



# De-radicalization and Integration Legal & Policy Framework

Kosovo/Country Report

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## List of Abbreviations

**EC** – European Commission

**EP** – European Parliament

**EU** - European Union

**EULEX** - European Union Rule of Law Mission in Kosovo

**GoK** – Government of Kosovo

**ICITAP** – International Criminal Investigative Training Assistance Program

**IS** - The so called 'Islamic State'

**KCS** - Kosovo Correctional Services

**KCSS** - Kosovar Centre for Security Studies

**KFOR** - NATO Force in Kosovo

**KPS** - Kosovo Probation Services

**MCSC** - Municipal Community Safety Councils

**MIA** - Ministry of Internal Affairs

**MLSW** - Ministry of Labour and Social Welfare

**MoJ** - Ministry of Justice

**NATO** - North Atlantic Treaty Organization

**P/CVE** - Preventing and Countering Violent Extremism

**R&R** - Rehabilitation and Reintegration

**SPVERLT 2015-2020** - The Strategy on Prevention of Violent Extremism and Radicalisation Leading to Terrorism 2015-2020

**UN** - United Nations

**UNMIK** - United Nations Interim Administration in Kosovo

**UNSCR 1244** - United Nations Security Council Resolution 1244

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## About the Project

D.Rad is a comparative study of radicalization and polarization in Europe and beyond. It aims to identify the actors, networks, and wider social contexts driving radicalization, particularly among young people in urban and peri-urban areas. D.Rad conceptualizes this through the I-GAP spectrum (injustice-grievance-alienation-polarization) with the goal of moving towards measurable evaluations of de-radicalization programmes. Our intention is to identify the building blocks of radicalization, which include a sense of being victimized; a sense of being thwarted or lacking agency in established legal and political structures; and coming under the influence of “us vs them” identity formulations.

D.Rad benefits from an exceptional breadth of backgrounds. The project spans national contexts including the UK, France, Italy, Germany, Poland, Hungary, Finland, Slovenia, Bosnia, Serbia, Kosovo, Israel, Iraq, Jordan, Turkey, Georgia, Austria, and several minority nationalisms. It bridges academic disciplines ranging from political science and cultural studies to social psychology and artificial intelligence. Dissemination methods include D.Rad labs, D.Rad hubs, policy papers, academic workshops, visual outputs and digital galleries. As such, D.Rad establishes a rigorous foundation to test practical interventions geared to prevention, inclusion and de-radicalization.

With the possibility of capturing the trajectories of seventeen nations and several minority nations, the project will provide a unique evidence base for the comparative analysis of law and policy as nation states adapt to new security challenges. The process of mapping these varieties and their link to national contexts will be crucial in uncovering strengths and weaknesses in existing interventions. Furthermore, D.Rad accounts for the problem that processes of radicalization often occur in circumstances that escape the control and scrutiny of traditional national frameworks of justice. The participation of AI professionals in modelling, analyzing and devising solutions to online radicalization will be central to the project's aims.

## Executive Summary

This report provides an overview of Kosovo's legal and strategic framework in the field of radicalization and de-radicalization. In doing so, it looks into the broader constitutional provisions as well as specific laws that may directly or indirectly relate to the fields of radicalization and deradicalization. Given that the issue of radicalization presents an evolving threat, the report also takes into consideration the evolution of the policy framework in efforts to address it. Specifically, it accounts for key government policies that sought to manage the threat of radicalization and violent extremism, including an early counter-terrorism focused approach and the gradual shift from punitive measures to an integrative approach. The latter is comprised of rehabilitation and reintegration programs that present the cornerstone of current policymaking regarding the threat of radicalization and violent extremism. These programs are especially relevant in the context of a relative high number of conflict-zones returnees that were formerly associated with violent extremist groups as well as individuals who have been formerly incarcerated on terrorism-related charges. To obtain a better understanding of R&R programs, this report includes one case study on the reintegration programs being implemented by the Division for the Prevention and Reintegration of Radicalized Persons and another case study on rehabilitation programs currently underway within Kosovo's prisons. Overall, a number of lessons emerge which lay out the challenges that Kosovo faces in addressing the threat violent extremism while highlighting the contextual factors in shaping up its counter-radicalization policy.

# 1. Introduction

The purpose of this report is to provide a conceptual account on how existing policies and laws address radicalization in Kosovo, with the goal of identifying some of the key critical aspects as well as best practices to inform the development of evidence-based policy and legal guidelines. Kosovo is one of the youngest countries in Europe, both in terms of its population and its statehood. It is a parliamentary republic whose recent history is marked by a legacy of conflict, a period of post-conflict reconstruction, state-building, and ongoing efforts to strengthen democratic institutions and international subjectivity. A critical period in Kosovo's recent history has been the Kosovo War (1998-1999), which ended with NATO's humanitarian intervention to stop the ethnic cleansing by Serbia's Milosevic regime against the majority-Albanian population. The terms of ending the war fell within the status-neutral framework of the UN Security Council Resolution 1244 (UNSCR) which, among guidelines for military withdrawal, placed Kosovo under an interim UN administration while establishing provisional institutions of local self-government in Kosovo (United Nations Resolution 1244, 1999). Following the proposal of UN Special Envoy Maarti Ahtisaari and the recommendations it set forth towards status settlement, in 2008 Kosovo declared its independence from Serbia.<sup>1</sup> To supervise the implementation of the Ahtisaari Plan<sup>2</sup>, the Kosovo authorities invited and welcomed an international civilian presence, an EU-led rule of law mission or EULEX (Muharremi, 2010, p.341). The international supervision of Kosovo's independence ended in 2012 and the mandate of EULEX<sup>3</sup>, although it has been repeatedly extended, changed over time with diminishing executive powers over Kosovo's justice system.

Since declaring its independence, Kosovo has been working to consolidate its international standing and implement internal reforms. More than 110 United Nations (UN) members and 22 members of the EU have recognized Kosovo's independence, however, non-recognizing states continue to prevent the country from membership in international organizations such as the UN, excluding it from important international platforms and contributions. In spite of these challenges, Kosovo remains committed in its pursuit for full integration in the international community, including membership into NATO, the EU, and the UN. In various assessments, Kosovo is consistently ranked as one of the most pro-American and pro-EU countries in the world, with an overwhelming 93 percent of the population supporting EU accession and 94 percent regarding the United States as the most important economic partner (Western Balkans Regional Poll, 2020, p.58). Against this backdrop, Kosovo's constitutional and legal framework reflects efforts to ensure that its legislation is in line with EU *acquis*, with special focus on safeguarding the rights of minorities and accounting for existing social cleavages.

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<sup>1</sup>In April 2007, UN Special Envoy Martti Ahtisaari submitted to the UN Security Council his Comprehensive Proposal for the Kosovo Status Settlement, also known as the "Ahtisaari Plan". On February 17, 2008, the Kosovo Assembly declared the independence of Kosovo in line with the Ahtisaari recommendations.

<sup>2</sup>The focus of Ahtisaari Plan has been on protecting the rights, identity and culture of Kosovo's non-Albanian communities while producing a framework for their participation in public life. The same Plan also proposed for Kosovo to become independent but with supervised international independent for a certain period of time.

<sup>3</sup>EULEX's current mandate is until 14 June 2023 based on Council Decision CFSP 2021/904, undertaking monitoring activities with limited executive functions.



