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Subject: Draft CONOPS for the European Union Rule of Law mission in Kosovo.

Delegations will find attached the partially declassified version of the above-mentioned document.
NOTE

From : Secretariat
To : Coreper
Subject : Draft CONOPS for the European Union Rule of Law mission in Kosovo.

Delegations will find attached the draft CONOPS for the European Union Rule of Law mission in Kosovo.
Draft Concept of Operations (CONOPS) for the European Union Rule of Law Mission in Kosovo

REFERENCES

B European Council Conclusions of 14th December 2007.
C Joint Reports by Javier Solana, EU High Representative for the CFSP, and Olli Rehn, EU Commissioner for Enlargement, on the future EU Role and Contribution in Kosovo, July 2006 and March 2007.
F Invitation letter on 4 April 2006 from the SRSG of UNMIK to the SG/HR inviting EUPT.
G Council Joint Action 2006/304/CFSP¹ of 10 April 2006 setting up an EU Planning Team (EUPT Kosovo) regarding a possible EU crisis management operation in the field of rule of law and possible other areas in Kosovo.
H Council approval of the Crisis Management Concept concerning the future EU crisis management operation in Kosovo (doc. 16145/06 RESTREINT UE).
I Council Joint Action 2007/778/CFSP of 29th November 2007 amending and extending Joint Action 2006/304/CFSP on the establishment of an EU Planning Team (EUPT Kosovo) regarding a possible EU crisis management operation in the field of the rule of law and possible other areas in Kosovo.
K CIVCOM advice on the July 2006 Assessment report by the European Union Planning Team for Kosovo (EUPT Kosovo) (doc. 12025/06 RESTREINT UE).

¹ OJ L 112, 26.4.2006, p 19-23
L EUPT Kosovo "September Assessment Report" containing options and proposals for the possible tasks, mandate, and staffing implications for the future ESDP mission (doc. 13206/06 RESTREINT UE).

M CivCom Advice on the September Assessment Report by the European Union Planning Team for Kosovo (EUPT Kosovo) (doc. 13728/06 RESTREINT UE).


O CivCom Advice on the September Report by the European Union Planning Team for Kosovo (EUPT Kosovo) (doc. 13747/07 RESTREINT UE).


Q Standard language for planning documents and legal acts for civilian ESDP operations (doc. 11277/07).

R Initial Concept of Mission Support for ESDP Civilian Crisis Management Missions (doc. 12457/06).

S Policy of the EU on the security of personnel deployed outside the EU in an operational capacity under Title V of the Treaty on European Union (doc. 9490/06).

T Guidelines for allowances for seconded staff participating in EU civilian crisis management missions (doc. 14239/06).

U Compendium of principles for the use of force and consequent guidance for the issue of rules of engagement (ROE) for police officers participating in EU crisis management operations (doc. 12415/5/02 RESTREINT UE).

V Concept for rapid deployment of police elements\(^1\) in an EU-led substitution mission (doc. 8508/2/05).\(\text{\footnote{\text{\textbf{\textsuperscript{1}}} Integrated Police Units, Police Headquarters, Formed Police Units, Specialised Teams and Individual Police Officers}}\)

W Action Oriented Paper on Improving Cooperation, on Organised Crime, Corruption, Illegal Immigration and Counter-terrorism, between the EU, Western Balkans and relevant ENP countries (doc. 9272/06).

X Report by the Friends of the Presidency on concrete measures to be taken to effectively enhance the fight against organised crime originating from the Western Balkans (doc. 13385/04).

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\(^1\) Integrated Police Units, Police Headquarters, Formed Police Units, Specialised Teams and Individual Police Officers
Guidelines and recommendations for Civilian Crisis Management Missions to take into consideration when assisting a Host Country in the fight against Organised Crime. Further Reflections on a Regional Approach to Organised Crime in the Western Balkans (doc. 10951/06 RESTREINT UE).

EU Training Concept in ESDP (doc. 11970/04).

Training curricula for police officers for deployment to international civilian crisis management missions (doc. 6107/3/03).

Future training needs for personnel in civilian crisis management operations (doc. 10825/06).

Analysis of Training Requirements in the field of ESDP – Draft Review 2006 (doc. 8624/3/06).

Generic Standards of Behaviour for ESDP Operations (doc. 8373/3/05 REV 3).

Mainstreaming of Human Rights and Gender into European Security and Defence Policy - Compilation of relevant documents into ESDP (doc. 11359/07).


Checklist to ensure gender mainstreaming and implementation of UNSCR 1325 in the planning and conduct of ESDP Operations (doc. 12068/06).

Council Conclusions of 13 November 2006 on Gender equality and gender mainstreaming in crisis management (doc. 14779/06).

Transitional justice and ESDP (doc. 10764/06).

Recommendation for Enhancing Co-operation with Non-Governmental Organisations (NGOs) and Civil Society Organisations (CSOs) in the Framework of the EU Civilian Crisis Management and Conflict Prevention (doc. 15574/1/06).
1. SITUATION

1.1 Background

On 10 June 1999 the UN Security Council adopted Resolution 1244 (1999), which mandated an international civilian presence in order to provide an interim administration for Kosovo. The Resolution also provided for a strong international security presence to ensure a safe and secure environment. The United Nations took on the primary role in the international civil presence with its Interim Administration Mission in Kosovo (UNMIK) and NATO-led Kosovo Force (KFOR) took on the international security presence function.

The Kosovo organs/institutions/authorities referred to later on in this document are the institutions created on the basis of UNSCR 1244. They include the Kosovo Police Service, the judiciary and the associated Ministries of the Interior and of Justice.

In autumn 2003 it was decided that a comprehensive review would be carried out mid-2005 to determine if sufficient progress had been made to initiate a process to define Kosovo's status. The violent riots in March 2004 against UNMIK and the Serb population underlined the necessity of a change to the status quo. Completing the UN review in September 2005, Special Envoy of the UN Secretary-General Kai Eide, concluded that the time had come to embark on a process designed to lead to a settlement of Kosovo's unresolved status, as foreseen in Resolution 1244.

In November 2005 the UN SG appointed Martti Ahtisaari as his Special Envoy for the Kosovo status process. He convened, between February 2006 and January 2007, a series of meetings between the two parties both at a technical and high political level. At the end of this process, in March 2007, he submitted to the UN Secretary General his Comprehensive Proposal for the Kosovo Status Settlement containing his recommendation for independence, initially supervised by the International Community, including an ESDP mission and an International Civilian Representative, double-hatted as EU Special Representative. The Kosovo Albanian leadership accepted the proposal as put forward, and has continued to express its commitment to the full implementation of the proposal ever since, while the Government of Serbia rejected the proposal.
Following the protracted stalemate in the UNSC over the possible adoption of a new UNSC resolution on the basis of this proposal, in August 2007 the UN Secretary General welcomed the proposal of the Contact Group to appoint an international Troika representing the EU, US and Russia that would engage in a final, last-ditch attempt to reach a negotiated settlement between the two parties.

The new period of engagement lasted between August and December 2007 with ten sessions of direct talks between the two parties, during which a wide variety of options were explored. The Troika completed its mission in early December concluding that, although throughout the negotiations both parties were fully engaged they were unable to reach agreement on the Kosovo status.

