

The role of NATO in the demilitarization of Kosovo Liberation Army and in establishment of Kosovo Protection Corps and Kosovo Security Force

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Brief description. Kosovo Liberation Army was demilitarized and demobilized pursuant to Rambouillet accord articles and 1244 Resolution, under the control of military component of the international administration in Kosovo – Kosovo Forces (NATO). Establishment of Kosovo Protection Corps (KPC) followed this process, with the civil emergency organizational mission, which operated until the adoption of constitution of Republic of Kosovo, promulgated on June 15, 2008. The constitution foresaw KPC disbandment and creation of a new security formation in Kosovo – Kosovo Security Forces (KSF). The decree of USA president, Xhorxh W. Bush, dated 19.03.2008 indicates the political importance of KSF creation in promotion of Kosovo's independence.

The Security Sector reform will keep its special focus in periodical review programming of KSF positional development in adaptation to new situation in security environment, reflecting concrete examples through new events, missions, tasks and roles for KSF units, always compliant with the concrete needs of the country and with the Euro-Atlantic collective protection structure standards.

Key words: Demilitarization, demobilization, KLA, KPC, Kosovo Constitution, 1244 Resolution, Rambouillet Agreement, NATO, KFOR, etc.

The conflict between the Kosovo Albanians and Serbian Forces in Kosovo and the humanitarian disaster provoked by the operations of Serbian Army and paramilitary forces ended after the NATO Allied Force's operation. Pursuant to 1244¹ Resolution (UNSCR 1244), NATO announced halting of bombardment and deployment of KFOR troops under the operation *Joint Guardian*.

¹ United Nations, United Nations Security Council Resolution 1244 (1999), 10 June 1999. Available at <http://www.un.org/docs/scres/1999/99sc1244.htm>.

NATO took on new assignments related to rebuilding the post-conflict society.

In order to facilitate the mission of international civil and military presence, it was required within a short period to create a satisfactory security level for functioning of international civil and military administration in Kosovo. The main prerequisite was demilitarization of Kosovo, of both, Serbian forces and Kosovo Albanian forces, namely, Kosovo Liberation Army (KLA).

Withdrawal of Serbian troops from Kosovo took place as per conditions of military technical agreement² signed in Kumanovo, Republic of Macedonia, and the withdrawal ended on June 20, 1999.

The demilitarization of KLA and other armed troops of Kosovo Albanians was required pursuant to article 9, point B of 1244 Resolution.

This was a complicated task for NATO, especially due to the institutional vacuum created with the withdrawal of Serbian troops and of the governing structure. The international forces could not fill this vacuum, especially the civilian part, and because the KLA had already set a civilian and military interim administration in most of Kosovo.

NATO did not want to incite negative reactions from Kosovo Albanians with its first activities in Kosovo. Because of this and pursuant to articles of Rambouillet agreement and 1244 resolution, NATO sought a demilitarization and demobilization agreement with the KLA, which was attained and signed by the KLA. The demilitarization ended under the control of Kosovo International Administration military component - Kosovo Forces (KFOR).

Establishment of Kosovo Protection Corps (KPC) followed the KLA demilitarization. KPC was created as a civil emergency organization, which operated until the approval of constitution of Republic of Kosovo, and entered in force on June 15, 2008. The constitution foresaw disbandment of KPC and establishment of a new Kosovo security formation, namely, Kosovo Security Forces (KSF). The authority over the work and supervision over the KPC activities was in the hand of Special Representative of General Secretary (SRSG) and KFOR.

Establishment and training of KSF shall be lead by NATO, whose commitment to this task was confirmed by the NATO's spokesperson just before the Kosovo Constitution entered in force.

The political importance of establishing KSF in promotion of Kosovo independence was noted in the decree of US president, George W. BUSH, dated 19.03.2008, authorizing sending arms to Kosovo, underlining that Kosovo meets the conditions for being equipped with modern equipment and other

² Military Technical Agreement between the International Security Force („KFOR“) and the Governments of the Federal Republic of Yugoslavia and the Republic of Serbia, 9. June 1999. Available at <http://www.kforonline.com>

services from USA³. This decision, which in its substance means a military cooperation, was a milestone in the development of KSF character.

NATO engagement with Kosovo underwent three distinguished and characteristic phases for the so called "Asymmetric War", where all must be surmounted before the success is achieved. The first phase is to end the fighting under some conditions (imposing peace). The second phase after ending fights, it to improve the instable peace, where as a problem appears maintenance of peace and beginning of condition improvement (strengthening peace). The third phase is the peacekeeping during which the situation is improved both physically and politically – state building.⁴

The first phase ended after the operation of NATO Allied Forces.