Although Kosovo has not been immune to the global threat of radicalization and violent extremism, it has taken several steps to address it - including the adoption of new legislation and amendments to existing ones, expansion of international partnerships, and a broadening of partnerships within the civil society. The notion of radicalization is widely used, however, it remains poorly defined and thus not consistently applied throughout relevant regulatory frameworks and by government and non-government actors alike. In this report, radicalization is understood as a process involving the increasing rejection of established law, order, and politics and the active pursuit of alternatives, in the form of politically-driven violence or justification of violence. Herein, a key challenge lies in determining how individuals or groups come to adopt beliefs that not only justify violence but compel it, and how they shift or not from thinking to action (Borum, 2012, p.8).

Moreover, given that there are multiple pathways to radicalization and that many people who hold radical beliefs do not necessarily engage in violence, effective policies that seek to prevent extremism or to target de-radicalization must account for the interaction of different factors that are at play in an individual's radicalization process (Ibid.). For instance, tying de-radicalization efforts narrowly to cognitive aspects may not only be ineffectual but also confront policymakers with the challenge of balancing security concerns with the need to uphold fundamental rights and civil liberties such as freedom of expression. Adding to the complexity is the imperative to take into consideration the diverse and evolving group of purveyors as well as targets of violent extremism which are not confined to offline or physical environments but increasingly extend to online spaces. Specifically, the online space consists of various media outlets, forums, and social networks that transcend national borders and present a medium of exchange that is far more challenging for policymakers to monitor, regulate, and effectively leverage for prevention purposes. Extremists exploit the online space to spread hateful narratives and extremist propaganda, facilitate recruitment into violent extremist groups, share information regarding operations, and raise funds (Ganesh and Bright, 2020). Thus, how to address radicalization online through the national legal framework remains an important regulatory question which mirrors ongoing discussions about platform governance in general (Ibid.). The following parts of the report include a) the socio-economic, political and cultural context in Kosovo, b) the constitutional organization of the state and constitutional principles on the D.Rad field of analysis, c) the relevant legislative framework in the field of radicalization, d) two in depth case studies, and e) conclusion.

## 2. The Socio-Economic, Political and Cultural Context

Kosovo is one of the youngest countries in Europe, both in terms of its population and its statehood. It is estimated that 53 percent of Kosovo's population are under the age of 25 (Sassi and Amighetti, 2018). Kosovo is a parliamentary republic whose majority population consists of Albanians, followed by Serbs as the largest minority group who, together with other ethnic minorities, make up from 7 to 12 percent of the population (Fazliu, 2017, p.1.). With the purpose of guaranteeing the ethnic minorities' rights and language rights in particular, the official languages in Kosovo are Albanian and Serbian, while the language rights of other ethnic minorities such as Turks, Bosniaks and others are also recognized at the municipal level (Doli et. al, 2010, p.10). Based on the 2011 census, out of 1.7 million people, around 90 percent of Kosovo's population are from the Muslim background, with the rest identifying as Orthodox Christians and Roman Christians (Kosovo Agency of Statistics, 2011). Most Kosovo Albanians are considered Muslim and most Kosovo Serbs are Orthodox-Christians, though there are also Albanian-Catholic, Protestant, and Jewish

communities. However, it is important to note that Kosovo's secular character is inscribed in its constitution, ensuring that matters of religion remain separate from the state. Even though Kosovo's economic growth in the last decade has outperformed that of its neighbors, it has not been sufficient to secure enough formal jobs, especially for women and youth, or to significantly reduce the high rates of unemployment (World Bank in Kosovo, 2020). Thus, in the third quarter of 2020, unemployment remained high at 25 percent of the labor force or 46.9 percent among youth (Ibid.). Kosovo is the only country in the Western Balkans that still does not enjoy visa-free travel with the EU, even after the European Commission (EC) and the European Parliament (EP) have repeatedly reaffirmed Kosovo's fulfillment of the necessary criteria which include benchmarks around public order and security, border and migration management, and fundamental rights related to freedom of movement. The lack of visa liberalization further limits opportunities for growth and development, while keeping Kosovo as the most isolated country in the region.

Based on the World Bank's Human Capital Index (HCI), a child born in Kosovo today can expect to achieve 57 percent of a fully educated adult in optimal health, which presents a score that is lower than the average for the Europe and Central Asia region (World Bank in Kosovo, 2020). Nevertheless, this score is slightly higher than the average for the World Bank's Upper middle-income group of countries, in which Kosovo is included (Ibid.). In terms of education, a child who starts school at age 4 in Kosovo can expect to complete 13.2 years of school by their 18th birthday; however, taking into consideration what children actually learn, they face a learning gap of 5.3 years (Ibid.). In regards to health outcomes, the HCI shows that across Kosovo, 91 percent of 15-year-olds will survive until age 60 while 99 out of 100 children born in Kosovo survive to age 5, noting that the HCI for girls is higher than for boys (Ibid.).

In order to understand what factors drive phenomena such as radicalization within the country, accounting for the socio-economic, political and cultural environment remains critical. Radicalization is a complex process influenced by a combination of factors at the individual, community, national, and international level, whose emergence is also tied with context-specific elements that directly or indirectly relate to historical grievances, polarization, and alienation. In the recent years, specifically at the height of the Syrian Civil War between 2012-2016, Islamist radicalization as manifested through the foreign fighter phenomenon has garnered most of the public's and the institutions' attention. However, ethno-national radicalization in Kosovo is currently viewed as a threat on the rise (Avdimetaj, 2021, p.15) that corresponds not only with local inter-ethnic dynamics but also with global trends (Ashby, 2021).

Islamist radicalization has been attributed to a range of factors, including social alienation linked to weak institutions and rising inequality between ruling elites clustered in the urban areas and the socially marginalized in the rural parts of the country (Kursani, 2015); altruistic motivations, trauma, deprivation, social disenfranchisement (Speckhard, 2017), and lack of prior religious knowledge (Kursani, 2017). Others have also noted the activity of grass-root local Islamist organizations that became influential as Kosovo's Islamic Association faced a breakdown in authority and a crisis of legitimacy (Kraja, 2021). The role of religion needs to be understood in a nuanced manner. Albanians in Kosovo integrated Islam as an identity and territorial marker to ensure their group survival, partly influenced by the secular attitudes of socialist Yugoslavia and especially since they were targets of discrimination and state reprisals due to their ethnic identity (Kraja, 2021). Although most Kosovo citizens primarily identify with their ethnic identity, while the population underwent major changes in the past three decades often witnessing their political will frustrated, some consider that Albanians

in Kosovo are experiencing a religious reawakening (Kraja, 2021). Others tie this trend to various humanitarian organizations that penetrated the rural Kosovo with a religious agenda at the end of the war in 1999, filling a vacuum left by secular authorities and Western aid organizations (Kursani 2015; Kraja, 2021). However, as Kraja argues, “since the end of the war with Serbia in 1999 when the territory became a UN protectorate, Kosovo’s authorities and its international overseers have tried hard to construct and forge the identity of the new country as a liberal, multi-confessional democracy”, and Kosovo Albanians take pride in their historical religious tolerance as their ethnic identity trumped any religious identification during their struggle against the Serbian regime (Kraja, 2021). On the other hand, ethno-national radicalization is considered as a rising challenge, partly because it has been overshadowed by the disproportionate focus on Islamist extremism and because it has been left unaddressed.

