between the two parties is intermediated by the international presence in Kosovo, by creating constrains when it comes to sharing intelligence.

This report examines the limited and mediated police cooperation between Kosovo and Serbia. Its primary intention is to advocate for full cooperation, bearing in mind the joint nature of cross border challenges and EU conditionality, especially for Serbia. Data for this report was primarily gathered through desk research, analysis of the broader legal basis, reports and various local, regional and international articles. A considerable number of interviews with key stakeholders have been conducted in this field. Actors interviewed were mainly representatives of the Kosovo institutions, representatives of the Kosovo Police and representatives of the international missions present in Kosovo. Approaching the Ministry of Internal Affairs of Kosovo has been difficult, while it was even more difficult to maintain communication with the Ministry of Internal Affairs of Serbia.

Kosovo's efforts for bilateral cooperation

Due to Kosovo's disputed status, its post-independence institutions have not become successors to the already established UNMIK institutions. Until recently, Kosovo was represented by the international community present in Kosovo, meaning either UNMIK at the regional and international level or EULEX among others at the bilateral level [with Serbia]. This was primarily done because of the impediments from Serbia and other non-recognizing countries to accept Kosovo's participation at the regional and international system. Since the declaration of its independence in February 2008, Kosovo has been able to establish bilateral and multilateral relations with other states and international organisations. This, however, turned out to be quite challenging, especially when compared to other internationally recognised countries. Kosovo has

¹ IBM Agreement was reached on 2nd December 2011 with the aim of setting up joint, integrated, single and secure posts within a common area of IBM crossing point, jointly delineated, where officials of each party carry out relevant controls. Link: http://www.kryeministri-ks.net/repository/docs/agreement_0210_ibm.pdf, accessed on: 10.05.2016

achieved limited progress when it comes to regional security cooperation and police cooperation with other Western Balkan countries. In this context, Kosovo has signed police cooperation agreements with three of its neighbouring countries. In 2009, three police cooperation agreements were signed. Two of them were signed at the end of 2009 with Albania and Macedonia, and five years later (in 2014) another agreement in the field of police cooperation was signed with Montenegro.

Prior to the signing of these agreements, a police cooperation agreement was signed with the other neighbouring country, Serbia. This was the first agreement in the field of rule of law, and it represented the *Protocol on Police Cooperation between EULEX and the MUP* as a precondition for the liberalization of a visa regime for Serbia. This protocol was signed by both parties on 11 September 2009 and it represents a technical agreement on police cooperation *between* Kosovo and Serbia, but leaving Kosovo out of the process. The agreement, although not publically available, contains provisions on police cooperation and the exchange of information to fight organized cross-border crime and other illegal activities such as trafficking of persons, narcotics and arms at the border between Kosovo and Serbia (The Protocol: EULEX, MUP, and Kosovo). The cooperation between other neighbouring countries (Albania, Montenegro, and Macedonia) is well established and Kosovo carries regular joint border police patrols with these countries. Similarly, Serbia carries joint patrols with Bulgaria, Croatia, Hungary, Macedonia, Montenegro and Romania, but not with Kosovo.

The EU is persistent when referring to the normalization of relations between Kosovo and Serbia, including the implementation of all agreements reached in the dialogue between the two countries. The normalization of the relations between the two countries is emphasised in the EU facilitated Kosovo-Serbia Dialogue. The first agreement was on 'Principles Governing the Normalisation of Relations', known as the Brussels Agreement reached in April 2013. Nevertheless, Kosovo is the only party that has ratified this document by a two thirds majority in its Parliament. Serbia on the other hand, bypassed the ratification of the Brussels

Agreement with Prishtina, only accepting the government report on the process of implementation of the agreements reached (Serbian Assembly 2013).