NATO's role within international military forces in Kosovo

After NATO intervention against FFYR ended, the 1244 resolution defined the frame and the content of international administration in Kosovo, both civilian and military administration. The Kosovo Forces – KFOR – was established pursuant to 1244 Resolution.

Article 9 of 1244 Resolution set the following responsibilities for the international security presence in Kosovo:

- Preventing repetition of hostility, maintenance and it was needed to impose truce; securing the withdrawal and preventing return of military forces, of federal and republican police, paramilitary to Kosovo, except in cases foreseen by point 6 or annex 2;⁵
- Demilitarization of KLA and other armed forces of Kosovo Albanians;
- Creating a safe environment where the refugees and internally displaced persons can safely return to; an environment under which the civil international presence can operate, and interim administration can be created and humanitarian aid can be dispersed;
- To guaranty public safety and order while the international presence takes over the responsibilities for this task;
- Supervision of demining while the international presence can accordingly take over the responsibilities for this task;
- Appropriate support and closer coordination with the work of civil international presence;

³ Bush allowed shipment of the weapons to Kosovo, AFP, AP, Blic, 19.3.2008.

⁴ Donald M. Snow, National Security for a New era: Globalization and Geopolitics, Pearson - Longman, New York, 2007., p. 305.

⁵ Point 6 of annex 2 left open the possibility that after the retreat a limited number of members of the army could return in Kosovo for maintaining of relations with KFOR, demining and presence in the borders.

- As required, performing the duties of border supervision;
- Ensure the protection and freedom of movement of international civil presence and of other international organizations.

Henceforth, KFOR took clear military - protective assignments of strengthening peace and peacekeeping, overcoming crisis and prevention of new crisis in Kosovo with special tasks during the first period until the civil international administration develops its full capacities.

It is imperative to explain the role of NATO within the Kosovo International Military Forces - KFOR - in order to understand NATO's role in Kosovo processes.

The NATO's role after the military operation was to take over the leading role within the International Forces in Kosovo, that is, to take full leadership of KFOR. Due to strong opposition of Russia in the UN's Security Council, NATO was unable, at least formally, to implement the above-mentioned objective entirely.

NATO is mentioned only once in the 1244 Resolution. The most was achieved in article 4 of annex 2 of the resolution, where the NATO's substantial participation in International Kosovo Forces - KFOR- is emphasized. General Wesley Clark thought at that time that the formulation "NATO's substantial participation" has weakened the legal position, from "led by NATO" as formulated in the Rambouillet's agreement to "NATO's core" and then to "substantial participation".⁶

So, the leading role of NATO over the KFOR, that is, over the KFOR command was set, although not as the NATO leaders wanted.⁷

According to the above-mentioned article of UNSC 1244 Resolution, the international military forces were supposed to deploy under the same command and control. That request is particularly important in context of NATO presence in Kosovo due to Russia's tendency to secure its sector in Kosovo, in north part of Kosovo precisely (area with Serbian majority population), which meant partition of Kosovo right from the beginning. On the military side, the KFOR split its presence in Kosovo in five zones, called the Multinational Brigades, under the command of the countries that were NATO members.⁸

NATO's role as leader of international military presence in Kosovo was not disputed even after proclamation of Kosovo's independence. In fact, article

⁶ Wesley K. Clark, *Waging Modern War*, Public Affairs, New York, 2001., p. 365.

⁷ All KFOR commanders came from NATO members.

⁸ Multinational brigades were led by the USA, Great Britain, France, Germany and Italy

5 of Kosovo's declaration of independence⁹, reads that NATO is welcomed and encouraged to keep its leading role over the international military presence in Kosovo, and to carry out its responsibilities assigned by 1244 resolution and by Ahtisari's settlement,¹⁰ until the time when Kosovo institutions are ready to take over the responsibility.

Demilitarization of Kosovo Liberation Army

One of the NATO led KFOR tasks, pursuant to 1244 Resolution, was to demilitarize KLA and other armed Kosovo Albanian forces. It was a task aiming strengthening peace, which Snow defined it as an activity which needs undertaking when physical fighting have ceased but the sustainability is uncertain.¹¹

KLA demilitarization was envisaged by the representatives of Kosovo Albanians, who agreed the previous Rambuje agreement, upon which the resolution relies.