Historical grievances are linked with Kosovo’s violent past under the rule of former Yugoslavia spanning decades, at a time when the Albanian population faced suffering from institutional discrimination and neglect (Kraja, 2021). These grievances grew among the Albanian population in the 1980s and 1990s when Serbia sought to alter Kosovo’s ethnic composition, fueled further by “the widespread repression in the late 1990s when Kosovo Albanians were subjected to apartheid-like rules and eventually mass killings, rapes and ethnic cleansing during the war in 1998 and 1999” (Kraja, 2021, p.15). Thus, among the Kosovo-albanians, ethno-nationalism is consistently understood as being reactive primarily to the actions of Serbia’s political leadership, meaning that the more radical and ultranationalist they are in their discourse and actions - the more reactive the Kosovo Albanian side becomes (Avdimetaj, 2021, p.22). Ethnic tensions remain present between the Kosovo Albanians and the Kosovo Serb minority, particularly in the northern part of the country where Serbs resist integration into Kosovo’s institutional structures and instead opt for direct influence and guidance from Belgrade (Avdimetaj, 2021, p.23). Such tensions precipitate harsh rhetoric and dehumanization of various ethnic groups or the “other” and exacerbate political polarization. Ethno-nationalism among the Kosovo Serbian population is considered a rising threat and it is being influenced largely by external factors such as Serbia’s political leadership, far-right groups in Serbia, as well as links of local actors with international far right groups across Western Europe (Avdimetaj, 2021, p.15). These external groups have managed to extend their influence in Kosovo and, in spite of some differences, they share ethnically-based politics, references to the 1990s wars, glorification of war criminals and ethnic cleansing from the 1990s, an urge to redraw boundaries on ethnic lines, anti-NATO and anti-EU politics, pro-Russian attitudes and links, as well as links with organized crime (Kelly, 2019, p.2).

### 3. The Constitutional Organization of the State and Constitutional Principles in the Field of (de-)radicalization

The Constitution of the Republic of Kosovo was ratified in April of 2008 following Kosovo’s declaration of independence and it presents the foundational legal document for the country’s legislation. Many of its principles derive from the “Ahtisaari Plan” with a focus on guaranteeing minority rights and ensuring a safe and secure environment for all citizens of Kosovo, regardless of their background. Taking into consideration the social cleavages and

the legacy of war, the constitution of Kosovo has been based primarily on an international design that sought to ground Kosovo as a multiethnic state through power-sharing principles (Korenica and Doli, 2011, p.4). Specifically, in its drafting, special consideration was accorded to the provisions pledging the respect of ethnic minority rights, both by enabling a more-than-equal representation to ethnic minorities in the Kosovo institutions and by providing guarantees for their cultural and linguistic identity (Doli et. al, 2010). At the same time, such provisions are considered to make the constitutional organization in Kosovo more rigid and changes to vital laws more difficult. The Constitution establishes Kosovo as a parliamentary republic with the Assembly exercising legislative power, the Government being responsible for implementation of laws and state policies while subject to parliamentary control, and the President representing the unity of the people (Constitution of the Republic of Kosovo, 2008). The unicameral Assembly contains 120 seats, out of which, ten are reserved for the Serbian minority, four for the Roma/Ashkali/Egyptian minority, three for the Bosniak minority, two for the Turkish minority, and one for the Gorani minority (CSIS European Election Watch, 2021). The reserved seats in the parliament are often linked with a single majority religious group such as Muslims or Orthodox Christians, and in this vein, the constitution sets forth that the adoption, amendment, or repeal of all laws pertaining to religious freedom or cultural heritage will require double majority approval, meaning approval by a majority of the assembly members that represent minority communities as well as by a majority of all parliamentarians (International Religious Freedom Report: Kosovo, 2020).

Since during the Kosovo War religious sites became a target of retaliation, to avoid religious favoritism the international community introduced a model of strict separation between state and religion (Mehmeti, 2019, p.185). Article 8 of the constitution declares Kosovo a secular state that maintains neutrality in matters related to religion (The Constitution of the Republic of Kosovo, 2008). The constitution declares the right for freedom of conscience and religion for all residents, including the right to change, express, or not express religious belief; practice or abstain from practicing religion; and join or refuse to join a religious community, with limitations for reasons of public safety and order or for the protection of the health or rights of others (Constitution of the Republic of Kosovo, 2008). In particular, the right to freedom of expression may be limited in order to prevent violent and hostile provocations which allows courts to ban organizations or activities that encourage racial, national, ethnic, or religious hatred (Constitution of the Republic of Kosovo, 2008). The preservation and protection of cultural and religious heritage is foreseen by the constitution, which prohibits discrimination based on religion as part of *Article 24 on Equality Before the Law*. However, apart from the guarantees over freedom of religion, relevant legislation has not advanced in the recent decades with the current Law on Religion being considered as too broad and failing to regulate the status of religious communities (Mehmeti, 2019, p.185)<sup>4</sup>. There are efforts underway to amend the law which would permit religious groups to acquire legal status, but the law has not been voted by the parliament due to lack of quorum and boycotts by Kosovo Serb parliamentarians (International Religious Freedom Report: Kosovo, 2020). Failure to proceed with changes in the law are also considered as illustrative of Kosovo's complex.

The strong protections that Kosovo's constitution provides for minority groups ensure the preservation of cultural autonomy, as demonstrated through language-specific rights. In

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<sup>4</sup> The Law on Religion No. 02/L-31 contains key provisions related to Freedom of Religion (Article 1), Protection from Discrimination (Article 2), Religious Equality (Article 3), Protection by Penal Law (Article 4), Religious Neutrality (Article 5) which states that there is no official religion in Kosovo, Freedom of the Religious Association (Article 6), Self-determination and Self-regulation (Article 7), Places of Worship (Article 8), Freedom of information (Article 10) within the boundaries of the Constitution and the law, and exemption from taxes (Article 12).

addition to having Albanian and Serbian as official languages used equally throughout the state, the legislation stipulates that languages spoken by at least three percent of the population are considered “languages in official use” (Dewar, 2020, p.41). Moreover, languages spoken by at least five percent of the population are to be considered official languages of the municipalities where the demographic fulfill this requirement (Ibid.). Thus, these provisions cover not only minorities that make the most part of the country but also smaller groups through a decentralized approach to ensuring that language rights as important aspects of cultural identity are preserved. Although the overall legal protections for human rights and democratic values in Kosovo are considered strong, there are often discrepancies in their implementation on the ground. Provisions related to religion, secularism, and minority rights are particularly relevant in the D.Rad fields of analysis as the misuse or lack of adherence to these rights can give way to grievances that fuel radicalization among or between various religious or ethnic communities.

## 4. Legislative Framework in the Field of Radicalization

The constitution of Kosovo provides key provisions guaranteeing the rights of all Kosovo residents regardless of their background. These include the right to freedom of expression, freedom of religion, freedom of association, and right to privacy which are especially relevant in cases when individuals who hold radical views, express them, or act on them tread the line between what is considered permissible under established law. Thus, based on the constitution (Article 43), rights may be limited if deemed necessary to “safeguard public order, public health, national security or the protection of the rights of others” (Constitution of the Republic of Kosovo, 2008). For instance, based on Article 36, every person enjoys the right of protection of personal data with the collection, preservation, access, correction and use of personal data being regulated by law (Ibid). Further, according to the constitution, a resident of Kosovo has the right to have her/his private and family life respected, the inviolability of residence, and the confidentiality of correspondence, telecommunication and other communication, with searches of any private dwelling or establishment that are deemed necessary for the investigation of a crime to be conducted only to the extent necessary and only after approval by a court with a justification (Ibid., Article 36). Moreover, by constitution, “secrecy of correspondence, telephony and other communication is an inviolable right”, which may only be limited temporarily by court decision if it is necessary for criminal proceedings or defense of the country as defined by law (Ibid.). Similar considerations are also applicable in provisions related to hate speech enshrined in the constitution as part of Article 40 on Freedom of Expression as “the right to express oneself, to disseminate and receive information, opinions and other messages without impediment” with limitations when such freedom infringes upon the rights of others to prevent encouragement or provocation of violence and hostility on grounds of race, nationality, ethnicity or religion (Constitution of the Republic of Kosovo, 2008). In this regard, to avoid arbitrariness, the deliberate prohibition of incitement of hatred is articulated as a limitation corresponding to circumstances that are embedded in the context in which it occurs such as when national security or social cohesion is threatened (Januzi, 2021, p.18).