On 14 December the European Council underlined that the negotiating process facilitated by the Troika between the parties on Kosovo's future status had been exhausted. In this context, it deeply regretted that the two parties were unable to reach a mutually acceptable agreement. On 19 December 2007 the UN Security Council held a debate in response to the Troika report, which failed to reach a consensus on the way forward.

It is assessed that Kosovo will require continuing international engagement, particularly in the broader field of the Rule of Law. The European Council, on 14th December 2007, confirmed the readiness of the EU to assist Kosovo in the path towards sustainable stability, including by an ESDP mission and a contribution to an international civilian office, as part of the international presences. The UN Secretary General noted the EU's readiness in his report to the UNSC of 3 January 2008.

Kosovo's population is estimated at around 2.2 million, with minority communities making up approximately 10% - 15% of this number, though all statistics are unreliable as there has been no credible census for over 30 years.
The Kosovo Serb community is estimated at between 120,000 and 150,000 with one-third of this total living in northern portion of the city of Mitrovica / Mitrovice and the municipalities of Zubin Potok, Zvecan and Leposavic. The remaining two-thirds live primarily in villages scattered throughout the remainder of Kosovo, with concentrations in and around Strpce / Shterpce, Novo Brdo / Novoberde, Gracanica / Gracanice and Gjilan / Gnjilane. According to Serbian government figures, a further 200,000 Kosovo Serbs are displaced outside Kosovo, though this number is disputed. Kosovo Serbs serve in the Kosovo police and customs services, but are largely unrepresented in judicial structures. Local and central governmental institutions have been subject to an extensive boycott by Kosovo Serbs, encouraged by Belgrade. The Belgrade government provides parallel services to Kosovo Serb communities, including salaries and social benefits.

The outcome of the status will determine the acceptability of missions associated with it to the two principal population groups in Kosovo. This has been taken into account in planning for this mission.

1.2 Situation Update
1.2.1 Justice
1.2.1.1 The Judiciary

Notwithstanding the presence of UNMIK international judges and prosecutors, who have been dealing with the most serious and sensitive cases, the justice sector in Kosovo is still weak. Judicial institutions are unable to deliver proper services in both the criminal and civil sectors. Local judges and prosecutors are either fairly young and inexperienced or nearing retirement age. They have been appointed from 1999 onwards without an adequate selection process and general consensus has been reached on the need for a reappointment/vetting process of judges and prosecutors. This process is being developed through a project financed by the EC and the US, to be implemented by the United Nations Office of Project Services (UNOPS); the ESDP mission will not be directly involved in the implementation of this project.
Local judges and prosecutors are not yet in a position to handle the most sensitive criminal and civil cases due to *inter alia* security concerns and political pressure; such cases are currently covered by UNMIK international judges and prosecutors. ESDP judges and prosecutors will need to play a key role in these areas at high levels and across the various competent jurisdictions and through the Kosovo Special Prosecutors Office. Whilst efforts have been made by the Kosovo institutions to improve the situation with the support and guidance of international agencies (including UNMIK, the European Commission and OSCE), progress has been slow.

There are currently 13 Prosecutors offices and 57 courts established by UNMIK in Kosovo: 25 municipal courts, 24 minor offences courts, five district courts, one commercial court, one High Minor Offences Court and the Supreme Court. There are still several parallel courts operating in the north, in Serbian enclaves and outside Kosovo. Although statistics are difficult to obtain, the parallel courts do not appear to have tried any criminal cases recently, although they remain active in civil and land registry issues. Judges and prosecutors working for the parallel courts, which are not financed by UNMIK, are currently receiving higher remuneration (including pensions) than their Kosovo counterparts.

At the end of 2007, the number of civil cases pending was over 50 000, civil enforcement cases over 53 000 and criminal cases over 36 000. The overall number of unresolved cases of all descriptions in the Kosovo courts was approximately 130 000, with approximately an additional 10 000 cases per annum. In addition, there were *inter alia* approximately 600 alleged cases for war crimes in the hands of UNMIK police.

### 1.2.1.2 Kosovo Judicial Council

Following their establishment in the end of 2005, the Ministry of Justice and the Kosovo Judicial Council (KJC) started work in April 2006. The institutional build-up is ongoing and both institutions will still need international assistance for some time.
The KJC was established as an independent, professional body designed to ensure that the Kosovo judiciary will be independent. It sets policy, promulgates rules and guidelines for the judiciary and the courts, with independent budget authority and responsibility for relevant budget lines of the Kosovo Consolidated Budget. According to the draft Law on Prosecutors, a separate Kosovo Prosecutorial Council (PCK) will be established, which will play the same role for the public prosecutors as the KJC does for the judges. The KJC is the body responsible for the recruitment and selection of local judges and, for the present, local prosecutors and plays an important role in judicial training. In accordance with the Constitutional Framework for the Provisional Institutions of Self Government, the SRSG retains the final authority to appoint, remove and discipline local judges and prosecutors.

1.2.1.3 The Ministry of Justice
The Ministry of Justice's competencies have been expanded to include oversight of the correctional and probation services, and with some exceptions, the narrow responsibility for missing persons and for matters of forensic medicine. The main responsibilities in the field of missing persons and international judicial cooperation are still reserved powers.

1.2.1.4 Prison and Correctional Services
The penitentiary system comprises one prison for sentenced convicts in Dubravë / Dubrava, a smaller correctional centre for juveniles and women and five detention centres (Prizren, Gjilan/Gnjilane, Prishtinë/Priština, Mitrovica/Mitrovicë and Pëc/Peja) at the seats of the district courts. 75 percent of the approx. 1,350 prisoners and some pre-trial detainees (at the moment 40) are held in Dubrava.

No convicted K/ Serbs are housed in Dubrava / Dubravë prison in order to avoid conflict with the other inmates. Hence all convicted K/ Serbs remain in the detention centre in Mitrovica /Mitrovicë, which is wholly inadequate for long-term inmates. Although there has been some progress in the ability of the Kosovo Correctional Service to manage the penitentiary system on a daily basis, the staff of the Kosovo Correctional Service does not yet possess sufficient experience in crisis situations, and the technical and organisational security systems in place are not sophisticated enough to deal with critical events without international assistance. The prison population has
increased by 26% since May 2002 to a total of about 1,350 and the level is expected to rise further as a result of more effective policing and court activity. If the prison population rises to the level of 100-150 inmates / 100,000 habitants (the average in the region), the Prison and Correctional Service would have difficulty to deal with such a substantial increase of inmates and the lack of proper facilities.

1.2.1.5 Property Issues
Property issues remain a significant problem. The Kosovo Property Agency (KPA) deals with conflict-related restitution claims for private immovable property from 1998-99. Previously, it was estimated by KPA that the total number of claims will amount to around 11,000. On the date of expiry of the deadline for submission of claims on 3 December 2007, over 37,000 claims have been lodged with the KPA. Several requests were made to extend the deadline for submission of claims, however, to date no such extension has been granted and it is difficult to foresee whether such extension will be granted in the future. These claims have mostly been filed from outside Kosovo. Formal processing of these claims has commenced with the promulgation of the relevant Administrative Direction on 1 June 2007. Preparatory work has started earlier. This includes the notification and the verification process. The Property Claims Commission (PCC) within the KPA made its first decision in June 2007 and thus far decided almost 3,000 claims.