KLA demilitarization and demobilization was a difficult task after the fighting and many sacrifices of Kosovo Albanians. The latter considered KLA not only the main liberation force, but also the political one, having the merit for changing the trends and powers in Kosovo, and in the end, after NATO intervention, placement of Kosovo under international protectorate - and Serbia lost all its jurisdiction over Kosovo. Withdrawal of Serbian forces from Kosovo and gradual deployment of KFOR took a while, creating the meantime an institutional vacuum which was filled by the KLA. The KLA established military and political control over Kosovo. The KLA established Interim Kosovo Government with the withdrawal of Serbian forces. This government was established with an agreement between Ibrahim RUGOVA and Hashim THAÇI for establishing a National Unification Government during the Rambouillet negotiations. Pursuant to this agreement, the head of government was Hashim THAÇI, and several ministry posts were set aside for Rugova's LDK. Rugova in the meantime withdrew from this agreement and nominated no minister from his party for these posts.¹² For NATO leaders, this was a

⁹ Declaration of Kosovo Independence was adopted in the Kosovo Assembly on 17. February 2008.

¹⁰ Comprehensive proposal for status settlement of Kosovo of 27. March 2007.

¹¹ Donald M. Snow, *National Security for a New era: Globalization and Geopolitics*, Pearson - Longman, New York, 2007., p. 318.

¹² Data on establishment of the Temporary Government of Kosovo are based on author's interview with Agim Çeku.

concerning situation and KFOR tried to stop the KLA from obtaining political legitimacy without delivering on the demilitarization promise.¹³

In addition to military and political dimension, there was also a serious political dimension of the process, not to be ignored, which under the influence of local KLA commanders, and the possibility of acting on their own, grew more complex.

Meanwhile, the KLA surprised many people and delivered on its commitment and signed the demilitarization agreement, but ambiguity about the purpose of the group remained.¹⁴ The KLA signed the agreement for handing over their weapons to NATO because they had sincere interest in cooperating with NATO and because they would not have attained Serbia's concessions without NATO.¹⁵

KLA demilitarization went on pursuant to the document called "KLA demilitarization and transformation agreement" signed by KLA representatives after the withdrawal of Serbian forces on June 20, 1999.¹⁶ The title of the document mentions KLA transformation along demilitarization, but there was no word for transformation in the UN 1244 resolution. The "agreement" foresaw that the KLA and other Kosovo formations, as well as those of neighboring countries, should undergo demilitarization for a ninety-day period, which meant handing over the weapon, stopping use of uniforms and use of KLA symbols.

Immediately after this agreement was signed, the KFOR set weapon collection points.

KLA demilitarization and transformation took place in accordance with the "Enterprise" led by KFOR Commander, who had full authority in interpretation of articles and ensuring their enforcement. In order to implement some operational articles, several KFOR members tasked with maintaining contacts with KLA, were placed in KLA command structures and bases. In a way, the NATO control over the process was achieved. KFOR was authorized to use force if necessary for enforcement of provisions of "Agreement".

The Joint Implementation Committee (JIC) was established and was led by the KFOR commander, and it consisted of senior KFOR and KLA commanders, and of interim civil Kosovo administration representatives tasked with ensuring the agreement implementation.

¹³ Wesley K. Clark, *Waging Modern War*, Public Affairs, New York, 2001., p. 406.

¹⁴ Madeleine Albright, *Madam Secretary*, Pan Books, 2003., p. 425.

¹⁵ David Carment and Frank Harvey, *Using Force to Prevent Ethnic Violence: An Evaluation of Theory and Evidence*, Praeger, Westport, 2001, p. 34.

¹⁶ Undertaking of demilitarization and transformation by the Kosovo Liberation Army, signed on 20 June 1999. Available at <http://www.kforonline.com>

After elapse of ninety days foreseen with the agreement dated September 20, 1999, the KFOR General, Michael Jackson, reaffirmed that KLA has completed the demilitarization process and prohibited display of KLA symbols.

KLA formally disbanded, but a huge quantity of weapons remained with the KLA disbanded members. Those weapons and the secret activities of these former KLA members in the period to follow was a threat for Kosovo security and for creation of new zones of conflict one year later in the municipalities with Albanian majority in south of Serbian and in Macedonia, which posed a threat for the regional security. The weapon collection process continued even after the formal demilitarization of KLA was announced. Demobilization and disarming illegal military formation after the armed conflict is the essential prerequisite for rule of law and for democratic state-society relations.¹⁷

Therefore, during the KLA demilitarization, NATO had to act in two directions. One was focusing on the implementation activities of the formal KLA demilitarization agreement and creation of KPC, and the second was to extinguish the informal armed structures, which threatened the stability of Kosovo and of region, and disarm them.