In February 2012, the two countries reached the "Footnote Agreement", which the aim to improve regional representation and cooperation. Both parties confirmed their commitment to the fundamental EU value of effective, inclusive and representative regional cooperation (Agreement on Regional Cooperation and IBM technical protocol). The "Footnote Agreement" is considered as a consensus between Kosovo and Serbia, where the latter would not impede Kosovo's representation or membership into regional organizations. Alternatively, for Kosovo an asterisk was included with a footnote reading "*This designation is without prejudice to position on status, and it is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence*" (Agreement Regarding Regional Representation and Cooperation). Yet, despite having this agreement in place, Serbia has continued to obstruct Kosovo either directly – by hampering Kosovo's participation in regional security initiatives, or indirectly – by using its (recently strengthened) international position as a means to influence other countries that oppose Kosovo's path towards equal representation. Serbia has consistently used every opportunity and every meeting to lobby against Kosovo's recognition and full participation and membership in the regional initiatives and international organizations.

Cross-border risks and threats

As with many other countries in the region, Kosovo and Serbia are faced with similar security challenges and cross-border risks and threats. Joint patrols between the two states along their respective border lines do not take place. The dimension of human security is being excluded and attention is concentrated on high-level politics, without taking into account the negative effects on the everyday lives of citizens. This context remains as Serbia considers the police as an institution representative of Kosovo's statehood, whereas Kosovo struggles to find ways on how to

approach and overcome this issue. This is especially the case in the northern part of Kosovo. Albeit not representing the border zone, the Northern part of Kosovo is primarily inhabited by Kosovo Serbs and is considered by many international reports as a shelter for organised crime, smuggling, and informal or black commerce because of Belgrade's continuing influence in that part of the country. Criminal groups do not tend to share ethnic prejudices when it comes to the business opportunities and economic incentives available across porous borders (EC 2015). The North of Kosovo presents a particular opportunity because the disputes have created a vacuum of control and authority (Duraku 2016).

There is an absence of information sharing of movements across borders which makes it easy for organised criminal groups. Due to a lack of police cooperation, the identification of criminals is limited, which regionalises the risks and threats across Western Balkan countries and especially between Kosovo and Serbia. The lack of bilateral police cooperation between the two countries has, up until now, allowed for certain illicit activities to take place with ease, such as: **Drug trafficking** where the Balkan Region offers the key pathway for drug trafficking from the East to the West. The route for the delivery of drugs from Afghanistan into the European countries through the Western Balkan countries is called Balkan route (UNODC 2015). The Balkan Route, goes from Afghanistan to Islamic Republic of Iran and Turkey is via the Balkans, and it is considered to be the most important route for heroin (UNODC 2014). The so-called western branch or Balkan route is the one which passes through the Western Balkan countries and involves both sea and land trajectories to reach Europe (UNODC 2010). This western branch is not equally applicable to all Western Balkan countries. It is predominantly reserved for Macedonia, Montenegro and Serbia, and continues towards the European Union countries (EMCDDA and Europol 2016). The same problem presents the **Illegal Logging** – serious problems were noted with tree felling around the border areas, causing collateral damage for both countries (Kursani 2015). The economic damages are enormous in the Podujeva and Leposavic region, especially at the border crossing areas (Twelmeier 2016). Both Kosovo Police and Ser-

bian Police possess all the information and personal data about the persons involved in these criminal activities, but while the facts are there they fail at the operational level due to a lack of cooperation at the border. Operationally speaking they have the information on both sides, and technically they could easily carry out the police operations (Ibid 2016). According to the Kosovo Forest Agency, 42 percent of Kosovo is covered by forest, from which 35 percent of forest areas is logged uncontrollably. In terms of the volume of wood lost through illegal practices, it is estimated that 100,000 m³ of trees are lost per year (NFG 2012). This is heightened at the border area, which is especially targeted by thieves. Moreover, in 2014 the lack of cooperation between the police authorities in preventing illegal lodging resulted in an armed clash between the gendarmerie and Albanian citizens near the Merdare crossing point, resulting in two fatalities and one casualty (Blic 2014). Recently, **Smuggling of migrants** has been prominent. Illegal migration of Kosovo citizens traveling towards the EU countries have increased significantly in the latter of 2014 and the beginning of 2015. This is considered to have occurred as a result of criminal networks of smugglers operating in Kosovo and Serbia who used illegal routes in Serbia to bring migrants to the EU (Avdiu 2015). The estimations show that there were around 135,000 requests for asylum from Kosovo citizens in the period from 2012 until the first part of 2015 (SOCTA, 2016). The illegal migration has re-emphasized the lack of cooperation between the two law enforcement institutions and especially the police. The lack of bilateral police cooperation on these very serious security issues has hampered the successful prevention of transnational transgressions.

