



Republika e Kosovës
Republika Kosovo-Republic of Kosovo
Qeveria – Vlada- Government

2012-2017

**NATIONAL STRATEGY AND ACTION PLAN
OF THE REPUBLIC OF KOSOVO
AGAINST ORGANIZED CRIME**

June 2012, Prishtinë



***STATE STRATEGY AND THE ACTION PLAN OF THE REPUBLIC
OF KOSOVO
AGAINST ORGANIZED CRIME
2012-2017***

CONTENT

ACRONYMS.....4

I. SUMMARY.....5

II. INTRODUCTION.....6

III. CURRENT SITUATION.....7

IV. VISION, MISSION AND THE STRATEGIC AIM..... 11

V. GENERAL PRINCIPLES.....11

1. Principle of constitutionality and legality11

2. Principle of priority.....11

3. Principle of professionalism.....11

4. Principle of continuity.....12

5. Principle of reliability.....12

6. Principle of human rights and freedoms.....12

7. Principle of security.....12

8. Principle of proportionality.....12

VI. LEGAL FRAMEWORK12

VII. INSTITUTIONAL MECHANISMS.....14

1. National Coordinator.....14

2. Secretariat14

3. Ministry of Internal Affairs.....14

4. Ministry of Finances14

5. Ministry of Trade and Industry.....14

6. Ministry of Justice.....15

7. Kosovo Judicial Council.....15

8. Kosovo Prosecution Council.....15

9. Prosecutions and Courts.....15

10. Ministry of Infrastructure.....15

11. Kosovo Intelligence Agency.....15

12. Kosovo Anti Corruption Agency15

13. Ministry of Foreign Affairs.....15

14. Ministry of Education, Science and Technology.....15

15. Ministry of Culture, Youth and Sports.....16

16. Ministry of Health.....16

17. Ministry of Labour and Social Welfare16

VIII. STRATEGIC OBJECTIVES16

IX. CONSIDERED ALTERNATIVES18

X. ENFORCEMENT AND EVALUATION OF THE STRATEGY.....18

1. The role of monitoring system.....18

2. Institutional capacities for monitoring and evaluation.....19

3. Selection of monitoring and evaluation indicators.....19

4. Intermediate indicators.....20

5. Monitoring and evaluation instruments20

6. Dissemination and use of monitoring and evaluation results..... 20

XI. ACTION PLAN20

ABBREVIATIONS

KIA	Kosovo Intelligence Agency
ACA	Anti Corruption Agency
TRA	Telecommunication Regulatory Authority
KTA	Kosovo Tax Administration
EU	European Union
KC	Kosovo Customs
DaOC	Directory against Organized Crime
ICITAP	International Crime Investigation Training Assistance Program
KJC	Kosovo Judicial Council
KPC	Kosovo Prosecution Council
KCC	Kosovo Criminal Code
CPCCK	Criminal Procedure Code of Kosovo
NC	National Coordinator of the Strategy
MEST	Ministry of Education, Science and Technology
MJ	Ministry of Justice
MF	Ministry of Finances
MCYS	Ministry of Culture, Youth and Sports
MIA	Ministry of Internal Affairs
MLSW	Ministry of Labour and Social Welfare
MFA	Ministry of Foreign Affairs
MH	Ministry of Health
MTI	Ministry of Trade and Industry
MI	Ministry of Infrastructure
NGO	Non Governmental Organizations
OSCE	Organization for Security and Cooperation in Europe
KP	Kosovo Police
FIU	Financial Intelligence Unit
SECI	South Eats Cooperation Initiative
OPM	Office of Prime Minister

I.SUMMARY

This Strategy is a documents which will present the overall situation, current situation, the institutional mechanism, current deficiencies, basic principles in combating the organized crime along with some key factors for attaining the success and finally to determine the possible aims and modes (as well as the institutions) to attain them.

The National Strategy against Organized Crime of the Republic of Kosovo, for the period 2012 – 2017, is a continuation of the previous strategy and is pursuant to the Constitution of the Republic of Kosovo and the applicable legislation in the Republic of Kosovo, as well as in the international legal instruments and best international practises in the field of prevention and fight against organized crime. While the previous strategy has had as aim the establishment – construction of the institutional mechanism, this strategy aims at increasing the efficiency and effectiveness of institutions and of the Kosovo society in this area.

This strategy has been structured in such manner in order to clearly identify the objectives and activities required to be met, in order so that the entire institutional mechanism to enter in the function of a successful prevention and fight against Organized Crime in Kosovo, as well as being serious partner with other countries in the international efforts to fight against this phenomenon through international cooperation.