In addition to demilitarization, the paragraph 25 of the "Agreement" reads that KLA shall agree with the terms of UNSC 1244 resolution, and in this context, the international community should report on time for the KLA contribution during the Kosovo crisis, and accordingly give considerations to:

Evaluation that, while KLA and its structures are undergoing the transformation process, the KLA is committed to nominate individuals, current members, for taking part in the administration and in Kosovo Police Forces, considering the expertise they have developed;

Creation of an army in Kosovo as per the US National Guard model, in the appropriate time and as part of a political process designed to determine the future status of Kosovo, and also considering the Rambouillet agreement.

The tendency for a modern approach for taking care and satisfying the human resources of KLA is clear and in the same time, meeting the expectation for a Kosovo Army. These assessments contain possible reasons, which influenced the international administration to create KPC, which had not fortress, especially in the context of creating a similar formation to that of US National Guard, in UN SC 1244 Resolution and Rambouillet agreement which specify the demilitarization and disbandment of KLA only, and not creation of a new organization. Mentioning the National Guard in the "Agreement",

¹⁷ Andreas Heineman – Grüder and Wolf – Christian Paes, *Wag the Dog: The Mobilization and Demobilization of the Kosovo Liberation Army*, Friedrich Naumann Stiftung, p. 9

namely, the creation of Kosovo Army makes us believe that KFOR leaders had faith that KPC will be a defense organization in the future, with more military responsibilities than it currently had.¹⁸ In this way, by accepting the “Agreement”, the NATO stepped outside of resolution frame.

Reasons behind this were made known by the KLA, later on KPC commander, General Agim Çeku, who, when asked why the international community decided to relate the KLA demilitarization with the creation of KPC in the beginning of 2000, replied. “faced with requests and valid and real argument, and while seeing the true force, influence, reputation and organization of KLA, which was higher than the international community expected prior of arriving to Kosovo, the international community conceded to transform the KLA into KPC”. With this, the KLA at last overcame the risk of extinction and ensured survival in the Kosovo Protection System, ÇEKU added.¹⁹

Creation of Kosovo Protection Corps

Creation of Kosovo Protection Corps was part of state-building process. KPC was established in accordance with SRSG Regulation 1999/8²⁰. This regulation is a brief document, which defines the most important thing – creation of KPC and its non-military character, which contradicted the aforementioned provisions of the “Agreement”.

The regulation announced the creation of KPC as Civil Emergency Service Agency, tasked with the following:

- To respond in cases of disasters;
- To perform search and rescue missions;
- To ensure capacities for humanitarian assistance to isolated areas;
- To assist in demining;
- To contribute in reconstruction of infrastructure and communities.

The regulation emphasized that KPC shall not have any role in strengthening law or upholding law and order. With this, the KPC was excluded from all the activities in protection of Kosovo, in riot control and excluded from all other forms of engagement in providing security services.

¹⁸ The Kosovo Protection Corps in Search of a Future, Centre for European Security Studies Groningen, 2005. p.7

¹⁹ Interview of Agim Ceku for Globus, Zagreb, Croatia, March 24 2000.

²⁰ Regulation No. 1999/8 On the Establishment of the Kosovo Protection Corps, 20 September 1999.

In the end, the international community did not make it possible, and also they had no authority to establish the KPS as per the model of US National Guard, the reserve component of US army. Contrary to the US National Guard, KPC was tasked only with the civil emergency component, without military potential. However, the KPC concept was based, in the end, on the French *Securite Civile*.

Section 3 defines the responsibility over KPC. It was foreseen that KPC to operate under the authority of Special Representative of Secretary General. KFOR was authorized to provide daily operational instructions for KPC, in conformity with the policies and priorities set by the Special Representative of Secretary General.

The regulation was enacted by SRSG on the grounds of the Kosovo Protection Corps, Commander Kosovo Force's Statement of Principles.²¹ That document was signed by the KFOR Commander and by the KLA Headquarter Chief, Agim ÇEKU, in accordance with the negotiations conducted for transformation of KLA to KPC.