Facilitation or obstruction?

The formal communication between the Kosovo Police and Serbian Police/MUP is mainly indirect. Any formal communication is facilitated by (reserved to) the international presence in Kosovo, both UNMIK and EULEX. Looking at a broader picture, from the multilateral perspective, Kosovo is not part of the biggest international police organization - INTERPOL. The main reason for Kosovo's non representation in

this organization is political and relies on its international non-recognition. As such, for the time being, the international community present in Kosovo is still responsible for direct communication with INTERPOL and other non-recognising countries, such as Serbia. As Kosovo is unable to host a principle information sharing body within INTERPOL, a National Central Bureau (NCB), the NCB is hosted by UNMIK. The NCBs represent the focal points of the member states within the INTERPOL global network and contribute to the criminal databases and cooperation on cross-border investigations, operations and arrests (INTERPOL - NCB 2016). For this purpose, in 2002 INTERPOL and UNMIK signed a Memorandum of Understanding on Cooperation in Crime Prevention and Criminal Justice. In addition to crime prevention and criminal justice, article one of the Memorandum includes the exchange of police information, the transmission of diffusions and access to the network and databases of Interpol (MoU Interpol & UNMIK). In respect of the exchange of information and other cooperation agreements in the MoU, UNMIK is accorded the same rights as those accorded to a Member State and a National Central Bureau (Article 4, MoU Interpol & UNMIK). As such, given that Kosovo is unable to host a NCB, it remains limited when it comes to communicating with Serbia on any crimes dealt with by INTERPOL, even if they relate to issues that directly affect both states. Given that Kosovo is restricted when it comes to receiving police information by INTERPOL, in the cases when KP may receive police information, it only receives it in an incomplete form. For instance, if UNMIK receives a page or two of police information through INTERPOL, they often decide to share only a paragraph with the KP on the grounds that the Kosovo is the third party and as such it is up to the first party to decide how much information it wants to share with third parties (Elshani, 2016). Indeed, this issue is regulated with the INTERPOL's Rules on the Processing of Data, where article 60, paragraph 2 stipulates that when the third party requests access to data contained in a police database, the General Secretariat within INTERPOL may forward the data only with the express prior authorization of the source of the data. Similarly, Article 58 stipulates that any NCB may place general restrictions on access by other NCBs international entities or private entities

for the data it has recorded on a police database. Furthermore, the messages are restricted to the initial recipients, unless otherwise specified by the said Bureau or entity.

This state of affairs has excluded Kosovo and does not positively contribute to the aim to successfully prevent trans-national crimes and cooperation on police matters. Kosovo has serious issues with ownership in this regards. Not being a member of INTERPOL obstructs Kosovo's possibilities to own the information and as such a number of issues regarding the promptness, quality and quantity the information exchange are affected (Elshani 2016). Ownership would reserve more responsibilities to Kosovo and would make it more accountable. Moreover, the cooperation between UNMIK and the KP has dropped. In the UNMIK NCB, there were in total 12 staffers, where only one of them was represented by local staff. Nonetheless, by the end of 2015, KP has withdrawn their officer from UNMIK, and the officials of the MIA and MoJ are not allowed to participate in events organized by the UNMIK (Twelmeier 2016). The main reason for not allowing the participation of Kosovo representatives is primarily based on the fact that Kosovo is not represented on an equal footing with other participating countries (Mulolli 2016). For the time being there are 11 staffers² where six of them are representatives of EULEX (Hoffman 2016).