Since radicalization broadly defined remains an opaque concept, cases related to expressions of radical views or actions are often categorized as acts of terrorism and regulated as such. According to the U.S. State Department, Kosovo’s legislative framework is “sufficient to prosecute individuals suspected of committing or supporting terrorist

activities” (U.S. Department of State: Kosovo, 2020). It is important to mention that there are ongoing efforts to align Kosovo’s legislation with the EU *acquis* since Kosovo’s strategic objective is to become a member state of the European Union. In 2016, Kosovo signed the Stabilization and Association Agreement (SAA) which presents the first contractual relationship between the EU and Kosovo and the framework under which all reforms towards EU accession take place. Thus, within the SAA framework, EU laws and directives related to terrorism are also being transposed into Kosovo’s legislation. The Criminal Code and the Criminal Procedure Code are central to the legislative framework related to radicalization or more specifically terrorism-related cases. The Criminal Code has been amended in 2019 to make the work of judges and prosecutors more effective, including in the field of terrorism and its prevention. It is comprehensive in providing the basis and limits for criminal sanctions and criminal acts that directly or indirectly relate to terrorism are detailed in the provisions of the Chapter XIV on Criminal Offenses Against the Constitutional Order and Security (Criminal Code of the Republic of Kosovo, 2019, p.46). These include articles on definitions for terrorism provisions, commission of the terrorist offense, assistance in the commission of terrorism, facilitation and financing of the commission of terrorism, recruitment and training for terrorism, incitement to commit a terrorist offense (Ibid). Terrorism-related offenses receive severe punishments, with punitive verdicts on acts such as commission of terrorism ranging from 15 years to life-long imprisonment (Criminal Code of the Republic of Kosovo, 2019, p.47)

Concealment or failure to report terrorists or terrorist groups, traveling for the purpose of terrorism, preparation of terrorist offenses or criminal offenses against the constitutional order and security, and inciting discord and intolerance are also relevant provisions that are foreseen with the Kosovo’s criminal code. The Criminal Code also includes provisions related to incitement to hatred, establishing it as an aggravating circumstance if the criminal offense is a hate act (Ibid.). Further, the Law on Protection Against Discrimination ensures that persons with characteristics protected by law shall not be discriminated but this law is not applicable to the prohibition of discriminatory language as rhetoric, but rather of discrimination as a practice in employment, access to public services etc. (Januzi, 2021, p.19). The Criminal Procedure Code lays out the rules of criminal procedure which are mandatory for the proceedings of the courts, the state prosecutor and other participants in criminal proceedings (Criminal Procedure Code of the Republic of Kosovo, 2019). It categorizes terrorism-related offenses as serious crimes and foresees that intrusive covert and technical measures of surveillance and investigation (Article 88) may be order and justified in cases suspected for the preparation of terrorist offences or criminal offenses against the constitutional order and security in Kosovo (Ibid.).

To fulfill the gap in legislation that would enable the prosecution of foreign fighters, in 2015, the Kosovo Assembly adopted the Law on the Prohibition of Joining Armed Conflicts Outside State Territory under which individuals affiliated with extremist organizations returning to Kosovo are being tried (Law on the Prohibition of Joining Armed Conflicts Outside State Territory, 2015). By adopting this law, Kosovo became one of the first countries in Western Balkans to make joining foreign conflicts punishable with up to 15 years in prison. Moreover, the law is broad enough in defining a range of criminal offenses related to participation in foreign conflicts as well as the type of entities that these individuals can join. In this vein, the law makes an important distinction to exclude citizens of Kosovo that hold citizenship of a foreign country and are part of army or military formations in the respective country under the control of internationally recognized governments or international organizations (Ibid., Article 2). The law also includes stipulations on public calls to incite others to commit criminal offences, whether at a gathering, through publications, audiovisual recordings, social

networks or any other form of communication (The Law on the Prohibition of Joining Armed Conflicts Outside State Territory, 2015). In more recent years, there have been increased attempts to tackle terrorism-related offenses through the disruption of financing of terrorist activities based on international anti-money laundering and counterterrorist finance standards. The Law on Prevention of Money Laundering and on Countering the Financing of Terrorism and the Law on Extended Powers for Confiscation of Assets provide more detailed procedure than those laid out in the Criminal Code, including for offences related to armed conflicts outside the state territory. Overall, it can be argued that Kosovo has an adequate legal framework in addressing cases of radicalization, however, the implementation of the laws remains more challenging. This is due to the still relatively early experience of the Kosovo judiciary and prosecution to deal with cases of radicalization and the need to balance the upholding of fundamental rights with security concerns. As a result, there are inefficiencies in trying terrorism-related cases which often result in an inconsistent determination of sentencing through various cases, early releases, and a lack of post-release supervision (U.S. Department of State: Kosovo, 2020).

## 5. Policy and Institutional Framework in the Field of Radicalization

The issue of radicalization in Kosovo has not been acknowledged or addressed as such up until the country was faced with the threat of the foreign fighter phenomenon which peaked between 2012-2016 following the onset of the Syrian Civil War. In its initial reaction between 2015 and 2016, Kosovo's institutions opted for a punitive approach through law enforcement activities which led to the arrests of more than 100 individuals, including imams, the closing of more than 15 non-government organizations suspected of supporting extremism, and a state of alert through surveillance and monitoring of the suspects (Stakeholder interview 01, 2021). Some of the arrests or raids conducted were highly publicized and the communities from which the detainees originated raised concerns of being stigmatized and labeled as hotspots of radicalization. In the more recent years, Kosovo's policy response has marked a shift from its narrow focus on counter-terrorism measures towards preventing and countering violent extremism and radicalization. Changes in the policy approach are primarily reflected through the existing strategic documents and the institutional framework. Similar to conceptual and policy shifts in EU member states, Kosovo has sought to adopt an approach that deals not only with the consequences of radicalization but also strengthens efforts to prevent it. Kosovo adopted the Strategy Against Terrorism in 2009, which is the country's first counter-terrorism strategy covering the period from 2009-2012 (National Strategy Against Terrorism, 2009). Since the Government did not perceive terrorism as an imminent threat to Kosovo, the document contains few references to violent extremism; instead, the adoption of the strategy is viewed more as an attempt by the Kosovo Government to follow the example of other Western Balkan countries and initiate policy processes within the framework of fulfilling criteria for the visa liberalisation process with the EU (Qehaja et. al, 2017, p.6). The Government of Kosovo (GoK) renewed the strategy in June 2012 with minor changes, extending the period it covers from 2012-2017 (Ibid.).