This document at large defines the service of KPC. In addition to this, there is also the issue of basis for setting the KPC services as a civil organization, since they do not derive from 1244 Resolution. The entry part of the documents underlines that KPC will act in compliance with 1244 Resolution, but also in compliance with the agreement *Undertaking of Demilitarization and Transformation by the KLA*, which nevertheless, leaves room for creating Kosovo army in the process of status determination. For this reason, the KFOR leaves this possibility open in the first phase, in the two documents signed by KFOR Commander. The Statement of Principles defines KPC as an emergency service, which would assist UNMIK in cases of natural disasters, reconstruction and other cases. Those tasks then are elaborated in 5 points - 3 of those cover the tasks stresses in the "Regulation" and 2 other on how will the KPC:

- Provide assistance to United Nations Missions in Kosovo and to Kosovo Forces when required;
- Perform ceremonial tasks.

KFOR carried out the staff recruitment in compliance with the "Declaration" and the KPC transitory leadership, under the SRSG authority, performed final verification with the right of veto. It was already emphasized that a

²¹ The Kosovo Protection Corps, Commander Kosovo Force's Statement of Principles, available at <http://www.kforonline.com>, signed by Commander Kosovo Force general Michael Jackson and accepted by General Agim Ceku on 20. September 1999.

considerable part of KPC members will come from KLA, but there was also the tendency for ensuring multi-ethnicity.

The SRSG and KFOR jointly performed the control over the KPC. The SRSG was responsible for policies, finances and Corps administration, while the KFOR Commander was in charge of daily supervision of KPC activities. In order to lead the KPC activities, KFOR established *Training and Advisory Teams* at the KPC general headquarters and in six regional headquarters. The supervision of KPC activities at regional level was under the control of KFOR Multi National Brigade Commanders.

In addition, the KFOR commander was responsible for:

- Determining how will the KPC uniforms, emblems, symbols and KPC ID cards look like and how will they be used;
- Approving change of administrative locations of KPC key components;
- Approving the KPC training plans drafted by the KPC commander;
- Approving and determining the use of firearms by the KPC members.²²

The SRSG representative confirmed the role and the tasks of KPC within the constitutional Framework for provisional Self-government in Kosovo and Standards for Kosovo.

The constitutional framework for provisional self-government in Kosovo²³, in chapter 7 reaffirms the nature of KPC as a civil emergency organization, established pursuant to the law, responsible for responding quickly within Kosovo in cases of disasters, responsible for taking care of public safety during the emergencies and for humanitarian aid. Chapter 8 reads that SRSG representative has the control and the authority over the KPC. Kosovo's provisional institutions established pursuant to the Constitutional Framework were not rendered with any competence or task related to KPC. On the other hand, neither the KFOR competences over the KPC were stressed directly. The Constitutional Framework envisaged that it exercised no impact on KFOR competencies in delivering on its mandate pursuant to 1244 Resolution and Technical-Military agreement. Therefore, KFOR retained all the competences defined earlier.

²² In the property of the KPC there were 2.000 pieces of long barrel weapons, from which 200 were in permanent use, and 1.800 in the magazines. Possession of long barrel weapons gave the KPC military attributes.

²³ Constitutional framework for provisional Self-government in Kosovo, signed by Special Representative of the Secretary-General on May 15th 2001.

Standards for Kosovo,²⁴ a document which outlined the development stages of Kosovo Institutions, foresaw that Kosovo Protection Corps should abide entirely by its mandate, as it reads in the Constitutional Framework, as an “Civil emergency organization which performs tasks as rapid response to disasters in Kosovo, takes care about the public safety during the disasters and humanitarian aid”. The KPC operates transparently and responsibly, in disciplined and professional manner and it represent the entire Kosovo population. KPC is capable of strengthening the order and it is financed in completely transparent manner:

- KPC implements its mandate in full compliance with rule of law;
- All the Kosovo communities are fully and justly without discrimination represented in KPC;
- Financing is transparent and it is audited in independent manner;
- The number of KPC divisions is reduced to at least 1/3; the size of contingent is reduced to 3,052 active and 2,000 reserve members;
- All the behavioral violations will be punished under a harsh disciplinary code and the performance review system;
- The KPC is engaged in general campaign for recruiting member of minority communities;
- The KPC proportionally participates in the activities for reconstruction of minority communities;
- Terms of Service Law for active and reserve members are approved and implemented.

Establishment of Kosovo Security Forces

Declaration of Kosovo independence and adoption of Republic of Kosovo Constitution brought a new situation and the necessary reconfiguration of security system, including KPC as a part of that segment.