Claims for compensation for damage to property caused by KFOR, UNMIK, PISG and the Municipalities after NATO entered Kosovo in 1999 and after the riots in March 2004 are being dealt with as normal civil cases within the regular court system. There are an estimated 21,000 cases outstanding, of which around 78% have been filed by Kosovo Serbs and Serbs from outside Kosovo.

The Kosovo Trust Agency (KTA) is privatising and liquidating socially owned enterprises and holds any proceeds resulting thereof in a trust fund. Judicial cases arising from the implementation of its mandate are dealt with by a Special Chamber within the Supreme Court.
Both the KPA and the KTA are currently led and supervised by internationals, with Kosovo personnel working throughout both organisations at different levels. Internationals, appointed by the SRSG, constitute a majority of the KPA Supervisory Board and its PCC and serve as an important shield against external pressure. In addition to these issues, there are also several sensitive civil enforcement cases that would need international attention, such as the eviction of occupants after KPA decisions.

1.2.1.6 Corruption

Corruption and the perception that corruption is widespread in the Kosovo society poses a threat to the Rule of Law. The structure and nature of contemporary Kosovo society makes it vulnerable to corruption. Public institutions are generally immature if existent. Proper procedures, rules and regulations either do not exist or fail to be implemented consistently. Wages and salaries of civil servants are low giving rise to obvious temptations.

A Kosovo Anti-Corruption Strategy has been developed by the Department of Good Governance in the Office of the Prime Minister. The Anti-Corruption Action Plan, which aims to implement the Strategy, covers Judicial Measures and Law Enforcement, Prevention, and Public Participation and Education. Although the Strategy and the accompanying Action Plan are considered to be satisfactory, international guidance and assistance will be necessary to help ensure their implementation.

1.2.2 Police

Under UNSCR 1244 UNMIK received a twofold mandate regarding policing in Kosovo: the substitution of the then non-existent local police service by international police officers (IPO’s), whilst simultaneously establishing a new Kosovo Police Service (KPS). Initially IPOs exclusively took full responsibility in all areas and functions of policing, but following their initial training, KPS officers were quickly and progressively integrated into almost all units and levels of UNMIK’s police organisation. On 20 December 2005 the KPS was formally established under UNMIK Regulation 54/2005. The process of transition of authority from UNMIK Police to the KPS is well under way but is not yet complete. All regional Headquarters, with the exception of Mitrovicë / Mitrovica, are now fully transitioned, as are all KPS police stations and the majority of policing
functions; never-the-less non-majority KPS officers are not always able to operate in areas of differing ethnicity. KPS officers working north of the River Ibar are predominately K/ Serbs (88 % in Mitrovica / Mitrovicë North station); concerns exist as to the level of oversight from the central level KPS management and the existence of parallel security structures. Whilst primary responsibility for general policing has been transitioned to the KPS, UNMIK police officers retain executive powers, including, inter alia, in the area of organised crime, war crimes, financial crime and special police functions.

1.2.2.1 General policing
There are six regional headquarters (RHQ), currently under the command of the Directorate of Operations. In the 6 regions, there are 34 police stations, which range in personnel size from 23 to over 200, and 18 subordinate substations.

The KPS structure as of June 2007 statistics, reached the 8995 staff: 1 Deputy Commissioner, 4 Assistant Deputy Commissioner, 17 Colonels, 27 Lieutenant Colonels, 32 Majors, 92 Captains, 306 Lieutenants, 863 Sergeants, 5818 Police Officers, 85 Cadets, 586 Security Police, and 1164 Civilian staff. Currently approximately 4700 KPS police officers are deployed at regional and police station level.

All RHQ have been transitioned with the exception of Mitrovicë / Mitrovica region. However, some capacities remain under close international monitoring including the Professional Standards Unit and the Regional Administration structures.

The KPS are responsible for the security of patrimonial sites, with the exception of those that are still under the protection of KFOR.

In addition, UNMIK Police are still in charge of the external security of Dubravë / Dubrava and Mitrovicë / Mitrovica detention Centres/Prisons with one FPU and of the escorts of prisoners with 95 IPO.
1.2.2.2 Border and Boundary Police

The process of restructuring KPS Border and Boundary Police has taken place. Currently Kosovo is divided into three Border and Boundary Police Regions headed by a Headquarters located in Prishtinë / Pristina. Each Region is responsible for controlling the cross-border traffic at different border and Administrative Boundary Line (ABL) crossing points. Prishtinë / Pristina Airport is an exception since it is directly under the command of the Headquarters.

KPS Border & Boundary Police (KPS/Border) has increased its strength up to approximately 1200 officers whilst UNMIK Border & Boundary Police (BBP) has 135 IPO’s.

All Border Crossing Points (BXP) at the borders to FYROM, Albania and Montenegro, all Gates, (except for 1 & 31) at the ABL towards Serbia and the Airport Prishtinë / Pristina have been transitioned from UNMIK to KPS. Nearly all positions/units within the HQ are transitioned from UNMIK to KPS, except for the Head of UNMIK BBP, Director OPS and the Unit of Intelligence.

Gate 1 and Gate 31 are located in K-Serbian areas at Zubin Potok and Leposaviq / Leposavic, north of river Ibar. UNMIK has not transitioned Gates 1 and 31 and there are International Police Officers with executive powers present. The uncertainties in the northern part of Kosovo point to the necessity to maintain a 24/7 international executive role at Gate 1 and Gate 31.

KFOR continues to have responsibility along the Borders and Boundary Line between the checkpoints on the “Green Border”. At the moment KFOR, KPS BBP and UNMIK BBP are performing Joint Patrols at the Green Border & Boundary. At the Boundary/ABL with Serbia proper the restriction, at the behest of Belgrade, for the KPS/Border and Boundary (BBP) officers not to come closer than 500 m is still in place. At present KPS BBP has no equipment to fulfil the requirements for a professional surveillance at the lake in the area of Zubin Potok. The KPS has set up a mounted horse unit in the Dragash/Dragaš area to control the mountainous area within this border region; its effectiveness is still to be proven.
1.2.2.3 Criminal Investigations

Criminal investigations in Kosovo are carried out by the Kosovo Police Service (KPS) except for investigations into War Crimes and some Financial, some Organized and some Economic Crimes. These units may not be transitioned by the end of the UNMIK’s mandate.

1.2.2.4 Organized Crime

The fight against Organised Crime is a challenge everywhere, but particularly so in Kosovo where the Kosovo Police Service is still relatively new and consequently their ability to investigate organised crime is still limited.

The Directorate of Organised Crime (DOC) is the lead KPS unit that deals with all aspects of Organised Crime affecting Kosovo. The Directorate of Organized Crime has 126 officers, which benefit from the support of the 34 IPOs. The KPS senior management maintains that the KPS is ready for any challenge, but consideration needs to be made in the context of the complexities of investigating organised crime and the KPS’s relative inexperience. Control of the majority of DOC’s functions falls directly under the KPS management, except Lawful Telephone Intercept and Computer and IT Forensic capability, which are expected to be transitioned by UNMIK.

1.2.2.5 Criminal Intelligence and Information

The Directorate of Criminal Analysis (DCA) was fully transitioned to the KPS Management. The unit is located in secure accommodation within the Police MHQ Prishtinë / Pristina. In addition to this centralized unit, each of the 6 Regional Police Headquarters has a Regional (Criminal) Intelligence Unit, which also supports the Regional Commander by providing intelligence in relation to regional criminal activity.