EULEX is an institutional body that independently cooperates with Serbia on policing, among other matters (Kursani 2015). In addition to cooperating with INTERPOL and Europol, EULEX and Serbia's MUP communicate directly with one another, and despite the former Head of Mission Yves de Kermabon's statement that the information obtained [in contacts with Serbia] will be shared with the relevant Kosovo authorities to the benefit of the rule of law institutions, the reality does not reflect the rhetoric (EULEX Head of Mission Statement on Police Protocol 2009). EULEX has the main role when it comes to the direct bilateral police cooperation with Serbia. It has three levels of cooperation/communication with the Serbian

2 A downsizing of 50 percent of the EULEX officers in INTERPOL will occur, three of them will be left.

authorities. Firstly, the EU Liaison Office in Belgrade hosts 3–4 political officers in order to maintain closer and direct contact with Belgrade and the EU Delegation in Belgrade (Sedar, 2016). Secondly, the **Police to Police** communication which is a direct communication and takes place at all levels of the police. The third level is the **International police** communication, the official channel in INTERPOL, where among other issues UNMIK communicates directly with the INTERPOL in Belgrade (Hoffman 2016). EULEX seems to be tasked with the official sharing of the information with Kosovo authorities which were previously shared with Serbia. According to high officials within EULEX, one of the main challenges when it comes to sharing police information is the need to share the information formally. This is especially the case when the communication channel is made by Kosovo and Serbian police forces.

Taking into account that there are continuing challenges when it comes to the exchange use of information and cooperation with Serbia on police issues, despite their agreements to facilitate it the role of the international community is questionable. As the information shared creates impediments for its official use, it may also impede the successful prevention of various crimes. They seem to have failed to create a sustainable cooperation mechanism and have been unable to prevent various crimes between the two countries and across the region. On the other hand, although EULEX and UNMIK aim to facilitate the contact between Kosovo and Serbia by hosting INTERPOL's NCB, Europol and the signing other agreements, they present another bureaucratic barrier to their direct communication. Both UNMIK and especially EULEX cooperate with Serbia on police matters which fall into bilateral police cooperation between the two states, and as such they contribute to preventing direct cooperation between the two countries. Additionally, limited police information is being shared with the Kosovo Police, making the international community aware of all the information Kosovo Police possesses whilst Kosovo is left out of the process. Looking at this from the perspective of information possession, it is very challenging for Kosovo to successfully prevent the plethora of criminal activities at its border-crossings with Serbia and

in the northern part of Kosovo, as well as other security matters under the bilateral umbrella.

The Integrated Border Management Agreement was reached at the beginning of 2011, and was followed by the signing of the technical protocol by Kosovo, with Serbia taking the same step by the end of the year. The agreement stipulates that both countries should install joint, integrated, single and secure posts at all border crossings points (six in total), that are jointly delineated in order to pursue cooperation (IBM 2011). These six interim appropriate border crossing points are equally divided between both parties and none of the parties shall display any symbols of their respective jurisdiction to the common IBM areas. Kosovo established the three IBM BCP, while the establishment of the other three IBM Border Crossing Points were stalled by Serbia, but were only finalized in early 2013. Additionally, the six current interim facilities, including two permanent additional crossing points in the borderline between Kosovo and Serbia were agreed (EC 2015). Kosovo has initiated the opening of the new border crossing point named Kapia e Sfirçës with Serbia (Zyra e Kryeministrit 2016). Although Serbia has initiated the expropriation process on its territory, illegal crossing in the northern part of Kosovo are still regularly used for smuggling of goods (EC 2015). Taking into account Serbia's approach and position towards Kosovo, specifically in the security sector, taking concrete measures to establish other crossing points may take time. Weekly meetings at the local level between Kosovo and Serbia at each of the six border crossing points, in addition to regular monthly meetings, take place between regional police departments, all facilitated by EULEX (Kursani 2015). Topics that are discussed include those that relate to international security challenges. On the other hand, at the broader level, regular meetings take place in both of the countries. Those meetings take place once a month and are primarily facilitated by the UNMIK. The meetings are usually attended by the commission of a few colonels and lieutenant colonels who come to Kosovo four to six times a year, with a similar system taking place in Serbia - in Kurshumlije (Twelmeier 2016). Topics communicated between the two countries include organized crime, corruption, countering

terrorism and migrant issues (Hoffmann 2016). These meetings are being held for the purpose of direct exchange of the information in regards to criminal cases, requests for data exchange such as personal data, criminal records, etc.