Diversity or the variety of different criminal groups operations and location or the territory in which they operate provides tools to more effectively adapt to changing of situations in a country, while using the weaknesses of the international cooperation of law enforcement bodies. In this context, there is no country that is completely safe and protected against the organized crime and therefore the Republic of Kosovo does not make any exception. This strategy aims to increase even more the efforts of the Kosovo institutions in the field of international cooperation.

The National Strategy against Organized Crime aims at assisting the development and enforcement of policies by strengthening the institutional capacities against this type of crime at all levels of institutional and social organization.

Policies on controlling and prevention of organized crime should be based in the deep understanding of what the organized crime represents according to international standards, which is the scope, the methods of operations and crime trends in one country or in a certain region.

The purpose of the strategy is to rationally use the material, financial and human resources in order to establish the institutional, cooperation and coordination mechanisms in the fight against organized crime.

The Republic of Kosovo has been making efforts to improve the situation in the field of rule of law and to efficiently deal with the fight against organized crime which is a precondition for progress towards the European path, by implementing a reliable and realistic policy in this regard.

The purpose of this strategy is to further develop policies for the acquisition of responsibilities in protection of individuals and of society, and problems which are consequences of the organized crime.

Drafting this national strategy is oriented in determining objectives, and preparation of the cadre as well as joint activities of all institutions, which will undertake in the next five years (2012 – 2017).

II. INTRODUCTION

Organized crime is considered as a threat against the internal and international security. This threat may be manifested in various forms in compliance with the evolution of the economic and social life, in particular in the circumstances of globalization.

Organized crime activities in the globalization period have been greatly perfected, because many organized crime groups operate with very sophisticated technical tools, which are hard to be traced. Organized crime in the simplest form has the form of irregular enterprises which are accessed in criminal activities of various forms, through transnational activities. Organized crime groups are the main players in the illegal industries, as the production of narcotics and trafficking with human beings which are extended in global scale and sometimes profit more than the GDP of some countries.

International criminal networks have also the flexibility to quickly and creatively adapt to efforts of the law enforcement bodies. These groups are able to successfully evade the efforts of law enforcement bodies, in particular of bodies responsible for the prevention and fight against organized crime, through operation which are involved in the international theatre by passing national state borders many times.

The geostrategic position of the Republic of Kosovo in Balkans as well as circumstances emerged after the war, specially the situation at the northern part of the country, where in particular illegal structures which operate there enable various criminal groups to develop activities of organized crime. Highest rates of unemployment and poverty contribute as well in the creation of favourable conditions for the development of crime in general and the organized crime in particular.

At the global scale there wasn't a generalized understanding as concerning the organized crime up to the year 2004 when the Convention of United Nations for the Fight against Organized Crime was approved for the first time.

This convention presents the outlines of organized crime and defines the constitutive elements of this criminal offence. According to this convention the organized crime is defined as follows: "a group structured by three or more individuals, who act in cooperation, with the view to ensure, directly or indirectly, a financial profit or another material profit".

The convention into question contains the additional protocols that specifically address issues related to:

1. Prevention, suppression and punishment of trafficking of persons, specially of women and children;
2. Contraband with migrants, and
3. Illicit production and trafficking with weapons, weapon parts and ammunition.

Even the European Union based on the aforementioned convention has defined the organized crime. Anyhow, the efforts for a common definition of organized crime in EU have originated in the year 1997, where EU has ratified one document which is based in one list of 11 characteristics of organized crime.

The Republic of Kosovo, in its criminal code, pursuant to the United Nation Convention for the Fight against Organized Crime and its Protocols, has defined the organized crime, as a sever crime committed by a structured group to directly or indirectly profit financial or material benefit.

The code into question, gives also the definitions for the organized and structured criminal group as well as for the sever crime, which existence is a prerequisite to describe this offence.

Based on this, with an organized criminal group we imply a structured group existing for a certain period of time and acting in concert with the view to commit one or more severe crimes for the direct or indirect benefit of financial or material benefit.

A structured group implies a group composed of three or more individuals which group is not randomly established for the immediate commission of the offences and it doesn't mean to formally have the roles defined for its members, the continuity of its membership or the structure developed.

As well, the KPC defines the sever crime and that as a criminal offence which is punishable by imprisonment of at least four years.

III. CURRENT SITUATION

Institutional access and fight to prevent and combat various forms of organized crime in the Republic of Kosovo, have continued to be guided by many difficulties in terms of inter-institutional coordination, difficulties in terms of their coordination within the international community and the extension of the rule of law in the whole territory of the Republic of Kosovo.