The Regional Intelligence Units also have a responsibility to inform the centralized Directorate of Criminal Analysis of significant issues and criminal intelligence in order for them to assess and analyze data Kosovo-wide.
There is a standardised reporting system, together with associated documentation, that ensures all criminal intelligence is assessed and graded using the same criterion. This system is referred to as the Kosovo Intelligence Model (KIM) or the 5x5x5 intelligence model. It is a tried and tested system that allows both the author and the recipient to assess the reliability of the intelligence and how the handling of its content should be managed; however there is a good deal of scope for improvement in the quality of analysis by the KPS.

1.2.2.6 Financial Investigation
The Financial Investigation Unit (FIU) was established in January 2003 to investigate the activities of entities fully or partially funded by the Kosovo Consolidated Budget (KCB). The same directive mandates the FIU to fight Financial Crime and crime involving corruption. The FIU is composed of 8 international investigators and 4 trainers. In practice, the FIU is not part of the UNMIK Police and there is no transition plan to local authorities and no operational involvement of local experts.

1.2.2.7 Financial Intelligence Centre
The Financial Intelligence Centre (FIC) became operational in September 2004 and is financed by the KCB. The FIC is staffed permanently by 9 internationals and 12 local staff. The FIC produces reports on transactions exceeding 10000 euros and determines if there are, inter alia, possible money laundering or terrorism financing activities. In practice, the FIC is not embedded in the UNMIK Police structure and is not planned to be transitioned to local authorities.

1.2.2.8 International Cooperation
Currently international cooperation is based on a Memorandum of Understanding, between the International Criminal Police Organization-Interpol and UNMIK on Co-operation in Crime Prevention and Criminal Justice, which was signed in 2002. Other forms of international cooperation in the region are based on MOU’s between UNMIK and neighbouring countries.

At the moment the unit dedicated to the cooperation with Interpol is working under the UNMIK Crime Pillar and has a status of National Central Bureau. This unit is composed of 7 internationals and 6 national staff. National staff has not been fully trained in relation to international cooperation. Currently there are no plans to transition the unit to the KPS.
### 1.2.2.9 Internal Control

The Professional Standards Unit (PSU) is the internal KPS body performing investigations regarding disciplinary offences. The unit is monitored by UNMIK Police. A PSU investigation ends with a recommendation to the Police Commissioner (PC) to decide about reprimand, suspension or termination. The transition of the KPS/PSU has taken place. An Appeals Board monitored by one international policeman considers appeals against the PC’s decisions.

### 1.2.2.10 External Control

The Police Inspectorate of Kosovo is an executive agency under the Ministry of Internal Affairs. The PIK has two main functions: carrying out inspections of KPS and making recommendations; investigating serious breaches of conduct by KPS officers that are deemed too serious to be dealt with by the Professional Standards Unit within the KPS. OSCE is involved with capacity building of the Police Inspectorate of Kosovo (PIK). Presently, the OSCE’s role is one of training and monitoring PIK and is a significant one.

### 1.2.2.11 Special Police Units

The proposed structure of the KPS Department of Special Police Units comes under the authority of the Deputy Police Commissioner of Operations. The Department is organized with a staff for planning operations and support needs and three Directorates:

1. directorate for VIP Security including Building Security Division, Close Protection Unit and Witnesses Protection Unit;
2. directorate of Special Police Units including First Intervention Team (FIT), Dog Unit, EOD/IEOD, and Operational Support Units (OSU);
3. Counter Terrorism Directorate.

### 1.2.2.12 Terrorism

The KPS set up in 2007 the Counter Terrorism Directorate (CTD) staffed by 26 officers; however UNMIK run separately its own counter terrorism capability. The CTD is divided into three cells, commanded by a cell commander. The three cells carry out investigations, intelligence and surveillance; however they are a new unit and therefore are untried and untested.
1.2.2.13 Ministry of Internal Affairs

The Ministry of Internal Affairs was established in December 2005 under the legal framework of UNMIK Regulation 2005/53 with Annex XVI defining its responsibilities. The Ministry has been gradually built up to date. However, as any new institution and one with particular sensitivities and impact on the Rule of Law, it is facing significant problems and lack of capacity in various areas. UNMIK continues to have reserved powers in the areas of international cooperation, police-ministry issues, repatriation and civil registration but at the same time is working on the gradual transfer of these competences to the PISG. UNMIK supports and assists the Ministry with a small team. The parallel processes of building up the Ministry and transferring further competencies from UNMIK to the PISG are ongoing.

Civil Registration

Civil registration continues to be a major concern in different fields, and a reliable system is a prerequisite for the functioning of the Rule of Law.

In Kosovo Civil registration relates to the registration of eligible persons and their inclusion in the Central Registry Database in accordance with UNMIK Regulation 2000/13 and requirement therein. Civil status registration concerns birth, marriage and death registration and the related certificates in accordance with Law No 2004/46 on Civil Registers adopted by the Assembly of Kosovo. The current UNMIK responsibilities are based on the UNMIK Regulation No 2000/13. Several managerial and operational competencies were transferred to local staff in August 2005.

Since November 2001, civil status registration activities have been carried out in Municipal Civil Status Offices. Such a de facto transfer was confirmed by the promulgation by the SRSG, in May 2005, of the Law on Civil Status Registries (No 2004/46) passed by the Assembly of Kosovo. Since then civil status registration is considered as fully transferred to the PISG and is no more under UNMIK’s responsibility. The municipalities are responsible for Civil Status Offices while the competent ministry is responsible for the supervision, control, manner of maintenance etc.
At the central level the tasks related to Civil Registration as well as Civil Status Registration were transferred from the Ministry of Public Services (MPS) to the Ministry of Internal Affairs (MoIA) in April 2006. According to UNMIK Regulation No 2006/26 the tasks of the MoIA are to:

1. Assist UNMIK in the administration and maintenance of the central civil registry and database which is under the authority and control of the SRSG;

2. Assist UNMIK in the administration of ID-cards and Travel Documents which are issued under the authority and control of the SRSG and exercise responsibility for issuance of all other civil documents and registration of vehicles.

### 1.2.3 Rule of Law related Customs issues

UNSC Resolution 1244 established a de facto external trade regime and customs administration in Kosovo. The Service from its inception has been staffed by Kosovo civil servants while managed by UNMIK Pillar IV. The transfer of customs competencies started in autumn 2005 and was completed by April 2007 when the post of Director General of the UNMIK Customs Service was transferred to a Kosovar. While the local leadership has gradually taken full responsibility for the operational and strategic management, Customs still remains a reserved competence and legally will remain till the end of UNSCR 1244.

Customs and excise provide an average of 75% of the Kosovo Consolidated Budget. Failure of the customs service would pose a serious threat to Kosovo. Ultimately the Customs will also have to comply fully with the acquis communautaire and EU technical standards, including Integrated Border Management (IBM).

**NOT DECLASSIFIED** Particular sensitivities are attached to the northern region of Kosovo, where currently the oversight function within the Service is provided by international customs officers. Inter-ethnic tensions/clashes may appear within the Service and in light of possible future political developments concerns exist over the possibility of a significant proportion of Kosovo Serb customs officers quitting.
Cooperation between the police, judiciary and customs is essential. Specifically in terms of the fight against organized crime and corruption. In this respect, intelligence and investigation capabilities across all law enforcement agencies are prerequisite to promoting the Rule of Law. In addition, anti-smuggling activities and the strong involvement of Organized Crime in trafficking activities in this region require improving inter services cooperation and coordination including with customs.