Another direct form of communication between the police authorities of Kosovo and Serbia is through the informal channel of communication. This informal communication channel is being used to share information when Kosovo or Serbia are dealing with more serious issues that threaten security. They have mutually cooperated for the benefit of each other in the past on trans-national crime issues, even if done informally. This type of communication is being carried out on a regular basis. For example, through phone calls, yet emails and other forms of 'official' communication are not directly used between the two police institutions. The formal communication, moreover, goes through either INTERPOL/UNMIK or EULEX (Elshani 2016). ILECU serves as a "second channel". ILECU is an EU initiated project to create a form of effective international law enforcement within the Western Balkans, so they can exchange information. It represents Kosovo's central point of contact for international police cooperation. This means that "all" information regarding police cooperation goes through the ILECU, including that from UNMIK's NCB and EULEX (Kursani 2015). While the narrative on both sides, combined with the political reality would suggest a slow realisation of police cooperation between the two sides, the reality of security may force both into joining missions, even if not on a formal and organised platform. This is necessary due to the current struggles to prevent trafficking along with other crimes.

Overarching problems: lack of demarcation and militarization of border

Two fundamental challenges remain in the border line between the two countries. The first is the border demarcation process with Serbia. Kosovo does not have a border demarcation agreement with Serbia. This, in addition to carrying out joint patrols between the two

countries, has created a space for further abuses of powers by one or the other party. In 2012, two Kosovo Police officers were arrested by the Serbian Gendarmerie who were patrolling in the area of responsibility of the Kosovo Police in the borderline with Serbia (VOA 2012). A number of reactions occur between the two countries and the international community as a result of such action. The issue is also problematic given that the demarcation process between the two countries has not taken place yet and allows space for the misuse of the border zone. What is more, due to the neutral status of the international community, the demarcation process with Serbia has not been a topic of discussion between the two countries, nor a precondition by the EU for Serbia's membership process. Although Kosovo institutions have raised the issue in their contact with the EU institutions, for the time being, the latter seems not to have a clear approach on this matter. However, aware of the bilateral disputes among the six Western Balkans countries, there is some progress made in trying to remove them in order to smooth the EU accession. For this purpose, one of the key recommendations in the Berlin Process is to create a common framework for the resolution of border disputes, facilitating the exchange of best practices and technical assistance for border demarcation (Dimitrov et al 2016).

The second issue is the control of the border line. Ever since the signing of the Military Technical Agreement in 1999, between KFOR and Serbia the borderline was being monitored mainly by the military on both sides of the border. Serbia controls the borderline with Kosovo with both army and gendarmerie (Guda, 2016). It controls the border with its biggest brigade within the Serbian Army, the Fourth Army Brigade. This Brigade is heavily equipped and possesses the largest tank unit within the Serbian Army (Vojska Srbije 2016). The major tasks of this Brigade is securing the borderline of 117 km (out of 382 km³) with Kosovo and control the Ground Safety Zone of 505 km² in the southern part of Serbia (Vojska Srbije 2016). The southern part of Serbia is predominantly inhabited by an Albanian community and

3 Strategjia Kombëtare e Kosovës për Menaxhimin e Integruar të Kufirit, link: http://www.kryeministri-ks.net/repository/docs/Strategjia_Kombetare_per_MIK_2013-2018.pdf (Accessed on 29 September 2016)

Serbia's military presence in that part of the country as well as in the borderline with Kosovo indicates a sense of insecurity and hostility, as well as a direct threat to Albanian communities. The border line with Kosovo from the Serbian side is also controlled by the Gendarmerie, who are in constant coordination with the Fourth Army Brigade members (Vojska Srbije 2016).