Direct and indirect destructive effects which are a result of criminal activities of organized criminal groups inside and outside of our territory, pose great danger to the security of the Republic of Kosovo and to its citizens.

These effects have been impacting our economy which is still in its development stages and its macro-financial stability.

Not recognizing the barriers in terms of their nationality, the criminal groups have managed to make perfect their ways of communication when committing criminal activities in regional and transnational terms.

Situated in an environment where the state institution is absent for the regular control of the border line (northern part of the country), the criminal groups (Serbs, Albanians and Bosnians) continue to control and to open alternative routes for all types of contraband, trafficking with narcotics, trafficking with weapons and with human beings, avoiding customs liabilities and payment of regular taxes, and other forms of criminal activities.

Such forms of organization and action constitute the new architecture of organization of criminal structures in Kosovo.

Albanian criminal groups for their own criminal interest cooperate with criminal structures of the northern part of the country (Serbian and Bosnian community) which are used by state structures of the Republic of Serbia for their nationalist interests and territorial claims in relation to the Republic of Kosovo.

Benefits from the black market are millions while the damage in our economy is enormous. From this situation the biggest beneficiaries are the criminal groups, while the most damaged and jeopardized are the Kosovo economy and the local citizens who are isolated and ghettoized from the criminal organized groups who operate in that area.

We consider that the normal life of the citizens of that part is directly affected by the daily activities of criminal groups in terms of organization and implementation of criminal orders of the leaders of these groups.

A direct view of the developments in terms of safety and the extent of the black market and criminal activities within our territory, reflects indications in terms of increasing the negative effect on our economy.

A legislation with more liberal provisions in the region, insufficient border control, especially in the northern part of the country, create preconditions for the expansion of black-criminal economy, an activity that has commenced to present a serious threat to the economy of the country, distorting competition and endangering the democratic functioning of the institutions.

This analysis of the current situation in relation to the activities of criminal groups in the Republic of Kosovo covers only the phenomenon of trafficking in narcotics, arms and ammunition, trafficking in human beings, the phenomenon of corruption and money laundering and smuggling of migrants (from abroad Kosovo when criminal groups are used as a transit point and criminal groups as supportive and logistical groups, and trafficking of our citizens towards the European Union through the falsification of documents).

A part of narcotics trafficking has been conducted through the northern part which is uncontrolled by the security structures of the Republic of Kosovo. The local police there, which operate under the uniform of the Kosovo Police, carry out its activities under the orders of the secret services which do not allow the establishment of law and order, but also support the leaders of criminal structures that control the cocaine market from the Republic of Serbia towards Kosovo.

The rest of the light drugs like marijuana, come mainly from the market of region countries through illegal or concealed routes in small amounts through the border points.

Heroin as a drug category less consumed in Kosovo, mainly comes from the eastern countries through the routes and organized criminal groups to be transported then towards other European Union countries.

Contraband as a phenomenon which is adversely affecting the economic development of Kosovo includes criminal activities of contraband with fuel and fuel derivatives, tobacco, alcohol, various medications, various smuggled goods, which cost millions of euro to the budget and at the same time are the main cause of distortion of competition and uncontrolled adverse effects in the consumers health itself in the Republic of Kosovo.

Regarding the phenomenon of human trafficking, Kosovo continues to be destination of different criminal routes mainly trafficking from eastern countries towards our territory. Organized criminal groups exploit the existing legal and administrative gaps for trafficking, for the purposes to exercise prostitution within our territory. Due to the great benefits, the criminal structures have managed to consistently, through criminal forms and routes, use bribery and corrupt the competent officials to provide residence permits and work permits to the victims of trafficking.

A phenomenon that concerns and poses serious threat is the trafficking of weapons and ammunition. Kosovo is a destination but a transit country as well, mainly for trafficking between criminal structures that operate in the region countries. The northern part of the Republic of Kosovo continues to be used for the penetration of weapons and ammunition for the domestic market but also in the region. These roads are used for trafficking and entering the short arms mainly produced by the Serbia itself, for the Kosovo market but also other countries in the region.

Socio-political changes in the countries of North Africa and the Middle East affect also the Republic of Kosovo in terms of trafficking of migrants. This type of criminal activity involves two kinds of activities of criminal groups, the trafficking of our citizens towards different countries of the European Union and the possibility of creating and supporting transit routes for illegal immigrants from North Africa and the Middle East.

In both cases, Serb and Albanian criminal groups exploit the activity of international organized crime structures.