Article 154 of the constitution foresaw abolishment of KPC within one year after the constitution enters into force. The control and the executive authority over the KPC will be exercised by the international military presence in cooperation with International Civil representative and Republic of Kosovo.

Article 126 of the constitution foresaw the structuring of a new organization called Kosovo Security Forces (KSF) as a national security force of Republic of Kosovo. The same article reads that KSF may send its members to foreign countries in full harmony with its international obligations. The article

²⁴ Standards for Kosovo, December 10th 2003.

at hand is ambiguous to a certain degree, because from this it may results that it is KSF the one who is sending troops abroad, and not Republic of Kosovo.

The president of Republic of Kosovo is the supreme KSF commander. The KSF is under the control of civil authorities elected in democratic fashion. The president of Kosovo Republic nominates the KPC Commander, and the government proposes him. Form this steams that the article, which determines the KSF existence, does not outline the competences of international administration over the KSF, including KFOR. Anyways, this does not imply that KFOR is losing its authorities.

Reliant on article 153, the articles of the constitution are not relevant for the international military presence, which retains the authorities given by the UNSC 1244 resolution and by the Comprehensive Proposal for Status Settlement of Kosovo. It is added that the leader of international military presence, inferring the KFOR Commander, represents the final authority of the operational interpretation of the Comprehensive Settlement in the parts referring to the international military presence and no body of Republic of Kosovo, may not review, reduce or limit the mandate of the set commitment. Therefore, the constitution foresees the Comprehensive Proposal for Status Settlement of Kosovo as an Act bears higher value than the constitution itself in terms of international military presence. The article 1, annex XI of the Comprehensive Proposal for Status Settlement of Kosovo reads that military presence shall be responsible for supervision and for the support, for assisting in establishing and training the KSF, including the verification and evaluation of potential candidates, ensuring an appropriate ethnic representation, and the right to sanction the misbehavior of KSF members. The international military presence will supervise, control and shall have the executive power over the KSF until the international military presence, in cooperation with international civil presence, deem that KSF is a self-sustainable force capable of performing tasks in compliance with international standards. The international military presence will remain engaged with KSF, in order to ensure the integration of Kosovo in North-Atlantic structures and include the KSF elements in international missions.

The military international presence shall operate under the authority, command and political control of North-Atlantic Council, in the frame of NATO-s commanding chain. Therefore, NATO shall independently take the competences, which, for the KSF and Kosovo Institutions, will be broader than KFOR mandate. NATO shall support the development of Kosovo structure and expertise, in order to ensure KSF civil and administrative control, especially in the areas of strategy building, planning of forces, personal administration, budget programming and supply administration planning. Hence, the NATO

authority extends to the KSF ministry²⁵ which is compliant with the Comprehensive Settlement, as part of the government in charge of KSF supervision.

Kosovo Security Forces is a professional security force, multiethnic, uniformed and lightly armed. The abovementioned provision for arms makes way for the KSF to have the possibility to have helicopters, light artillery and armed transporting motor vehicles. In this way, KSF will be seriously armed, compared to KPC who had only small firearms. The international military presence bears full responsibility for starting up, developing and training KSF, without prejudice to the International Civil Representative's responsibilities. PNU and Kosovo government jointly perform the activity of formal selection of KSF applicants.²⁶ KSF aims to become a contemporary security force, educated and motivated, professionally skilled and trained to carry out a wide range of peacekeeping missions, focusing on increasing the contribution in international operations in support of peace, converting unto an important internal and regional security factor. KSF is a force, established by professional and politically, ethnically and racially unbiased individuals, who will meet the criteria set forth by the NATO. As such, it is a professional force, with voluntary paid service and with employment contracts, and it is subject to democratic and civil control. It consists of Land Force Command, Quick Response Brigade, Operational Support Brigade, and the Doctrine and Coaching Brigade. Its active component consists of 2,500 active members and its reserve component counts 800 members.

The inception KSF duties are:

- a) Take part in crisis and response operations, including operations in support of peace. This includes the operations outside of Kosovo, called for this reason:
- b) To assist the civil authorities in responding to disasters, natural disasters and emergencies, even as a part of a regional or international response attempt;
- c) To dispose of the explosive devices;
- d) To assist civil authorities through civil protection operations.