1.2.4 EU Action in Kosovo

1.2.4.1 European Commission Activities

The European Commission activities, including those under SAP, referred to later on in this document are consistent with a Council Decision of 30 January 2006 on the principles, priorities and conditions contained in the European Partnership with Serbia and Montenegro including Kosovo as defined by United Nations Security Council Resolution 1244 of 10 June 1999.

A key aim of the Commission's activities is to ensure that the legal framework which is being established in full accord with the EU acquis, in line with the European perspective of the region. The EC has adopted an Annual Programme for Kosovo (under UNSCR 1244) under the Transition Assistance and Institution Building Component of the Instrument for Pre-accession Assistance (IPA) for 2007. The Commission's contribution to the programme is EUR62 million. The IPA 2007 programme reflects the priorities defined in the Multi-annual Indicative Planning Document (MIPD) for the years 2007-2009 and addresses the Enlargement Strategy and Main Challenges for 2006-2007. With regard to the project proposals submitted by the Kosovo authorities, the IPA Annual Programme for 2007 aims to provide assistance to strengthen administrative capacity at all levels, enhance the rule of law, human rights and good governance, improve socio-economic conditions for all communities, and develop regional cooperation. The preparation of IPA programme has been undertaken in close coordination with both EUPT and ICO PT to ensure complementarity with the activities of a future possible ESDP mission in Kosovo in particular in Rule of Law and Customs and Taxation areas.
During programming, high level cooperation with Kosovo's authorities and civil society, EU Member States, and other donors was ensured. Given the current uncertainties about Kosovo's future status and its provisions, as much flexibility as possible is built into the programme. The programming of IPA 2008 has started and is in good progress. The programme amounts to EUR 124 million. Full use will be made of other appropriate IPA programmes (e.g. Multi-beneficiary Programme) and other EC instruments (in particular instruments like EIDHR, Stability Instrument, etc) to enhance the authorities administrative capacity.

In the fight against corruption, anti-fraud, money-laundering and financial crime, assistance was provided through support for the Kosovo Special Prosecutor's Office and UNMIK's Financial Investigation Unit. Through four consecutive CARDS projects the Financial Investigation Unit (FIU) has received continuous financing. To increase the efficiency and capacity of court administration, CARDS projects in 2001, 2003 and 2004 supported with in total EUR 3.1 million the development of a case management information system. Support to the reform of the juvenile justice system based on the rights of children/adolescents is being provided. Six courthouses and four detention centres have been rehabilitated which will contribute to enhancing the efficiency of the court system and the respect of human rights. This included the upgrading of the existing infrastructures at the Dubrava prison complex.

Following the establishment of the Ministries of Justice and Interior by UNMIK in December 2005, support is being provided with the help of Member States' experts, to assist both ministries in developing their capacity, in establishing sound internal structures and in drafting internal rules and procedures. In the area of integrated border management, assistance under CARDS 2003, 2005 and 2006 focused on facilitating the flow of goods and people in the region while improving the level of inspection and border/boundary controls through strengthening the institutional capacity and coordination between border/boundary management agencies.

Under IPA 2007 EUR 7 million were allocated to strengthen the rule of law in Kosovo, through further reform of the Kosovo Police Service including the border/boundary police; fighting corruption; and closer alignment with and implementation of the acquis in Justice and Home Affairs. The project consists of the following activities:
(1) strengthening the management and operational capacity of the border and boundary police;
(2) systematically combating corruption in Kosovo's institutions;
(3) establishing a reliable system, in accordance with EU standards and appropriate practices, for the reception and maintenance of migrants, asylum seekers and refugees;
(4) the completion of preparatory studies for the construction of a high level security prison.

Specifically for reinforcing the customs administration, under the CARDS programme the CAFAO multi-beneficiary project started in 1999. The beneficiaries have been all the Western Balkan countries. CAFAO itself has now ended. As from 2008, customs and tax administrations are supported under Kosovo's annual programme. The transitional phase is ensured by TACTA, financed by IPA 2007 multi-beneficiary programme.

The Commission has also worked, with UNMIK, the United States and the EUPT to define a project for the vetting and reappointment of judges and prosecutors.

1.2.4.2 EUPT
In May 2006, a planning team for a possible rule of law mission (EUPT Kosovo) was established. The objective of the EUPT was to:
(1) to initiate planning, including necessary procurement processes, to ensure a smooth transition between UNMIK and a possible ESDP-mission, in the broader field of the Rule of Law and other areas that might be identified by the Council in the context of the future status process;
(2) to provide technical advice as necessary in order for the EU to contribute, support and to maintain the dialogue with UNMIK as regards its plans for downsizing and transferral of competencies to the local authorities.

The mandate of EUPT has been extended to 31st March 2008.
1.2.5 Other Entities

1.2.5.1 OSCE Mission in Kosovo (OMiK)

The OSCE Mission in Kosovo (OMiK) forms the institutions building component of UNMIK and was established in July 1999. It is mandated with institution and democracy building and promoting human rights and the Rule of Law.

The responsibilities of the Mission are democratization and promoting good governance through proactive monitoring of and assistance to municipal and central institutions, election organization and supervision, media affairs, human rights monitoring, as well as protecting and promoting human rights, including the establishment of an Ombudsman institution, helping the development of a proper judicial system and developing a culture of respect for a rule of law; police education and development. OSCE supports Kosovo's legal community - judges, prosecutors, lawyers and NGOs - by building their capacity to better serve the public, the current OMiK projects include supporting the Kosovo Chamber of Advocates, training candidates for the Judicial/Bar Exam and coordinating the work of NGOs that provide legal aid to the people of Kosovo.

OSCE provides continuous training and capacity building within the structure of the Kosovo Centre for Public Safety Education and Development (KCPSED) which developed from Kosovo Police Service School (KPSS) established under UNSCR 1244 in September 1999. Some 7,000 cadets have received basic police training, which currently lasts twenty weeks. OSCE Human Rights Experts are attached to the RHQs of KPS to monitor and advance HR mechanism within police.

Of note, Decision No. 835 of the Permanent Council of the OSCE of 21 December 2007 extended the mandate of the OSCE Mission in Kosovo until 31 January 2008 and that at the end of this period and at the end of each month afterwards, the mandate will be extended for another month unless a participating State objects in writing to the Chairperson of the Permanent Council.

1.2.5.2 KFOR

The NATO led Kosovo Force (KFOR), has the primary task of providing for a Safe and Secure Environment (SASE) in Kosovo.
KFOR’s mandate, which inter alia was derived from UN Security Council Resolution 1244, included deterrence of hostility and threats; establishment of secure environment a public safety and order; demilitarisation of the Kosovo Liberation Army; support to the international humanitarian effort; and coordination with and support to the international civil presence.

Today, KFOR focuses on building a secure environment and ensuring freedom of movement and are deployed throughout Kosovo. The force comprises approximately 16 000 troops (55 manoeuvre companies, all capable of Civil Disturbance Operations), including a police force with military status (MSU, Multinational Specialized Unit) and a tactical reserve.