Corruption and money laundering constitute the newest and most advanced form in the institutional life and constitute one of the biggest risks against the national security and the safety of citizens. Large amounts of money obtained illegally through extortion or other forms of corruption are generally introduced to the market of real estates, gambling and high collectively buildings.

In the absence of a legal infrastructure for the origins of property, prevention of money laundering and confiscation of property, the criminal groups have managed to legalize their million properties arising from criminal activities within and outside the territory of Kosovo (fragile legal framework).

Based on regular analysis of security structures in the Republic of Kosovo and regular analysis of security institutions in the European Union and beyond, the first

indications talk about the diversity and the perfectionism of criminal groups in the European Union in general and in the Republic of Kosovo and in our region in particular. Criminal groups are able to adjust and operate depending on the conditions for the exercise of criminal activity. These groups have become more collaborative and poly - criminal.

What security institutions should be careful about is that these phenomena cannot be fought in individual forms and ways only from the law enforcement agencies. Preventing and combating criminal groups and their activities should be handled by a dimension of existence of an uninterrupted cycle of links and cooperation by local, regional and international groups. Preventing and fighting crime requires inter institutional cooperation and coordination, these phenomena cannot be fought only by the security agencies. It requires a central coordination level of intelligence coordination and analysis with the aim to impact in the prevention and combating.

Identification, localization, and profiling of criminal groups in the local term, would help the security institutions in identifying, locating and profiling the criminal groups with regional and international character. Indications point out to a new beginning of the impact also in judiciary structures and in the Kosovo Police.

Economic crisis with particular effect in the Eurozone has reduced the European Union's financial support for developing countries in the field of preventing and combating the organized crime. This is one of the difficulties which has starting to be felt to security budget planning structures in terms of international assistance in equipment and provision of assistance in terms of professional expertise.

As the most concerning issue remains the emergence of indications of an early involvement of officials from security agencies and institutions of the judiciary and prosecution in corruption affairs and in camouflage and coverage of criminal activities and in supporting criminal groups within our territory. It remains also as concerning issue the infiltration of criminal structures and stakeholders within the decision-making bodies but also in the operational and informational structures itself of the Kosovo Police. Difficulties arise in the case of de - conspiracy of operative actions in terms of preventing and combating criminal organized groups.

We believe that a comprehensive treatment and coordination at local, regional and international aspect will be the key to success in the fight against organized crime.

The strategic treatment, professional approach and the use of best practices will only help in identifying, profiling and penalization of criminal structures which are being perfected day by day in covering their activities.

Responsible institutions should start the development and enforcement of sound cadre policy, especially in the context of Security Agencies and law enforcement institutions. Comprehensive policies and the treatment of negative phenomena in the strategic and institutional aspects should be studied and treated not only by security institutions but the thought and the treatment should be taken by professionals and individuals who research and study the negative phenomena in society.

Security agencies in coordination and cooperation with intelligence channels should work in prevention, identification and destruction of logistics bases which are being

used by criminal groups during transit when carried out their activities.

A more detailed study of the current criminal market within our territory and beyond would only help in easy identification of the type and modes of action of the criminal groups.

IV. VISION, MISSION AND THE STRATEGIC AIM

Vision

The vision of this strategy is to build a safe society by minimizing and disabling activities of organized crime in the territory of the Republic of Kosovo.

Mission

The mission of this strategy is the development of policies for acquisition of responsibilities in the protection of individuals and of the society, as well as for problems which emerge as a consequence of organized crime. This is attained by defining the strategic objectives, the specific objectives and the concrete activities for the enforcement of the strategy.

Strategic aim

The aim of this strategy is by rationally using the material, financial and human resources to develop policies for the acquisition of responsibilities for the protection of individuals and the society and for problems arising as a consequence of organized crime.

V. GENERAL PRINCIPLES

The National Strategy against Organized Crime and the Action Plan are led by the following principles:

- 1. Principle of constitutionality and legality** – Actions undertaken should be based on the provisions set forth in the Constitution of the Republic of Kosovo, in the applicable legislation as well as in international agreements.
- 2. Principle of priority** – Prevention and fight against organized crime is a priority for the institutions of the Republic of Kosovo. The overall commitment to seriously deal with this problems is a crucial element.
- 3. Principle of professionalism** – Combating organized crime requires good experts, exchange of experiences, appropriate tools / best practises. This indicates the combination of training, education and professional development for institutions of the Republic of Kosovo, and ensuring that only specialists of the best quality are recruited.
- 4. Principle of continuity** – Activities should be seen as part of an ongoing strategy. This is especially important due to the existence of administrative / procedural time limits as well as because various initiatives / activities will be

necessary to be related in actions which will last for years.