KSF will aim to fulfill its constitutional missions, through development of military strategy doctrine, development of a contemporary legal framework and development of a military force, professionally qualitative. In addition to the basic constitutional missions of defending the independence and territorial

²⁵ Ministry for the KSF was established by The Law on the Ministry for the Kosovo Security Force, Assembly of the Republic of Kosovo Lae No. 03/L-045

²⁶ Law on service in Kosovo security forces , Law nr. 03/L-082, čl.5

integrity of the country, the KSF actively participates in a diverse spectrum of humanitarian operations in a country, and in international countries with constitutional mandate outside of the country. The security sector reform will focus especially in periodical review of KSF positioning development to new situations in security environment, reflecting concrete response through organizations, missions, tasks and other roles of KSF units, always compliant with the country's concrete needs and North-Atlantic standards of collective defense. KSF will continue to be a very active part of partnership, aiming admission to international peace and security mechanisms, until it acquires NATO membership, participation in PFP missions led by NATO, EU and other possible collations. This period requires holistic engagement of human and financial resources for meeting the NATO requirements and standards, which are clear and which will be followed by consolidation of structures in achieving the objectives entirely, and increase its contribution to NATO.

Conclusion

Pursuant to the above analysis, it is evident, especially in the first stages of KLA demobilization and KPC establishment, that there were various dilemmas regarding the KLA demobilization character and about the content and role of KPC. Above all, this refers to the eligibility process - whether the entire KPC will consist of KLA remnants or it will be a civil organization created from scratch, and whether it shall be a military organization, fully developed in military sense, or a civil emergency entity, or something in between. Moreover, the importance of the answers to the questions related to security perspective was highlighted.²⁷ Dilemmas grew because of inconsistency between the main documents and the statements of parties involved, especially the Kosovo party. The latter claimed that KPC is a KLA continuance, noting the way how the KPC is organized at regional levels, divided in six *Regional Tasks Groups*, later on renamed to *Protection Zones* in Prishtina, Mitrovica, Ferizaj, Prizren, Skenderaj and Peja. This organization was the same as the disbanded KLA organization, and except of Peja, all the commanders remained the same. Also, the KPC commander, same as KLA commander, is Agim Çeku.

This is not surprising considering the complex political and security situation found on the ground by the representatives of international administration. These conditions determined the approach and the role of

²⁷ The Kosovo Protection Corps in Search of a Future, Centre for European Security Studies Groningen, 2005. p. v

NATO led KFOR and the dilemmas about the nature of KPC process could be evaluated as part of international administration strategy. In fact, in this way, a situation where no party was satisfied generated, but in the same time, there were basis for controlling the ill satisfaction. Based on the KPC structure and organization, operational zones, symbols, ranks, the Albanians got the impression that they have their military in a concealed shape. The civil nature of KPC, which was factual, left the critics of NATO intervention and NATO role in Kosovo without facts that there is a Kosovo army, respectively, a hidden KLA as a threat for the Serbs and for the security.

More than anything, NATO wanted to deliver in its mandate given to KFOR and to preserve peace in Kosovo. Moreover, creating a Kosovo force had no basis in the UN SC 1244 Resolution, which was the primary document. Besides, creation of an army would halt the implementation of the article about the presence of limited Serb forces in Kosovo, which would complicate the situation even more requiring a very difficult solution.

Looking at the KLA demobilization, establishment and functioning of KPC, beginning the disbandment of KPC and establishment of KSF, the role of NATO can be defined through several phases:

The first phase, which was parallel with the withdrawal of Serbian forces and arrival of KFOR, who had to ensure basic security conditions for its activities and for deployment of UNMIK, lasting until the second part of 1999. During this short period, the KFOR, under the leadership of NATO, was to determine a KLA demobilization model, which would be safe, and to carry out the activity of demobilization and disarming the KLA. The grounds for establishing KPC, as a new civil organization, were found. Anyways, a considerable number of weapons still remained, which posed a security threat for the first phase, a threat amplified by the conflict in South Serbian and later on in Macedonia.