In line with international political and security dynamics, as the issue of radicalization was gaining traction, the need became clear to adopt a strategy that specifically focuses on preventing and countering violent extremism. As a result, in 2015, the Strategy on Prevention of Violent Extremism and Radicalisation Leading to Terrorism 2015-2020

(SPVERLT 2015-2020) was adopted which identified three main sources of violent extremism in Kosovo: nationalism-based extremism, religiously-motivated extremism and politically-motivated extremisms (Ibid. p.6). Further, the strategy identified as threats potential activities of Serbian nationalist groups in the northern part of Kosovo, and the fact that a number of Kosovo citizens had joined religiously-motivated terrorist groups in Iraq and Syria, outlining that internal drivers as well as external factors as contributing factors (Ibid.). It is important to note that the issue of Islamist radicalization is central to the strategy, despite acknowledging high levels of religious tolerance in Kosovo (SPVERLT 2015-2020). This disproportionate focus on Islamist radicalization not only risks making direct links between religion and terrorism, but also comes at the expense of leaving other, equally or more threatening phenomena, unaddressed. It can be argued that the disproportional policy attention that this type of threat has garnered throughout these years is partly the result of the transnational nature of the foreign fighter phenomenon and partly due to the donor driven agenda.

SPVERLT 2015-2020 also accounts for key factors leading towards violent extremism such as pull factors (lack of perspective), push factors (ideology), economic and social factors and low institutional capacity and integrity (Ibid. p.7). Thus, for prevention purposes, the strategy identified the following key strategic objectives: a) early identification of the causes, factors and target groups; b) prevention of violent extremism and radicalization; c) intervention with the aim of mitigating the risk of violent radicalization; d) de-radicalization and reintegration of radicalized persons (Qehaja et. al, p.6). Although the strategy provides a foundation for preventive activities, its implementation has been marred by a lack of adequate financing and challenges in responding to the community needs, mainly since the document was drafted and adopted under pressing deadlines without a broader consultation with communities (Ibid.5). As a result, the strategy does not comprehensively reflect community needs, making its implementation more challenging.

Given the relatively young age of those affected by radicalization, in terms of primary prevention, the strategy accounted for an analysis of existing programs within the primary and secondary education for the purpose of promoting tolerance, critical thinking, capacity building and operationalization of inter-institutional mechanisms of schools for prevention of violent extremism and radicalism (Ibid.). For instance, a Handbook for the Prevention of Violent Extremism has been developed to raise institutional awareness, foster community cooperation, and more specifically, strengthen the role of teachers as frontline workers that could potentially identify radicalization at an early stage (Ministry of Education, Science, and Technology, 2017). As part of secondary prevention, in 2016, the municipality of Gjilan piloted a P/CVE Referral Mechanism in line with the Action Plan of the SPVERLT 2015-2020 to prevent predominantly young individuals from traveling to foreign conflict zones (OSCE Secretariat, 2019, p.102). The referral mechanism consists of local members of the community such as psychologists, teachers, community police and legal advisors who work on early detection of violent extremism (Perteshi and Ilazi, 2019). Although the mechanism has limited resources and intervention programs to offer, as of 2018 it has handled at least ten cases which according to its members have resulted in steering those referred away from violent extremism (OSCE Secretariat, 2019, p.102). Depending on the case, the mechanism receives referrals from members and families in the community and creates a group of two to three members to work on each case (Ibid). Tertiary prevention policies include a focus on rehabilitating and reintegrating (R&R) individuals formerly associated with extremist groups, some of whom continue to serve their sentence in prison. Kosovo has made important strides in this regard as it also took proactive measures in repatriating Kosovo citizens from the foreign conflict zones, who in addition to going through the judicial



process are also subject of R&R programs. However, challenges persist especially due to the limited resources and capacities, lack of previous experience in dealing with cases of rehabilitation and reintegration of radicalized persons, as well as inefficiencies in policy response due to political instability, lack of inter-institutional coordination, and lack of a strategic communication for keeping the public informed in a timely manner (Perteshi and Ilazi, 2019). These programs will be explained in more detail in the following section as case studies.

Frequent changes in the government<sup>5</sup> undermined the effectiveness of policies directed at tackling radicalization, however, in spite of having different political parties at the helm of the government - most of them have been quite consistent in terms of their approach towards radicalization. Regardless of having different political orientation, consecutive governments have sought to address the challenge of violent extremism and radicalization and take necessary measures to lower the threat. Although political leadership can be viewed as critical in shaping up the legislative and institutional framework in Kosovo, international partnerships and cooperation as well as Kosovo's strategic orientation towards Euro-Atlantic integration have provided the thrust to move processes forward. Importantly, changes in Kosovo's legislation to accommodate an easier prosecution of cases related to radicalization have been made while taking into consideration their alignment with EU acquis and international best practices and standards. In October 2019, the Kosovo authorities and the EU signed a bilateral Implementing Arrangement for the Joint Action Plan on Counter-Terrorism for the Western Balkans covering 2019-2020 (EU Country Report: Kosovo, 2020, p.45). This document identifies priority actions in the area of counter-terrorism cooperation as well as prevention on countering violent extremism through EU support (Ibid.). Moreover, in July 2020 Europol and the Kosovo Police concluded a Working Arrangement which filled an existing gap in international security cooperation as Kosovo was the only country in the Western Balkans without any structured and formalised cooperation with Europol (Ibid., p.42). This arrangement provides the basis for enhanced cooperation between Kosovo Police, Europol and EU Member States, especially in addressing terrorism and extremism (Ibid.).

A range of Kosovo institutions are involved in the field of radicalization and de-radicalization. The Office of the Prime Minister provides the political leadership for key P/CVE processes in Kosovo and it established the position of an appointed *National* CT/CVE Coordinator in an effort to enhance inter-institutional coordination. However, this position was terminated in February 2020, and in July 2020 the Government appointed the Minister of Internal Affairs (MIA) as the National Coordinator for the Prevention of Violent Extremism and the Fight against Terrorism - with the purpose of enhancing interinstitutional coordination with clarified structure and reporting lines (Ibid., p.44). The Ministry of Justice, the Ministry of Social Welfare, the Kosovo Police, the Kosovo Intelligence Agency, the Financial Intelligence Unit (FIU), the prosecution service, including the Special Prosecution Office are also key institutions in the field of (de)radicalization (Ibid.). The Ministry of Justice oversees the legal procedures related to conflict-zone returnees as well as key processes related to rehabilitation efforts through its agencies such Kosovo Correctional Services (KCS) which are tasked with carrying out rehabilitation programs for the general prison population but also for the violent extremist offenders (VEOs) (Ilazi and Perteshi, 2019). Another agency within its purview is the Kosovo Probation Services (KPS) which plays an important role in monitoring the process of individuals under probation. At the local level, there are a number of existing mechanisms that can deal with P/CVE issues such as Municipal Community

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<sup>5</sup> On February 14, 2021, Kosovo held the fifth parliamentary election in 13 years since independence in 2008 and the second such election in the past two years.

Safety Councils (MCSC) but they are not equally active across the regions and their potential for involvement in R&R programs is not utilized to the full extent (Ibid.). This further strengthens the need for greater decentralization efforts related to the field of (de)radicalization which would empower local actors to be more involved (Stakeholder Interview 02, 2021). This is particularly important given that radicalization is an evolving threat and existing strategies and actions plans need to be sufficiently agile to respond to shifting needs/dynamics, regularly reviewed and based on structured risk assessments.