NATO maintains an over-the-horizon Operational Reserve Force (ORF) with three battalions earmarked for rapid deployment in the Balkans (notice-to-move of one/two weeks). Specific arrangements with EUFOR (Operation Althea, BiH) allow for temporary reinforcement of KFOR with EUFOR tactical reserve¹.

1.2.5.3 Other international actors
The international community is heavily engaged in Kosovo. In addition to the actors previously mentioned, the UN plays a significant role through the activities of, inter alia, UNHCR, UNDP, UNOPS, UNIFEM and the World Food Programme. There is an extensive engagement by the World Bank, the IMF and the EBRD a wide range of international NGOs, as well as bilateral donors and the CoE. Many of their activities impact to a greater or lesser extent on the Rule of Law sector, therefore continuing coordination with them will be required.

1.3 Risk Assessment
The risk assessment will be provided by the Single Intelligence Analysis Capability (SIAC), and will be circulated separately due to its classification.

¹ One rapid reaction force (1 company size unit) and one IPU company on a 48 hours notice-to-move.
1.4 **EU Political objectives**

(1) to contribute, through the ESDP mission, to the consolidation of regional peace, security and stability and to the development of sustainable, democratic local institutions in the broader field of rule of law, building on the work already carried out by the European Commission in the area of institution-building as well as by the international community;

(2) to strengthen Kosovo institutions' ability to align with European recognised standards and best practices and the acquis communautaire in the area of rule of law, in line with the European perspective of the region.;

(3) to support Kosovo and assist its institutions, justice system and law enforcement agencies in developing independent and multi-ethnic judicial authorities, multi-ethnic police and customs services ensuring that these institutions are free from political interference, promoting human rights and adhering to European recognized standards and best practices.

1.5 **Desired end state**

Sustainable progress towards a transparent and accountable multiethnic justice system, police service and customs service, with clearly defined roles and free from any political interference, operating within a sound legal framework and in close coordination and cooperation with all relevant actors, in accordance with international standards and practises, and with the capacity to consistently deliver an effective service responsive to the needs of society, without international intervention or substitution. Kosovo institutions engaged in broader field of the rule of law conform to accepted European standards.

**NOT DECLASSIFIED**
2. MISSION

2.1 Mission statement

The ESDP mission will assist Kosovo authorities, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic justice system and a multi-ethnic police and custom service, ensuring that these institutions are free from political interference and adhering to internationally recognised standards and European best practices. The mission, in full co-operation with the European Commission Assistance Programmes, will implement its mandate through monitoring, mentoring, and advising, while retaining certain executive responsibilities.
3. EXECUTION

3.1 Civilian Operational Commander’s Intent

In line with the mission statement above, the Civilian Operational Commander’s (CivOpCdr) intent is to accomplish this mission through 9 lines of activity, 5 phases and the corresponding tasks that cover each area set out. These activities, phases and tasks are detailed hereunder. They are meant to ensure sustainable progress by the Kosovo judicial authorities, police service and customs service towards the goals set out in the mission statement.

NOT DECLASSIFIED
4. MISSION SUPPORT

The mission will set up mission support structures and procedures ensuring appropriate management and control of all human, material and financial means assigned to the mission. These will cover both mission administration and legal and financial control.

4.1 Mission Administration

In order to implement the ESDP Operation, the HoM will be provided with the necessary financial resources in a timely manner and will be responsible for the financial aspects of ESDP Mission in accordance with the European Community rules and procedures applicable to the budget.

The financing of the mission is based on funds from the General Budget of the Communities.

The European Commission, as the Institution responsible for the implementation of the General Budget, appoints the HoM as Special Advisor. The HoM is personally responsible for the implementation of his/her budget as detailed in the standard contract. The European Commission retains powers on the legal and financial control of the budgetary implementation.

The implementation of the budget will cover needs of the mission, its intended deployment and the tasks with which it is entrusted.

The Command and Control Structure of the ESDP mission is without prejudice to the contractual responsibilities of the Head of Mission towards the European Commission for implementing the budget of the mission and European Commission's competences in implementing the CFSP budget.

In order to support the HoM with his/her tasks, the Mission will establish its Administration, provided with the necessary means to ensure the appropriate management of resources.

The mission is responsible for the procurement of all the required material means (equipment, supplies and services), the definition of the organisational resources, as well as for their management.
Mission Administration reports directly to the HoM. Within its field of responsibility, it establishes direct relations with suppliers, other appropriate external actors and, on behalf of the HoM, with the European Commission.

The ESDP operation takes over the preparatory work done by EUPT, notably regarding the personnel recruited and deployed, assets and supplies purchased and contracts or arrangements concluded by the EUPT for the ESDP operation. The ESDP mission maintains appropriate levels of reserves.

4.1.1 Functions related to Mission Administration

These are:
(1) finance, procurement, personnel/human resources;
(2) general support services: logistics, transportation, communications and information systems, Medicare/Medevac;
(3) specific legal advice on administration-related matters.

In general, the structures corresponding to the functions related to mission administration will be located under the chief of administration working under the direct supervision of the HoM.

In regional Headquarters, some of these functions will also be required.

4.1.2 Human Resources

Personnel, including personnel currently employed by UNMIK, will be selected by the EUPT for the ESDP operation. Part of these personnel will be seconded to or recruited by the EUPT and transferred to the ESDP operation at the end of the deployment/build-up phase. Contributing States will ensure deployment and rotation of qualified personnel (according to the deployment and rotation plan of the ESDP Mission) individually or by Units and shall bear the costs related to the personnel seconded by them except in the case of EU Member States personnel allowances (as specified in doc. 14239/06), which will be paid out of the ESDP Mission budget. Gender issues should be implemented in line with EU policy, based on UNSCR 1325. Member States will be encouraged to promote gender balance in their personnel proposed. The selection process will respect the independence of judges and autonomy of prosecutors.
The Head of Mission will be able to contract personnel where no qualified seconded personnel are available. Appropriate solutions will be sought with the European Commission to ensure the competitiveness of employment conditions.

4.1.3 General Support Services
Logistical support will be carried out in the most cost-effective and timely manner and will include the use of local resources and the transfer of equipment and premises from UNMIK.

The HoM is responsible for the establishment of the overall logistic support of the mission. In particular he will be responsible for the procurement of the needed equipment and services, and the establishment of contracts for the day-to-day support of the mission.

Coordination with the International Military Presence will be established from the outset of the Mission.

Arrangements for units that need specialized equipment (such as CRC-, IEOD- and Dog Units and Correctional Officers) or have other special support needs will be elaborated as necessary.

Logistic support will be detailed in the OPLAN. It will cover the deployment, sustainment and redeployment of the mission.

4.2 Movements and transportation
Contributing States are responsible for the deployment, rotation and redeployment of their own personnel.

During the mission movement and transportation to/from and in theatre during the mission will be a responsibility of the ESDP HoM.

For security reasons, movement of personnel in theatre will be regulated by the ESDP HoM. It will be limited to the essential, in full respect of local traffic rules and road conditions.
Movement and transportation issues will be detailed in the OPLAN, ensuring that key mission personnel have adequate capacity for rapid reaction.

4.3 **Health and Medical support concept**
Appropriate elements will be detailed in the OPLAN.