5. **Principle of reliability** – Institutions responsible for the prevention and combating the organized crime should be cautious to build the confidence in the preservation of data and information from the misuse from those who have access to them.
6. **Principle of human rights and freedoms** – This means the guarantee of rights and freedoms of all individuals regardless their ethnicity, gender, age, religion at all stages of institutions engagement for the prevention and fight against organized crime.
7. **Principle of safety** – This principle means guaranteeing the rights for safety and protection to all citizens through the prevention and reduction of all forms of organized crime.
8. **Principle of proportionality** – Means the exercise of authority of institutions that deal with the prevention and combating of organized crime only when it is necessary and only to the extent required to attain legitimate objectives, with appropriate means and methods, in shortest time possible and with less harmful consequences.

VI. LEGAL FRAMEWORK

In the fight against organized crime, the Republic of Kosovo has a broad legislative base into force, where the primary legislation may be mentioned but not limited only to:

1. The Constitution of the Republic of Kosovo;
2. Kosovo Criminal Code;
3. Kosovo Code of Criminal Procedure;
4. Law no 04/L-076 on Police;
5. Law no 02/L-128 on Narcotic medicine, Psychotropic Medicine and Precursors;
6. Law no 03/L063 on Kosovo Intelligence Agency;
7. Law no 03/L-199 on Courts;
8. Law no 03/L-225 on State Prosecutor;
9. Law no 03/L-224 on Kosovo Prosecution Council;
10. Law no 03/L-223 on Kosovo Judicial Council;
11. Law no 03/L-052 on Special Prosecution of the Republic of Kosovo;
12. Law no 03/L-053 on Jurisdiction, Selection and Assignment of Cases of EULEX Judges and Prosecutors in Kosovo;
13. Law no 04/-L-015 on Witness Protection;
14. Law no 04/L-043 on Informants protection;
15. Code no 03/L-193 on Justice for Adults;
16. Customs and Excise Code;
17. Law no 03/L-191 on Execution of Criminal Sanctions;
18. Law no 03/ L-183 on Implementation of International Sanctions;
19. Law no 03/L-137 on Forensic Medicine Department;
20. Law no 03/L-142 on Public Order and Peace;
21. Law no 03/L-196 on Prevention of Money Laundering and Financing of Terrorism;

22. Law no 03/L-231 on Kosovo Police Inspectorate;
23. Law no 03/L-216 on Establishing the Deposits Insurance System for Financial Institutions in Kosovo;
24. Law no 04/L-030 on Responsibilities of Legal Persons on Criminal Offences;
25. Law no 04/L-31 on International Judicial Cooperation in Criminal Matters;
26. Law no 04/L-052 on International Agreements;
27. Law no 04/L-078 on Overall Security of Products;
28. Law no 04/L-072 on State Border Control and Surveillance;
29. Law no 04/L-093 on Banks, Micro Financial Institutions and Non – Banking Financial Institutions;
30. Law on Social Protection;
31. Law no 02/L-57 on Culture Institutions;
32. Law no 03/L166 on Cyber Prevention and Combating;
33. Law no 03/L-063 on Anti Corruption Agency;
34. Law no 04/L051 on Prevention of Interests Conflict when Exercising Public Function;
35. Law no 03/L-238 on Civil Aspects of International Child Abduction;
36. Law no 03/L141 on Administering the Sequestered and Seized Property.

As well, it is worth mentioning that the Republic of Kosovo with the purpose to complete the legal infrastructure that affects the fight against organized crime is in the process of drafting and approving the draft laws, with particular emphasis the following:

1. Draft law on Extended Powers for the Seized Property Obtained by Criminal Offence;
2. Draft law on Prevention of Money Laundering;
3. Draft law on Managing the Sequestered and Seized Property;
4. Draft law on Declaration and Origins of Wealth of Senior Public Officers;
5. Draft law on Payment Transactions;
6. Draft law on Amendment and Supplementation of the Law on Execution of Criminal Sanctions;
7. Draft law on Amendment and Supplementation of the Criminal Code;
8. Draft law on Amendment and Supplementation of the Criminal Procedure Code;
9. Draft law on Information Classification and Security Clearance;
10. Draft law on the Protection of Personal Data;
11. Draft law on Courts;
12. Draft law on the Public Prosecution;
13. Draft law on Amendment and Supplementation of the Customs and Excise Code no 03/L-109- 04/L-099 dated 06.01.2012.

The Convention and international acts directly applicable in the Republic of Kosovo that affect the fight against the organized crime are the following:

1. Universal Declaration on Human Rights;
2. European Convention for the Protection of Human Fundamental Rights and Freedoms and its Protocols;
3. Convention against torture and other cruel, inhuman and degrading treatment

and punishments.