## 6. Case Studies

In response to the threat of radicalization, various government and non-government initiatives have been developed to prevent and counter violent extremism. While there are numerous projects being implemented by local organizations within the framework of P/CVE, often in partnership with international organizations, processes related to the reintegration and rehabilitation of individuals who are considered radicalized or to have been affiliated with extremist groups - continue to be rather centralized. Thus, this section will explore into more detail two government-led programs, one dealing primarily with reintegration of radicalized individuals and the other with rehabilitation. Although the threat of radicalization can involve a diverse set of perpetrators across the extremist ideological spectrum as well as various targets, most available P/CVE programs in Kosovo address islamist radicalization as manifested more visibly through the foreign fighter phenomenon. Between the period of 2012-2016, an estimated 359 Kosovo citizens (257 men, 52 women and 50 minors) left for conflict zones in the Middle East, whereas 81 children were born in the conflict zone (EU Country Report: Kosovo, p.45). Often those who left are broadly categorized as foreign fighters, without distinguishing the varying roles that men, women, and minors in the conflict have played. In 2019, the GoK with U.S. assistance organized an operation led by the Inter-Institutional Committee for the Handling of Violent Extremism to repatriate 110 individuals (4 men, 32 women and 74 children) from Syria and Iraq back to Kosovo (Ibid.). In doing so, Kosovo became one of the first countries not only in Western Balkans but also in the world to pursue a policy of repatriation in response to the foreign fighter threat. Overall, it is estimated that around 242 Kosovo citizens have returned (124 men, 38 women, 80 children), 96 have died, and 102 remain in theatre (Ibid. p.45). In terms of returning patterns, it should be noted that many men returned by 2015 and by 2017 there were 117 returnees; whereas, in 2019 the majority of returnees have been women and children (Kursani, 2017, p.7).

Thus, the following case studies deal with reintegration and rehabilitation programs of individuals mainly linked with islamist radicalization and those who have returned from foreign conflict zones through formal or informal channels.

### A) Reintegration programs implemented by the Division for Prevention and Reintegration of Radicalized Persons (DPRRP)

Expecting the eventual return of Kosovo citizens from the foreign conflict zones, the Ministry of Internal Affairs as early as 2017 began drafting plans for a new institutional set up to deal with the challenge – resulting in the creation of the *Division for Prevention and Reintegration of Radicalized Persons (DPRRP)* which functions with a temporary mandate and deals

primarily with returnees. The work of the Division is based on the existing legal and strategic framework related to radicalization in Kosovo (See Annex 1), including the National Strategy for the Prevention of Violent Extremism which broadly delegates the roles and responsibilities in the field of reintegration. Moreover, the MIA relies on an internal document - the Program on Integration which is not publicly available but according to a representative from the Ministry it defines the target groups for reintegration programs, specifies the inclusion of institutions and their mandates related to reintegration, including the type of services that they offer (Stakeholder Interview, 02). Moreover, the program foresees areas in which improvement is needed and capacities must be strengthened. The division is primarily responsible for coordinating the institutional response in the reintegration process of repatriated individuals and other returnees, including coordination between relevant line ministries, KCS, KPS, local municipalities, community police etc. According to a representative of MIA, the first phase in the enrollment of returnees in reintegration programs is the assessment for reintegration, which includes an evaluation of the context of return, psycho-social assessments, health needs, education needs and capabilities, potential for employment opportunities etc. (Stakeholder Interview, 02). This early assessment is done in consultation with security institutions who - in conjunction - determine how often follow up assessments need to be carried out.

The reintegration programs implemented through DPRRP do not target specific geographical areas, rather individuals who fit the targeted profiles among the following categories: individuals who have traveled to the foreign conflict zones, families who have traveled to the foreign conflict zones, family members of those who have traveled to foreign conflicts but who themselves never left, conflict-zone returnees, individuals who are considered as radical (e.g. by calling for violence) but who never joined the foreign conflict, individuals sentenced for terrorism-related offenses, individuals with radical tendencies who were formerly incarcerated but now are free, receiving communities etc. (Ibid.). Based on these early assessments, individual plans are designed that account for the need for psychological services, faith-based or ideology-based re-education, vocational training, medical assistance, support for receiving communities etc. Reports of social workers on those individuals who are released from prison provide also information related to previous criminal record, interventions deemed necessary and, monitoring and surveillance of those under probation to ensure a safe environment (Ibid.). In terms of reintegration initiatives that the division has been implementing include a Training of Trainers (ToT) program on fostering critical thinking for frontline workers to strengthen community resilience and prevent radicalization. Although, in the early phases of repatriation of returnees most processes were coordinated by DPRRP with little involvement from civil society, various NGOs are increasingly playing a role in supporting reintegration programs through means such as design and implementation of reintegration activities, research studies, vocational trainings for women returnees, mental health support, recreational activities for children, as well as public awareness campaigns for receiving communities.

The Division plays an important role in pushing forward reintegration programs, however, its work faces numerous challenges. For instance, the Division lacks a structured approach to measure the impact of its work. In absence of a concrete tool for the monitoring and evaluation of how reintegration programs are being implemented, the division relies on the quality of relations with program beneficiaries, absence of complaints by involved parties, and level of cooperation with key stakeholders as a proxy way to measure its success (Ibid.). A persistent challenge is the lack of adequate budgeting and staffing of the division as a result of which its work remains dependent on donor funds, which in the long run may not be sustainable (Ibid.). For instance, case officers lack information and experience in dealing

with returnees and that is problematic especially at municipal level where they do not have dedicated funds for reintegration services. An added identified need is for municipalities to prepare local strategies and action plans for reintegration programs that are in line with the national strategic framework.

A mental health practitioner involved in reintegration activities with returnees notes additional challenges. In an interview, they mention that there are gaps in current legislation as the reintegration work draws heavily on the Strategy for the Reintegration of Repatriated Persons which does not include provisions for those individuals who have been part of foreign conflicts (Stakeholder Interview 02, 2021). Further, the existing general reintegration provisions are applicable only to adult population groups, without considering the needs of children returnees for whom there is no specific legislation in place (Ibid.). For instance, there is no legal basis to regulate how the process of informal schooling that children returnees have had to go through to catch up (Ibid.). There is also a strong need to focus on adopting a trauma informed approach which prepares frontline workers such as teachers or social workers on how to approach children returnees (Ibid.). The interviewee also highlighted some cases in which legislation challenges the integration of children returnees. For instance, a number of female child returnees wear the *hijab* or the headscarf that covers the hair and is worn on religious grounds. However, the wearing of the headscarf in public schools has been banned in Kosovo since 2010. Thus, whether or not these girls are allowed to attend school is mainly left at the discretion of the school principal (Ibid.). In many cases, children returnees are also grouped together in a classroom without the possibility to equally interact or socialize with the rest of their classmates - effectively “being walled in” and more vulnerable to stigma (Ibid.).

Yet, in spite of these challenges, a number of lessons can be drawn from the work of the Division and Kosovo’s experience with reintegration programs in general. To begin with, establishing a separate mechanism such as the Division facilitates reintegration not only by improving coordination among institutions but also serving as a focal point for targeted groups. Moreover, as the MIA representative notes, “families have been key in enabling us to do our work” underscoring the value of establishing trust and good rapport with program beneficiaries such as family members of the returnees. It is important to also know based on the identified needs which institutions and NGOs to include at what stage, which ensures a more efficient allocation of resources. Overall, a key lesson highlighted remains the need to adopt an individualized approach based on the diverse needs of returnee categories. For instance, providing specialized mental health support and counseling for children, vocational training for women returnees, and religious counseling in specific cases.