4.4 **Legal and Financial control**
An internal legal and financial control, independent from the structures related to administration, will be placed under the direct responsibility of the HoM. This office will, on behalf of the HoM, directly relate to any appropriate external actor, notably the European Commission, as appropriate.
5. SERVICE SUPPORT

5.1 Legal aspects

Taking into account the concrete needs for the deployment of the Mission, the necessary arrangements will be put in place.

In order for ESDP Mission personnel to perform their tasks, EU experts must have unimpeded access to the relevant justice system, police and custom service institutions, including premises, relevant documents and information related to the activities of the aforementioned institutions.

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Appropriate arrangements will be established to enable the ESDP mission to collect, gather, process and exchange personal related data and criminal intelligence, making sure that the fundamental rights and freedoms of individuals, and in particular their right to privacy, are respected.

The necessary elements regarding use of force by the mission personnel will be contained in the OPLAN taking into considerations principles set out in reference O.

Arrangements with EUROPOL, the International Military Presence, OSCE, UN, and other international partners, where appropriate, may be concluded covering aspects of the implementation of the Mission.

The ESDP Mission will be a “no family” mission.
5.2 Information and Communication Strategy

The strategic framework for press and information activities for the ESDP Mission will be defined in accordance with the principles outlined in the relevant instruments\(^1\) and will aim at enhancing perception of the role and objectives of the mission in the framework of the EU's overall policy in Kosovo.

The ESDP Mission's press and public information activities will be conducted in close and continued coordination with the SG/HR spokesperson/Council Secretariat Press Office and relevant Commission services.

It is of key importance that all activities undertaken by the EU in Kosovo come across as a single, coherent policy. To that effect the EUSR will have a key responsibility for coordination in the field.

A timely comprehensive communication strategy for the ESDP mission, elaborated in coordination with the European Commission services and taking into account the overall short- to long-term EU engagement, will be a necessary tool.

5.3 Security

The Kosovo authorities will take all necessary and appropriate measures to ensure the security of mission members. These measures will, in case of need, be supported or substituted as appropriate by the International Military Presence in line with its mandate.

The Civilian Operations Commander will direct the Head of Mission's planning of security measures in accordance with the EU’s Policy on the Security of EU personnel deployed in an operational capacity under Title V of the TEU and its supporting documentation and ensure their proper and effective implementation for ESDP Mission in coordination with the Security Office.

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\(^1\) "Guidelines for ESDP Crisis Response Information Activities" (doc. 13817/02).
The Head of Mission shall be responsible for the security of the operation and will elaborate a Mission Security Plan in compliance with minimum security standards applicable to the operation defined by the Security Office.

The Mission Security Plan will be validated by the Security Office on the basis of recommendations of the CPCC’s Security Office Detachment.

Prior to the deployment of personnel, the HoM will ensure that arrangements for the security of the Mission members, including emergency and evacuation plans, are in place.

The HoM will ensure that the number of staff and authorised visitors never exceed the mission capability to cater for their safety and security and for their evacuation in an emergency situation.

The HoM will appoint a Senior Mission Security Officer who will - under the HoM responsibility - conduct the general management of all mission security aspects i.e. drawing up - or completing - and keeping up-to-date the mission security plan, organising the travel/movement authorisation process, ensuring effective and secure communications, the protection of EU classified information, etc.

The Senior Mission Security Officer will closely liaise with the Council Security Office on all protective security related matters.

All ESDP personnel will undergo mandatory security training, or equivalent national training, defined by the Security Office before deployment in theatre.


ESDP Minimum Security Operating Standards will be defined in the OPLAN.

6. COMMAND and SIGNAL

6.1 Command and Control

6.1.1 Chain of Command

1. The ESDP mission shall have a unified chain of command, as a crisis management operation.
2. Under the responsibility of the Council, the Political and Security Committee (PSC) shall exercise political control and strategic direction of the ESDP mission.
3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the SG/HR, is the commander of the ESDP mission at strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.
4. The Civilian Operation Commander shall report to the Council through the SG/HR.
5. The Head of Mission shall exercise command and control of the ESDP Mission at theatre level and shall be directly responsible to the Civilian Operation Commander.

6.1.2 Command positions. For the specific purpose of this operation:

1. All members of the mission remain under full command of their national authorities.
2. The ESDP Head of Mission shall be responsible for disciplinary control over the staff. For seconded personnel, disciplinary action shall be exercised by the national authority or EU institutions concerned.
3. Each contributing State should appoint a National Contingent Leader or National Contact Point (NCL or NCP) to represent each national contingent in the mission, responsible for contingent discipline.

6.1.3 Transfer/Delegation of authority

All seconded staff of the ESDP mission shall remain under the full command of the national authorities of contributing states or EU institutions. National authorities shall transfer Operational Control (OPCON) of their personnel to the CivOpCdr.

The Head of Mission shall exercise OPCON over personnel, teams and units from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility including over assets, resources and information put at the disposal of the mission.
The HoM shall be responsible for disciplinary control over the personnel. For seconded personnel, disciplinary action shall be taken by the national or EU authority concerned.
7. REPORTING AND INFORMATION EXCHANGE REQUIREMENTS

7.1 Guidelines

(1) the HoM shall report to the SG/HR through the Civilian Operation Commander. The adequate level of reporting to PSC shall be ensured in order to allow it to provide political control and strategic direction. Member States and the Commission have access to all the reports issued by the Mission. The Monthly Assessment Reports (MAR) and the Special Reports (SPEREP) will be systematically forwarded by the SG/HR to the MS and the Commission through the PSC or the CIVCOM and making due use of the ESDP Net as far as classified documents are concerned;

(2) contents: The ESDP Mission reports will be precise and concise in relation to the subject matter and will contain, as appropriate, a separate assessment on the Mission aims and achievements, based inter alia on performance indicators, with recommendations, as appropriate, of the signing authority;

(3) classification: The ESDP Mission reports should be classified according to Council Security regulations;

(4) communication system: Reports will be forwarded by appropriate technical means to ensure secure and timely transmission. The internal report chain will follow the chain of command;

(5) the Mission will require 24/7 operational support coverage in the Council Secretariat. To this effect, the WKC will be activated in Brussels\(^1\).

(6) The CPCC will provide technical guidance and support for the Mission.

(7) The HoM is responsible for providing up to date contact details of mission personnel.

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\(^1\) ref. WKC SOPs and Emergency Procedures also mention that until the WKC is in place, the Joint SITCEN will fulfil these functions
7.2 Reports

The following reports are to be provided by The ESDP Mission to the Civilian Operation Commander.