The Republic of Kosovo has been making efforts to join international organizations, which would enable the ratification and implementation of international conventions and other instruments in the fight against organized crime.

VII. INSTITUTIONAL MECHANISMS

The Institutional mechanism comprises all mechanisms that have a role and are important in the coordination of activities in the fight against organized crime.

In order to prevent and combat the organized crime in the Republic of Kosovo, the following institutions have the duties and responsibilities:

- 1. National Coordinator** - The National Coordinator is an individual body responsible to concert, coordinate, monitor and report on the implementation of policies, activities and actions related to the fight against organized crime.
- 2. Secretariat** - The right, the duty and the responsibility of the secretariat is to gather information and data from other institutions, in order to analyze and evaluate such information, as well as to prepare analytical reports for the National Coordinator.
- 3. Ministry of Internal Affairs** - MIA has a functional role in achieving the objectives set out in this strategy. Kosovo Police as a law enforcement agency within the frame of MIA has full responsibility in the fight against all forms of organized crime. Kosovo Police and Customs, along with other institutions are key actors in preventing and combating criminal activities not only at Kosovo Border but also in the entire territory of Kosovo.
- 4. Role of Ministry of Finances** – MF through Customs, the Financial Intelligence Unit and Tax Administration, will help prevent the cross-border flow of goods and materials aimed at activities related to all forms of organized crime. The role of this ministry has to do with helping in the identification, reporting and blocking the financing activities related to organized crime. The mission of Kosovo Customs is to protect the state, economy and citizens through contributions to economic issues and contribute to security.

The Financial Intelligence Unit, as an independent national and central institution within the frame of the Ministry of Finance, responsible for receiving, analyzing and disseminating information relating to money laundering and terrorist financing. FIU in order to prevent and combat as efficiently the money laundering, cooperates with all law enforcement institutions such as: Kosovo Police, Kosovo Customs, Tax Administration of Kosovo, Prosecution, etc., as well as with International FIU (similar institutions) for the purpose of exchanging the information to combat money laundering and terrorist financing.
- 5. Ministry of Trade and Industry** - Will help in the fight against organized crime to prevent the flow of goods, provision of services through cooperation and coordination in support of the institutions.

- 6. Role of the Ministry of Justice** - The Ministry of Justice is very important part of the Strategy against Organized Crime and is engaged to:

 - Provide necessary conditions for the Prosecution in particular the Special Prosecutor, which is considered as a key institution in the fight against organized crime;
 - Strengthening and functioning the rule of law that will help in the fight against organized crime;
 - Completion of the legislation in the field of rule of law in order to increase efficiency in achieving its strategic goals in the fight against criminality linked to the organized crime.
- 7. Kosovo Judicial Council** - Ensures that courts in Kosovo are independent, professional and impartial, with the view that the judicial system to be more efficient in the fight against organized crime and other forms of criminality.
- 8. Kosovo Prosecution Council** - Ensures that the prosecution system in Kosovo is independent, impartial and professional in pursuing, investigation and detection of criminal offenses and to represents the indictments before courts on the behalf of the state.
- 9. Prosecutions and Courts** – Are the institutions responsible for criminal prosecution of perpetrators, their adequate punishment, for confiscation of property and assets obtained by the means of criminal activities.
- 10. Ministry of infrastructure** – Has a role in the fight against organized crime through cooperation and coordination with other institutions within its scope and the responsibilities for providing support to institutions involved in preventing and combating the organized crime.
- 11. Kosovo Intelligence Agency** - It is a body which collects, assesses and provides information about threats from organized crime activities against the security of Kosovo.
- 12. Anti Corruption Agency** - It is an independent and specialized body which deals with preventing and combating the corruption. The agency collects, analyzes and carries out preliminary administrative investigation of alleged cases of corruption and submits them to the prosecutor. It supervises the property of senior public officers and prevents the conflicts of interest.
- 13. Ministry of Foreign Affairs** – Has a role towards the provision of assistance for international cooperation in the fight against organized crime.
- 14. Ministry of Education, Science and Technology** – Plays an important role in the prevention of organized crime through education, curriculum, cross-curricular approach and various extra-curricular activities.
- 15. Ministry of Culture, Youth and Sports** - Ministry of Culture, Youth and Sports in the fight against organized crime has a role in the organization of awareness activities (campaigns) with the youth and informal groups, in order to raise awareness of the dangers of the organized crime (trafficking, drugs and prostitution) and with the view to prevent it.
- 16. Role of the Ministry of Health** - Ministry of Health participates in the

prevention, treatment, medical rehabilitation of the victims of organized crime. This is carried out through legal acts, strategies, relevant plans, clinical protocols, treatments and by the provision of materials and medicaments.