From the Kosovo's side, KFOR continues to exercise the mandate to secure the border (green line) with Serbia. KFOR has been present in Kosovo since 1999 with the original objective to deter renewed hostilities, establish a secure environment and public safety order and other safety issues (NATO's role in Kosovo). Currently, KFOR contributes towards maintaining a safe and secure environment in Kosovo and freedom of movement for all. KFOR has transferred the responsibility to the Kosovo Border Police in the borderline with Albania, Macedonia and Montenegro. However, this responsibility has not been transferred to the Kosovo Border Police in the case of the Kosovo-Serbia border, as it has been for all other neighbouring countries. KFOR controls the borderline with Serbia because they still consider the situation between Kosovo and Serbia as high risk. Respectively, the Multinational Battle Group – East (MNBG-E) is responsible for the 'green' borderline comprised of mainly US troops, as well as troops from Germany, Hungary, Poland, Romania, and Turkey (NATO MNBG-E). As it is the case with EULEX and the Ministry of Interior in Serbia, NATO and the Serbian Ministry of Defence established the NATO Military Liaison Office in Belgrade in December 2006, which serves as a contact point between the Serbia and NATO (KFOR – NATO). It has been established under the Partnership for Peace programme and with the aim to support Serbia's efforts in defence sector reform. KFOR has a status-neutral approach to Kosovo, and maintains regular meetings with the Serbian army, although authorities in Prishtina strongly oppose them. One of the most pressing issues were the frequent visits of General Ljubisa Dikovic to KFOR in Prishtina who according to the Humanitarian Law Center is responsible for war crimes in Kosovo (Dosije Dikovic 2012). After General Dikovic visit to KFOR HQ in Prishtina, he was also declared a persona non grata by the Ministry of Foreign Affairs of Kosovo (Rrokum, 2016). From this moment the regular meetings between KFOR and Serbia are being held in Serbia.

High officials within the Kosovo Police have stated that the lack of cooperation is reflected in border security as joint actions and information exchange on criminal activities and security issues cannot be initiated (Guda 2016). The Kosovo Police is present, though in a limited number at the borderline with Serbia, and is mainly present in the south-eastern part of the borderline. Some risk assessments have been undertaken in order to control the borderline with the police, but with limited results as the legal mandate is reserved for KFOR, ensuring and that it is not possible to come to a formal agreement with Serbia (Guda 2016). On the other hand, the border crossing points with Serbia are looked after by the Kosovo Police.

Recommendations

- As one of the key actors when it comes to setting agreements between both Kosovo and Serbia, the EU should take the lead to make sure the agreements are being respected by both countries. Therefore, the EU should have a crucial role regarding the implementation of all agreements reached between the two parties so to prevent their further protraction. The EU should set a clear strategy on the approach which shall be used to minimize the disputes between the two countries and set tangible objectives in the area of police cooperation.
- In order to ensure a proactive approach and results in terms of establishing police cooperation between Kosovo and Serbia, the EU should condition the integration and accession criteria of the two countries towards the EU.
- The process of the Brussels talks between the representatives of Kosovo and Serbia should be transparent in order to ensure the legitimacy of the whole process. The process of border demarcation with Serbia should start as soon as possible. The EU should foresee a Demarcation Agreement between Kosovo and Serbia. This would represent their commitment to successfully overcome the cross-border disputes and facilitate cooperation at the border.

- Giving the notable lack of political attention to address the police cooperation between the two countries, the law enforcement institutions, and especially the police institutions in both countries should continue their direct communication and cooperation through ILECU offices. In the meantime, a cooperation agreement should take place between both countries in specific areas of criminal activity in order to prevent mutually common transnational crimes.
- The Kosovo Government should draft a practical Action Plan with the main aim to foster Kosovo's foreign policy, regional and bilateral police cooperation. This plan should include a detailed action for achieving the main goals involving its international position and steps towards international and regional security cooperation and bilateral police cooperation.
- As the main actor carrying the responsibility to coordinate the ministries for establishing regional cooperation, the Kosovo Office of the Prime Minister should implement its mandate. A serious prerequisite to take the lead in instructing the ministries on their role when it comes to multinational and bilateral police cooperation is required. This action should not leave room for delays as well as excluding the possibility of work overlapping between the ministries.
- Kosovo needs to lobby to participate as far as possible in regional and international initiatives and meetings. Kosovo should aim to become informed about the main regional threats and risks, and should work to create a network in these platforms. Getting acquainted with representatives of other countries in those meeting could facilitate Kosovo's inclusion in the initiatives, but may also facilitate the cooperation with Serbian authorities.
- Kosovo should formalize police cooperation with other countries which have recognized Kosovo in order to exchange the information regarding the risks and threats of the region and beyond. Direct forms of communication will provide rapid receipt of the information in cases of serious risks and threats.

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