## B). Rehabilitation programs implemented by the Kosovo Correctional Services

A major part in Kosovo’s response to the threat of radicalization has been its punitive approach which resulted in the arrest and imprisonment of more than 100 individuals on terrorism-related offenses. The Kosovo Correctional Service (KCS) is the institution that, in cooperation with other Justice partners and in compliance with the laws, works to correct and re-socialize the prisoners, including violent extremism offenders (VEOs) (ICPA, 2021). A representative of the KCS interviewed for the purposes of this report highlights that the role of KCS is to work towards the rehabilitation and reintegration of all prisoners regardless of their background (Stakeholder Interview 01, 2021). It is important to note that

rehabilitation programs are mostly confined within the prison system with limited engagement of local NGOs. They are available to incarcerated men and women but they draw mostly from general rehabilitation programs available to all inmates and are limited to academic or vocational training (Avdimetaj and Coleman, 2021, p.4). In 2014, the KCS began receiving male inmates who had returned from the foreign conflict zones and were formerly part of extremist organizations such as IS. Although KCS had previous experience with religiously radicalized individuals or VEOs who were incarcerated, the battle-hardened conflict-zone returnees presented a new set of challenges (Ilazi et. al, 2021). Through the support of the U.S. Justice Department's ICITAP, the KCS conducted an internal assessment which found that the incarcerated conflict-zone returnees were not separated from the general prison population (Ibid). The separation of VEOs from the general population, depending on the context, is often considered as a good prison management practice (UNOCD, 2016, p.45). The same assessment also pointed out the need to develop the capacities of KCS personnel in dealing with conflict-zone returnees (Ilazi et. al, 2021).

In 2016, KCS struck an agreement with ICITAP to develop specific training programs on how to address this challenge and, in 2017, KCS and ICITAP adopted a strategic plan which included the development of crucial components related to the process of rehabilitation, including the development of an Assessment and Classification Unit and the Correctional Intelligence Unit (Stakeholder Interview 01, 2021). Within this strategic framework, the Extremist Management Unit was also formed to manage, among others, the allocation of the VEOs within the prison. Based on the strategic plan, KCS separated the VEOs from the general population to prevent them from influencing the others, especially from an ideological point of view (Ibid.). Moreover, the VEOs have been categorized based on the level of risk they pose, proxied by the type of sentencing that they have received. Namely, inmates who are sentenced with more than five years in prison are housed in the High Security Prison whereas those with lower sentences are located in the Correctional Center Dubrava (Ibid.). Since the VEOs are separated from the general prison population and grouped with one another, there are also concerns that they may mobilize to create disruptions inside the prison or organize acts of violence outside of it. However, according to the KCS representative, the current prison management system seems to be functioning well and, with the exception of a few individual raids where materials containing radical content have been confiscated, there has not been any blockage or organized rebellion (Ibid.). For these purposes, regular risk assessments are considered critical. Since 2000, KCS has mainly relied on a general risk assessment tool but following the agreement with ICITAP, efforts are underway to tailor risk assessments to the characteristics of VEOs. After a year of designing and organizing consultations with international and local stakeholders, the specialized risk assessment tool for VEOs is currently completing its testing period and will soon provide insights into whether it fits the needs of the KCS (Ibid).

To avoid making the VEOs feel targeted or singled out and therefore risk their voluntary participation, ongoing rehabilitation and reintegration programs are available to the entire prison population (Ilazi et. al, 2021). These programs include courses to support completion of high school, vocational training in areas such as carpentry, water supply systems and welding, as well as anger management training which was particularly well received by the inmates (Stakeholder Interview 01, 2021). Generally, the VEOs have been interested to be part of the R&R programs, with the expectation of a few individuals at the High Security Prison who, even though are well-behaved and cooperative, they opt out from any of the organized initiatives (Ibid.). Another important component of rehabilitation efforts for radicalized individuals is the focus on de-radicalization aspects, or attempts to influence inmates to renounce their extremist belief systems. However, at present, de-radicalization

programs that target mainly cognitive aspects of rehabilitation remain limited in Kosovo's prisons (Avdimetaj and Coleman, 2020).

Altering an individual's belief system is a complex if not an impossible undertaking, thus, de-radicalization programs are difficult to implement as well as assess for impact. In 2018, the Ministry of Justice and the Islamic Community of Kosovo (ICK) cooperated to implement a program in the KCS which fell within de-radicalization efforts and foresaw ICK to hold religious lectures in KCS (Ilazi et. al., 2021). The purpose of this program was to debunk radical, religiously laced ideologies that influenced individuals to join the foreign conflicts in Syria and Iraq (Ibid). However, according to the KCS representative, the project fell through because there was no interest by inmates to participate in it (Stakeholder Interview 01, 2021). Others note that a contributing factor to the inmates' lack of interest has been the public attention that this program received, with public statements being made that the imams who would conduct the deradicalization lectures have been verified by the Kosovo Intelligence Agency (Ilazi et. al., 2021). In this way, the religious representatives were perceived to be colluding with the security institutions and deemed not credible by the inmates. As of 2018, KCS started to put into practice its strategic plan but due to a limited budget and political instability linked with frequent changes in government - its implementation has been significantly delayed (Stakeholder Interview 01, 2021). For instance, currently there is no comprehensive way to assess the actual impact of rehabilitation programs and no follow up for individuals who are released from prison to facilitate their reintegration in society (Ilazi et. al, 2021). According to the KCS representative, the low recidivism rates is one of the ways that they can assess the impact of rehabilitation programs and that focusing on a fair treatment based on law is considered important to not aggravate the various grievances that the inmates hold (Stakeholder Interview 01, 2021).

## Conclusion

In conclusion, this report sought to provide an overview of the legal and policy framework of Kosovo in the field of radicalization and de-radicalization. Even though existing legislation does not make any direct references to the concept of (de)radicalization, looking into provisions regarding fundamental rights and protections as well as criminalization or related acts of terrorism allows a better understanding of how they are currently being applied in Kosovo. In regards to the protection of fundamental rights, the constitution provides strong guarantees, especially when it comes to regulating the rights of ethnic minority groups. Related laws supplement the constitutional provisions, however, when it comes to fields such as freedom of religion there is a need to amend the current law and address its deficiencies. Specifically, the draft law which is yet to be approved by the parliament foresees procedures how to regulate the legal status of religious communities in Kosovo which as of now prevents them from carrying out even basic functions. However, the amendment of this law should be carried out following a consultation process with the various religious communities in Kosovo to ensure that it is non-discriminatory to their concerns or needs.

In general, Kosovo's legal and policy framework is considered to provide a sufficient basis to prosecute cases on terrorism-related offenses. The law which criminalizes the joining and participation of Kosovo citizens in foreign conflicts can be considered one of the more effective laws in preventing radicalization as, in conjunction with other measures, is

attributed to have stemmed the flow of foreign fighters. Moreover, the same law fills an important gap in the Criminal Code while facilitating the prosecution of conflict-zone returnees. Kosovo's punitive approach resulted in the arrests of more than 100 individuals, often followed with high publicity which in some instances had a stigmatizing effect on associated communities from which the detainees originated from. Thus, greater caution should be exercised in carrying out similar rule of law operations to prevent the stigmatization or alienation of entire communities. Existing legislation must also be supplemented when it comes of the implementation of integrative approaches focusing on rehabilitation and reintegration of former violent extremist offenders and other individuals formerly affiliated with extremist groups. Specifically, there is a need to adopt strategic documents at the national and municipal level which would lay out how various stakeholders can contribute to the R&R processes and prioritize fields of action. The adoption of such legislation is especially relevant for providing guidelines on how to reintegrate and rehabilitate children returnees as a separate category in these intervention programs. Kosovo's institutions are currently implementing R&R programs which place a great focus on cooperation between various stakeholders and trust-building measures with targeted groups. However, processes of R&R are long-term efforts and in this regard there is a need to adopt monitoring and evaluation tools that are currently lacking. Only through structured and regular ways to assess the impact of existing programs, will it be possible to have a clear idea of the actual effects of programs tackling radicalization.