- 17. Ministry of Labour and Social Welfare** – The role of the Ministry of Labour and Social Welfare is to draft plans and programs for the protection of family, individuals and in that end to provide social support, and it cooperates with other institutions for identifying, counselling and treatment of organized crime victims.

In the institutional context, an important role in preventing and combating organized crime play also other local institutions and international partner institutions present in Kosovo, but also abroad.

VIII. STRATEGIC OBJECTIVES

The National Strategy against Organized Crime is supported in the following strategic objectives:

- **Further strengthening of capacities in prevention and fight against the organized crime.**
- **Development of cooperation and coordination between national and international acts in prevention and fight against the organized crime;**
- **Prevention and fighting forms of organized crime;**
- **Awareness of citizens on the consequences of organized crime.**

1. Further strengthening the capacities in the prevention and fight against the organized crime

In order to successfully combat the organized crime, it is imperative that the responsible institutions have adequate human capacities skilled and specialized for the efficient fight against organized crime. Because of the complexity that the organized crime has, it is very important that the structures involved in preventing and combating organized crime, have technical tools and the contemporary and standardized technology. Also, it is necessary to provide facilities necessary for work to all institutions responsible as well as the institutional organization in order to strengthen the capacities in the fight against organized crime.

Building the capacities of institutions in order to prevent and combat the organized crime involves a series of measures aimed at:

- 1.1. Developing human capacities in prevention and combating the organized crime;
- 1.2. Review and harmonization of the legal framework;
- 1.3. Establishing sufficient facilities and provision with the necessary tools for the units that deal with prevention and combating of organized crime;

1.4. Monitoring, evaluation and review of the Strategy and the Action Plan;

2. Developing cooperation and coordination between national and international stakeholders to prevent and fight the organized crime

In order to successfully combat the organized crime it is necessary to have cooperation and coordination within the organization, across stakeholders and levels of the organization.

For the purpose of coordination and coordination of activities in the fight against organized crime, it is very important the cooperation and coordination between the institutions responsible for preventing and combating this phenomenon.

Interagency cooperation and coordination between institutions is a prerequisite for a more efficient work in preventing and combating the organized crime, especially in the process of exchange of information, exchange of experiences and joint actions or operations.

All institutions responsible should actively participate in the prevention and fight against organized crime through cooperation and coordination of activities.

Institutional cooperation and coordination includes a series of measures aimed at:

2.1. Increasing and advancing the inter institutional cooperation and coordination;

2.2. Increasing and advancing regional and international cooperation;

2.3. Membership in international organizations;

3. Preventing and combating forms of the organized crime

Through the prevention and fight against the organized crime it is aimed at organizing and developing various activities in order to raise awareness of the staff of responsible institutions and the general public about the consequences that the organized crime causes.

Institutions of the Republic of Kosovo are committed to fighting all forms of organized crime, including but not limited to: the fight against drugs, human trafficking, smuggling of migrants, weapons, fuel, alcohol, works of art, cultural heritage works etc.

To strengthen efforts to prevent and combat crime it is important to try to implement the Police led by Intelligence.

Prevention and fighting forms of organized crime include a range of measures which aim at:

3.1 Prevention of all forms of contraband, fiscal evasion and other crimes.

3.2 Fighting contrabands and other crimes in the entire territory of Kosovo, by applying the modern investigation techniques.

- 3.3 Increasing the efficiency of integrated financial investigations, access to criminal investigations;

4. Awareness of citizens for the consequences of the organized crime

1. Raising awareness of the citizens for the consequences of organized crime to the society and its destabilizing effects towards the countries' economy.

IX. CONSIDERING ALTERNATIVES

During the development of this strategy many activities which had analytical and research character are carried out. The research and analytic work resulted at the end with the formulation of the strategic and specific objectives and the necessary activities, responsible and supporting institutions and the measuring indicators for the implementation of activities.

As result of the work and of the commitment of all institutions of the Republic of Kosovo and of the support of other international institutions, the best alternatives are identified respectively the most appropriate objectives which will assist the Republic of Kosovo in preventing and combating the organised crime.

Kosovo has sources and capacities to face and address the domestic terrorist threats.