<table>
<thead>
<tr>
<th>REPORT</th>
<th>Frequency</th>
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<tbody>
<tr>
<td>SITREP (Situation Report)</td>
<td>Weekly</td>
</tr>
<tr>
<td>MAR (Monthly Assessment Report), including PERSREP (Personnel Report) and LOGREP (Logistic report)</td>
<td>Monthly</td>
</tr>
<tr>
<td>SPEREP (Special Report)</td>
<td>As Required</td>
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<tr>
<td>INCREP (Incident Report)</td>
<td>As Required</td>
</tr>
</tbody>
</table>

(1) in principle SITREP will be structured as follows:
- Executive Summary (including actions for the chain of command)
- Overall situation
  - Political
  - Security
  - Other aspects
- Mission Activities
  - Key Meetings
  - Operational
  - Others
- Media coverage
- Forecast
  - Events
  - Potential critical issues

(2) in principle the MAR will be structured as follows:
- Executive Summary - HoM assessment
- Overall assessment
  - General situation
  - Mission activities
  - Relations with HC authorities
  - Relations with EU, other IC organizations and representatives
  - Assessment of regional context
- Mission Progress in each Mission Objective
  - Results in accordance with the benchmarking of the Mission
  - Challenges
  - Other aspects
– Security Assessment (including Medical aspects)
– Public Outreach
    ⇒ Local coverage
    ⇒ International coverage
    ⇒ Visits to the mission
– PERSREP
– ADMINREP
– Month Ahead
    ⇒ Upcoming Mission activities in the next month
    ⇒ Upcoming HC events and/or challenges

The SPEREP will normally be composed of three parts:
– Description of the developments/events/issues
– An assessment of the effects on the mission
– Actions for the Chain of Command, as necessary

7.3 **Information Exchange**

The ESDP Mission will actively seek and exchange information with:

a) internal EU including EUSR, EUROPOL, FRONTEX, EUROJUST, European Commission and EU Heads of Mission within the AoR;

b) local authorities as appropriate;

c) an international civilian office;

d) international military presence regarding the security situation and development of operations on the ground;

e) other main international actors including ICTY, OSCE, INTERPOL, all of which can be valuable sources of Information.

Permanent procedures for such exchange of information should be set up by the HoM.

The ESDP Mission may liaise with NGOs on the ground as appropriate.
7.4 **CIS Concept**

(1) the ESDP HoM will decide on the policy of classification and release of documents within the Mission in accordance with the security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations;¹

(2) appropriate procedures and technical systems will be set in place to ensure confidentiality. Specific levels of protection will be defined;

(3) the ESDP mission will rely upon a timely and reliable communication network, including a back up system, able to support the structure of the Mission, ensuring security and mobility to the mission. The system will link the ESDP mission HQ to the General Secretariat of the Council of the European Union, to the EUSR’s Office and to all mission elements, and will comprise a combination of voice, fax and data communications;

(4) a radio network will be used;

(5) communications needs will be met primarily through the use of the Public Switched Telephone Network (PSTN) backed by commercial mobile or satellite telephones;

(6) special CIS solutions may be required in order to ensure the correct handling of intelligence information, especially in areas where the mission has an executive mandate;

(7) within means and capabilities, the CIS expertise of the mission could, if appropriate and on request, assist in technical matters in relation to the support to local authorities;

(8) in order to improve in-theatre co-ordination and situational awareness the system will also link the ESDP mission HQ to the International Military Presence HQ in Kosovo, directly and/or via liaison staff as is deemed necessary according to the classification of information;

(9) the CIS architecture will be detailed in the OPLAN and will be based on the Information exchange requirements to be established by the ESDP HoM;

(10) CIS maintenance: a decision on this must await an assessment of the internal and/or local maintenance expertise available and/or the availability of a service contract with the supplier.

### LIST of ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>24/7</td>
<td>24h hours per day / 7 days per week</td>
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<tr>
<td>AOR</td>
<td>Area of Responsibility</td>
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<tr>
<td>CAFAO</td>
<td>Customs and Fiscal Assistance Office</td>
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<tr>
<td>CFSP</td>
<td>Common Foreign and Security Policy</td>
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<tr>
<td>CIU</td>
<td>Central Intelligence Unit</td>
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<tr>
<td>CIVCOM</td>
<td>Committee for Civilian Aspects of Crisis Management</td>
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<td>CPU</td>
<td>Close Protection Unit</td>
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<td>CRC</td>
<td>Crowd and Riot Control</td>
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<td>DCA</td>
<td>Directorate of Criminal Analysis</td>
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<td>DOC</td>
<td>Directorate of Organized Crime (in Kosovo)</td>
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<td>DPKO</td>
<td>United Nations Department of Peacekeeping Operations</td>
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<tr>
<td>EAR</td>
<td>European Agency for Reconstruction</td>
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<tr>
<td>ECHR</td>
<td>European Convention on Human Rights</td>
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<td>EOD</td>
<td>Explosive Ordnance Disposal</td>
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<td>ESDP</td>
<td>European Security and Defence Policy</td>
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<td>EU</td>
<td>European Union</td>
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<td>EUPT(K)</td>
<td>European Union Planning Team (for Kosovo)</td>
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<td>FIC</td>
<td>Financial Information Centre</td>
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<td>FIU</td>
<td>Financial Investigation Unit (in Kosovo)</td>
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<td>FPU</td>
<td>Formed Police Units</td>
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<td>IBM</td>
<td>Integrated Border Management</td>
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<tr>
<td>ICC</td>
<td>International Criminal Court</td>
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<tr>
<td>ICO or ICM</td>
<td>International Civilian Office / Mission (in Kosovo)</td>
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<tr>
<td>ICR</td>
<td>International Civilian Representative (in Kosovo)</td>
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<tr>
<td>IEOD</td>
<td>Improvised Explosive Ordinance Disposal</td>
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<td>IPO</td>
<td>International Police Officer</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>KCS</td>
<td>Kosovo Correctional Service</td>
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<td>KFOR</td>
<td>Kosovo Force (NATO)</td>
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<td>KJC</td>
<td>Kosovo Judicial Council</td>
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<td>KPA</td>
<td>Kosovo Property Agency</td>
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<td>KPS</td>
<td>Kosovo Police Service</td>
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<tr>
<td>KTA</td>
<td>Kosovo Trust Agency</td>
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<tr>
<td>MHQ</td>
<td>Main Police Headquarters</td>
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<td>MoJ</td>
<td>Ministry of Justice</td>
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<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>MSORS</td>
<td>Minimum Security Operating Residential Standards</td>
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<tr>
<td>MSOS</td>
<td>Minimum Security Operating Standards</td>
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<tr>
<td>MSP</td>
<td>Mission Security Plan</td>
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<td>MSU</td>
<td>Multinational Specialized Unit</td>
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<tr>
<td>OSCE</td>
<td>Organisation for Security and Co-operation in Europe</td>
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<tr>
<td>PCC</td>
<td>Property Claims Commission</td>
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<td>PIK</td>
<td>Police Inspectorate of Kosovo</td>
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<td>PISG</td>
<td>Provisional Institutions of Self-Government</td>
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<td>PSU</td>
<td>Professional Standards Unit</td>
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<td>RHQ</td>
<td>Regional Headquarters</td>
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<td>ROSU</td>
<td>Regional Operational Support Unit</td>
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<td>SAP</td>
<td>Stabilisation and Association Process</td>
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<tr>
<td>SECI</td>
<td>Southeast European Cooperation Initiative</td>
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<tr>
<td>SEEPAG</td>
<td>The Southeast European Prosecutors Advisory Group</td>
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<tr>
<td>SRSG</td>
<td>Special Representative of United Nations Secretary General</td>
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<tr>
<td>UNHCR</td>
<td>United Nations High Commission for Refugees</td>
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<tr>
<td>UNMIK</td>
<td>United Nations Interim Administration in Kosovo</td>
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<td>UNOPS</td>
<td>United Nations Office of Project Services</td>
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<td>UNOSEK</td>
<td>United Nations Office of the Special Envoy for Kosovo Status Settlement</td>
</tr>
<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
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<td>United Nations Security Council Resolution</td>
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