



Kosovo - Researched and compiled by the Refugee Documentation Centre of Ireland on 12 October 2010

Information on Police Corruption in Kosovo.

The August 2010 *United States Department of State Country Report on Terrorism in Kosovo* notes:

“The Kosovo Police (KP) and EULEX Police Counterterrorism Units (CTUs) were primarily responsible for Kosovo's counterterrorism efforts. The KP's CTU continued to suffer from a lack of resources, training, and expertise. On July 22, the KP CTU became fully independent, with EULEX acting only in a monitoring, mentoring, and advising role.[3] The KP CTU focused on preventing terrorist attacks and training and equipping its officers.

Porous borders that were easily crossed by individuals trafficking in people, weapons, and narcotics hampered Kosovo's counterterrorism efforts. The Kosovo Border Patrol (KBP) and KFOR (NATO Kosovo Force) jointly patrolled the "Green Border" perimeter, the area where there are no official manned borders or border gates. The KBP and KFOR patrols along the "Green Border" were conducted with their cross national counterparts along the Macedonian, Montenegrin, and Albanian borders. Poorly paid border and customs officials were susceptible to bribery and corruption.” (United States Department of State (5 August 2010) *2009 Country Reports on Terrorism – Kosovo*)

A June 2010 *Human Rights Watch* report questions the Kosovan police, stating:

“Brussels - The European Union Mission in Kosovo should set an independent inquiry into a Kosovo police operation on June 12, 2010, in which riot police appeared to have used excessive force, Human Rights watch said today. The operation began as an attempt to arrest a political activist, Albin Kurti, leader of the Self-Determination Movement (Vetevendosje).

The episode, part of which was captured on video, began after Vetevendosje held a news conference to celebrate its fifth anniversary, during which Kurti announced the group's intention to participate as a party in upcoming general elections. Two police officers arrived at the group's headquarters in central Pristina, Kosovo's capital, with a warrant for Kurti, based on charges relating to violence following a 2007 demonstration by the group. The police were carrying out an arrest warrant issued by the European Union Mission in Kosovo (EULEX), which has responsibility for oversight of policing and justice in Kosovo.

"The footage of this operation makes for disturbing viewing," said Wanda Troszczynska-van Genderen, Western Balkans researcher at Human Rights Watch. "An independent investigation into this incident is vital to guarantee the credibility of the police and to protect the rule of law."” (Human Rights Watch (15 June 2010) *Kosovo: Investigate Police Operation*)

The same article continues adding:

"The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials provide that authorities shall, as far as possible, apply nonviolent means before resorting to the use of force and firearms. The Basic Principles provide that if the lawful use of force and firearms is unavoidable, then the authorities must use restraint and act in proportion to the seriousness of the offense. Lethal force may be used only when strictly unavoidable to protect life. The Basic Principles also call for an effective reporting and review process, especially in cases of death and serious injury.

"The Kosovo Police Service has serious questions to answer about this arrest operation," Troszczyńska-van Genderen said. "The police should open their own internal investigation, but an independent review is also vital for transparency and accountability." (ibid)

Under the heading 'Executive Summary and Recommendations', a May 2010 *International Crisis Group* report notes:

"In some respects, Kosovo's reputation for lawlessness is exaggerated. The country has a low rate of violent crime, inter-ethnic crime is rare, and Serbs in most of Kosovo live securely. But the judicial system is weak. Few crimes end with their perpetrators in prison. Court procedures suffer from widespread distrust, fearful or unwilling witnesses and shoddy work by prosecutors. On the civil law side, it is all but impossible for citizens and domestic and international corporations to enforce their rights in court. Property disputes are widespread, and since they cannot be reliably resolved in court, occasionally degenerate into violence. The dysfunctional civil law system, choked with a backlog of cases stretching back to 2000-2001, scares off investment. Demoralised and exhausted judges both struggle under the case backlog and are dogged by a reputation for corruption and favouritism. Plaintiffs endure baffling rounds of appeals, remands and delays, often featuring deliberate errors. Bribery and even violence have become attractive means of extrajudicial dispute resolution." (International Crisis Group (19 May 2010) *The Rule of Law in Independent Kosovo*)

Section IV.C of the same report under the heading 'Police', adds:

"The police are the only major Kosovo institution in the North. The four northern police stations are largely Serb-staffed, but all have some Albanian officers who mostly work in the Albanian neighbourhoods and villages. The Serb police chiefs lack the faith of locals, the international community and Pristina alike; one, the subject of four separate PIK complaints, has been seen in the company of notorious criminals. Locals tend to see the police as inefficient, inexperienced and corrupt, while Serb politicians in Mitrovica openly ask for former Serbian officers to be vetted and appointed to the KP in order to improve the force.

Although formally part of the same organisation, Serb police in the North have only limited contact with colleagues south of the Ibar. Station commanders attend meetings only sporadically and sometimes prefer to report privately; orders from Albanian superiors can be ignored. In theory, northern commanders deal only with EULEX, which passes their reports to Pristina. Many officers in the North draw two salaries, from

Kosovo and Serbia, although there is no evidence they accept instructions from Serbia. The regional headquarters in south Mitrovica is struggling to establish good links with the local Kosovo Serb officers – EULEX monitors describe the relationship as “generally poor”. This is an area where EULEX could be of great assistance. The EU rule-of-law mission in Bosnia has worked hard to improve communications between police, but this does not seem a priority for EULEX, whose otherwise comprehensive 2009 program report had only a single footnote for North Mitrovica.” (ibid, p.21)

Section 1d of the March 2010 United States Department of State Country Report on Human Rights Practices for Kosovo, under the heading ‘Role of the Police and Security Apparatus’, notes:

“Corruption and government influence remained problems in the security forces. For example, on August 27, the police arrested fellow police officer Lieutenant Sejdi Zeqiri, the commander of Obiliq/Obilic police station. Zeqiri was arrested for abuse of official authority, bribery, and sexual harassment. At year's end, Zeqiri remained under house arrest and the investigation continued.” (United States Department of State (11 March 2010) *2009 Human Rights Report: Kosovo*)

With regards to corruption in the Kosovan judiciary, an April 2010 article from the *International Relations and Security Network (ISN)* states:

“Although the Kosovo government has made strides to reign in lawlessness, much more needs to be accomplished to stabilize law enforcement and tackle corruption. A recent study by the Kosovo Democratic Institute (KDI) says that the judiciary is the most corrupt sector. The Parliament passed a reform of the country's anti-corruption agency law in January, but it remains a common practice to bribe legal officials to speed up procedures in public administrations or motivate closures of criminal investigations. State tenders are frequently said to be predetermined because of nepotism, frustrating foreign investors.

While the international community seems to expect quick results, it will be a very slow process that sees Kosovo's decision makers learning by doing. Kosovo's eventual EU integration will, in part, depend on its ability and will to make the courts independent and free from political influence. Transferring this from paper to reality will be done against great odds.” (International Relations and Security Network (ISN) (8 April 2010) *Making Kosovo's Judiciary Work*)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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