To the problem of the organised crime in the Kosovo society should be given specific attention especially by the state institutions but even by the civil society in general and the coordination of the activities between them. Therefore the development of this strategy and especially the objectives and activities are focused in the direction of the cooperation and coordination of the activities of all the institutions in preventing in the first instance, but even in the combating of the organised crime. All the state mechanisms, institutional and society mechanisms should be involved in prevention and detection of all forms of the organised crime in order to avoid the risk that it presents in the national and international aspect.

During the work of the working group in developing this strategy many alternatives are taken into consideration by studying and analysing them entirely, and as result of this the best alternatives are chosen which offer the ability to having success in preventing and combating organised crime.

X. ENFORCEMENT AND EVALUATION OF THE STRATEGY

1. The role of the monitoring system

The process of the implementation of the strategy will be a process of enforcing the strategic objectives, the specific objectives and activities as well. Monitoring and evaluation of the enforcement of the objectives and of the efficiency of respective activities are integral part of the strategy and the main components of the process of its implementation. Monitoring and evaluation will serve to track the performance of the strategy, to measure the degree of the realization of its objectives, to assess the

needs and determine the directions of the arrangements, particularly in relation to activities.

The process of monitoring will be realised by the responsible institutions with the wide participation of the interested groups.

The main dimensions of the monitoring and evaluation of the strategy are:

- Institutional capacities;
- Monitoring indicators during and at the end of the three years period of time;
- Information sources and the measuring instruments;
- Distribution and the use of monitoring and evaluation results.

Institutional capacities for monitoring and evaluation

The monitoring and evaluation system will be extended to all the institutions responsible for enforcement of the objectives determined in the Strategy and Action Plan.

- Ministry of Internal Affairs, as the leading and the main responsible institution for the enforcement of objectives, will establish the Unit of Monitoring and Evaluation of the Strategy under the National Coordinator against the organised Crime. This unit will monitor key indicators relating to the fight against the organised crime. At the end of each year, it should prepare a progress report on the degree of the realization of the objectives.
- The respective ministries (MJ, MEST, MF, MH, MLSW, MI, MIA, MESP, MCYS and MARD) will be responsible for monitoring and evaluation of the activities that have been assigned to these ministries or the institutions under them, including even the prosecutions and courts. These institutions will periodically report to the National Coordinator, in order that the reports to be unified.
- Non-governmental Organisations will take part in monitoring and evaluation of the strategy in the round-tables that will be organised by the Coordinator. In such round tables, the civil society will present monitoring reports concerning the projects and programs they have realised.

3 Selection of the monitoring and evaluation indicators

The final indicators

1. Number of laws and respective sub legal acts, that have entered into force after the approval of the strategy;
2. The established structures (The Coordinator, the Secretariat);

3. Number of the bilateral and multilateral agreements concluded with other countries;
4. The evaluation and monitoring reports of the strategy;
5. The number of cases dealt with by Police, Prosecution and Courts inside and outside;
6. The confiscation of the real estates, weapons, tobacco, vehicles, money and other items obtained by the commission of the offense;
7. Number of the arrested persons;
8. Number and the amount of the penalties imposed;
9. Seizure of assets that are result of organised crime offences.

4. Intermediate indicators

Intermediate indicators are the indicators of monitoring of activities in the Action Plan against the Organised Crime.

5. Monitoring and evaluation instruments

1. Standardised System of information collection and processing;
2. Administrative and Statistical data of MIA (Police), MJ, MH, MEF (Customs, KTA,) MEST, Prosecution, Courts, MLSW;
3. National and International referral Mechanisms;
4. Surveys and observations on the degree of the population's awareness on organised crime issues.

6. Distribution and use of monitoring and evaluation result

The monitoring and evaluation results will be distributed to recognise the progress in the fight organised crime, especially in achieving the strategic and specific objectives. After developing the progress reports, based on data and observations, they will be distributed among users who will be:

1. The state national and local institutions;
2. International partners;
3. Civil society;
4. Media;
5. Public in general.

Main responsible for the distribution of the outcomes is the National Coordinator. Also, the publication of outcomes will be carried through the media or by organising seminars and round tables, to draw conclusion about the performance of the strategy.

XI. THE ACTION PLAN

The Action Plan should be developed within the overall strategic framework defined in the National Strategy against the Organised Crime.

The Action Plan for the implementation of this strategy shall include:

- Strategic objectives;
- Specific objectives;
- Concrete activities for the implementation of objectives;
- Determines the responsible and supporting institutions for achieving each objectives;
- Specifies the time frame for the implementation of each objective;
- Determines the necessary financial sources for the development of activities;
- Determines the indicators for the implementation of each objective and activity.

The Action Plan should indicate coherence with the general framework of the National Strategy against the Organised Crime of the Republic of Kosovo.