The second phase lasted from KLA demobilization and KPC establishment in 1999 till the declaration of Kosovo independence and approval of constitution in 2008. During this phase, we can note two stages, one 1999-2004 and the other 2004-2006. The first stage, which was difficult due to war consequences, the performance quality of the KFOR activities in supervising KPC activities was uneven when it comes to the dilemma about the KPC character and future. During this period, same as the entire Kosovo, the KPC faced many problems in fulfilling its tasks, largely conditioned by the political dilemmas for development of Kosovo institutions and division of competencies

between the international administration of Kosovo institutions, boosted by the Kosovo's final status uncertainty. The dilemmas of international component grew bigger during the conflicts in south of Serbia and in Macedonia and also because of some cases where the KPC members were involved in criminal activities. The KFOR weakness in implementing its role in KPC activities strengthened further due to disagreements between some KFOR members, leaders of activities. The Multinational Brigades' various viewpoints about the KPC activities and future included also the proposal for abolishing entirely the KPC or removing all the KPC military signs. The second stage, which comes after the big turmoil in March 2009, which incidentally surprised NATO, the KPC, in compliance with the Declaration for Standards and for providing assistance to KFOR, acted in stabilizing the situation achieving distinguished successes. The political and military consolidation of international presence and Kosovo institutions alike followed the turmoil. The political framework becomes clearer because the process of reviewing of Kosovo issue oriented toward finding a solution for final status of Kosovo. In this way, the political assessment of KPC organization became clearer and the KFOR stance for KPC activities and organization was more coherent and constructive. The security situation improved and KPC treaded steadily forward in organizing and in its activities as civil emergency organization. The SRSG's role during the second stage regarding the KPC was more active, while the KFOR supervised the KPC work.

The third phase began with the approval of constitution of Republic of Kosovo, following declaration of Kosovo independence. Two parallel processes characterize this phase: the KPC disbandment, under the SRSG and KFOR leadership, and the KSF establishment process, which from the operations side - organizing and training -was NATO led. The Kosovo institutions assumed competences in this process, with the aim of taking over the full responsibility over the KSF.

Protection of peace, dialog, cooperation, overcoming crisis and prevention of conflicts in Europe after the cold war, are the new tasks of the Alliance, and a bigger engagement is expected from European allies. NATO shall cooperate with EU, WEU, OSCE but NATO remains the key instrument

of European security, peace and stability, which should be peaceful and democratic.²⁸

KFOR mission in Kosovo is very important for NATO, because it is the first UN mission led by NATO, where all the previous commitments were tested. It can be concluded that NATO fulfilled its primary duty – prevention of conflict reemerging in Kosovo.

In this way, the prerequisites for rebuilding the society and democratic institutions were created. This elaborated paper clearly shows the coordination of military and civil segments of the Kosovo peacekeeping mission in demilitarizing KLA and subsequent activities related to KPC. It is also shown that cooperation is more successful if the political framework of the activities and final political results are clearly defined.

In addition to the experience in coordination and cooperation of military part of the mission with the civil one, there were also problems in the functioning of the military part in the command chain and performance of tasks. This is a problem of coordination of NATO members, namely of the national contingents while implementing the mission duties on the ground. This problem surfaced during the Allied Force's operations, going back all the way to NATO's core, according to which, an important experience could be acquired with the Kosovo mission, which functioned under the conditions of possible destabilization of Kosovo. That was the case, because a better coordination can be seen with KPC after 2004, reaffirming that a clear political framework and clear definition of duties and timelines for military component is required for the activities of NATO's internal structures.

The development of political relations and determination of Kosovo institution led them gradually towards the decision-making process and toward the competencies, and in KSF case, their responsibility will be clearly expressed and the responsibility for organizing and for performance. In this way, the reconstruction process after the conflict, whereas the impact of the external factor dominates, is successfully transformed into a state-building process, through strengthening the authority of local institutions and the perspective of assuming full ownership over a sensitive area such as the security.

The future dynamics will depend on the broader political framework, on relations, integration of society, achieving the responsibilities and consolidating interethnic relations within Kosovo, and also the relations with

²⁸ Lidija Čehulić Vukadinović, ed. Šipan 2007., NATO's New Task, Political Culture, Zagreb, 2008., p. 83.

the neighbors, especially with Serbia. In the end, the global relations, part of which is NATO.

In order to carry out the process of local subjects taking over the central role in building institutions, the NATO's assistance remains of an assistance of particular importance. The evolution is clear by the fact that NATO is orienting everything toward transfer and coordination, setting up the parameters for a sustainable and able country.

The constitution defines the KSF as National Force of Republic of Kosovo, and that the KSF may be sent outside of the country in compliance with Kosovo's international engagements. It can be concluded that KSF is a force which will pursue NATO standards through its organization (NATO's role is to ensure that), in order to prepare for taking over the responsibility of guarantying national security, but also to take part in international activities for improving the international security. A qualitative organization of the security sector is a prerequisite for Kosovo's independent functioning.

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