## Annexes

### Annex I: OVERVIEW OF THE LEGAL FRAMEWORK ON RADICALIZATION & DE-RADICALIZATION

Legislation (original English) and number	title and	Date	Type of law (i.e. statute, regulation, rule, etc...)	Object/summary of legal issues related to radicalization	Link/PDF
KUSHTETUTA E REPUBLIKËS SË KOSOVËS  CONSTITUTION OF THE REPUBLIC OF KOSOVO N		JUNE 15, 2008	CONSTITUTION	The Constitution as the highest act of the Republic of Kosovo contains the main and general provisions regarding the nature of Kosovo's governing system, the relationship between its individuals/citizens with the government/ state, and their rights. It lays out the fundamental rights related to freedom of expression, freedom of religion, the right to privacy, the right for assembly which are directly or indirectly related to legal considerations on radicalization cases.	<a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a>
KODI NR. 06/L-074 KODI PENAL I REPUBLIKËS SË KOSOVËS  CODE NO. 06/L-074  CRIMINAL CODE OF THE REPUBLIC OF KOSOVO		DECEMBER 13, 2018	CODE	The Criminal Code of the Republic of Kosovo regulates a variety of issues related to radicalization, primarily by providing the basis and limits for the criminalization of related acts. Criminal offenses and criminal sanctions are foreseen only for those actions that infringe and violate the freedoms, human rights and other rights and social values guaranteed and protected by the Constitution of the Republic of Kosovo and international law to the extent that is not possible to protect these values without criminal sanctions of the state of Law.	<a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=18413">https://gzk.rks-gov.net/ActDetail.aspx?ActID=18413</a>



<p>Ligji Nr. 05/L -002</p> <p>PËR NDALIMIN E BASHKIMIT NË KONFLIKTE TË ARMATOSURA JASHTË TERRITORIT TË VENDIT</p> <p>LAW No. 05/L -002 ON PROHIBITION OF JOINING THE ARMED CONFLICTS OUTSIDE STATE TERRITORY</p>	<p>MARCH 25, 2015</p>	<p>STATUTE</p>	<p>With the aim of protecting the state interests and national security, this Law supplements the Criminal Code by criminalizing the joining or participation of Kosovo citizens in a foreign army or police, in foreign paramilitary and parapolice formations, in organized groups or individually, in any form of armed conflict outside the territory of the Republic of Kosovo. The law foresees punishments with up to 15 years in prison.</p>	<p><a href="https://qzk.rks-gov.net/ActDetail.aspx?ActID=10763">https://qzk.rks-gov.net/ActDetail.aspx?ActID=10763</a></p>
<p>LIGJI NR. 03/L-047 PËR MBROJTJEN DHE PROMOVIMIN E TË DREJTAVE TË KOMUNITETEVE DHE Pjesëtarëve të tyre në Republikën e Kosovës</p> <p>LAW NO. 03/L-047 ON THE PROTECTION AND PROMOTION OF THE RIGHTS OF COMMUNITIES AND THEIR MEMBERS IN KOSOVO</p>	<p>MARCH 13, 2008</p>	<p>STATUTE</p>	<p>Persons belonging to communities in the Republic of Kosovo shall be entitled to enjoy individually or jointly with others the fundamental and human rights and freedoms established in international legal obligations binding upon the Republic of Kosovo.</p>	<p><a href="https://qzk.rks-gov.net/ActDetail.aspx?ActID=2531">https://qzk.rks-gov.net/ActDetail.aspx?ActID=2531</a></p>

<p>Ligji Nr. 02/L-31</p> <p>PËR LIRINË FETARE NË KOSOVË</p> <p>LAW No. 02/L-31</p> <p>ON FREEDOM OF RELIGION IN KOSOVO</p>	<p>AUGUST 24, 2006</p>	<p>STATUTE</p>	<p>The establishes that everyone has the right to freedom of thought, conscience and religion. This right includes the freedom to have, not to have, to retain or to change one's religion or belief and the freedom, either alone or in community with others, in public or in private, to manifest one's religion or belief, in worship, teaching, practice and observance.</p>	<p><a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2442">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2442</a></p>
<p>Ligji Nr. 02/L-37</p> <p>PËR PËRDORIMIN E GJUHËVE</p> <p>Law No. 02/L-37</p> <p>ON THE USE LANGUAGES</p>	<p>JULY 27, 2006</p>	<p>STATUTE</p>	<p>The purpose of this law is to ensure the use of the official languages, as well as languages of communities whose mother tongue is not an official language, in Kosovo institutions and other organizations and enterprises who carry out public functions and services. It provides the basis for stronger protections of individual and collective cultural autonomy.</p>	<p><a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2440">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2440</a></p>
<p>Ligji Nr. 05/L-021</p> <p>PËR MBROJTJEN NGA DISKRIMINIMI</p> <p>LAW NO. 05/L-021 ON PROTECTION AGAINST DISCRIMINATION</p>	<p>JUNE 26, 2015</p>	<p>STATUTE</p>	<p>The law provides a general framework for preventing and combating discrimination based on nationality, or in relation to any community, social origin, race, ethnicity, colour, birth, origin, sex, gender, gender identity, sexual orientation, language, citizenship, religion and religious belief, political affiliation, political or other opinion, social or personal status, age, family or marital status, pregnancy, maternity, wealth, health status, disability, genetic inheritance or any other grounds, in order to</p>	<p><a href="http://old.kuvendikosoves.org/communication/docs/liqjet/05-L-021%20a.pdf">http://old.kuvendikosoves.org/communication/docs/liqjet/05-L-021%20a.pdf</a></p>

			implement the principle of equal treatment.	
<p>LIGJI NR. 03/L-073</p> <p>PËR ZGJEDHJET E PËRGJITHSHME NË REPUBLIKËN E KOSOVËS</p> <p>LAW NO. 03/L-073</p> <p>ON GENERAL ELECTIONS IN THE REPUBLIC OF KOSOVO</p>	<p>JUNE 5, 2008</p>	<p>STATUTE</p>	<p>The purpose of this law is to regulate: a) the electoral system for election of the Assembly of the Republic of Kosovo; b) the recognition and the protection of the voting rights and the voter eligibility criteria; c) the code of conduct of political entities, their candidates and supporters. Related provisions are relevant in ensuring the right to vote as a key right in a democracy.</p>	<p><a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2544">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2544</a></p>
<p>LIGJI NR. 03/L-072</p> <p>PËR ZGJEDHJET LOKALE NË REPUBLIKËN E KOSOVËS</p> <p>LAW NO. 03/L-072</p> <p>ON LOCAL ELECTIONS IN THE REPUBLIC OF KOSOVO</p>	<p>JUNE 5, 2008</p>	<p>STATUTE</p>	<p>The purpose of this Law is the organization and holding of elections for Municipal Assemblies and Mayors of Municipalities of Kosovo. It established all political parties with equal rights before the law.</p>	<p><a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2549">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2549</a></p>
<p>LIGJI Nr. 03/L-118</p> <p>PËR TUBIMET PUBLIKE</p>		<p>STATUTE</p>	<p>This Law regulates the right of public gatherings, of freedom of speech in public gatherings, the right to protest, the right for public manifestations, time of organizing, duties and</p>	<p><a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2633">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2633</a></p>

<p>LAW No. 03/L-118</p> <p>ON PUBLIC GATHERINGS</p>	<p>DECEMBER 4, 2008</p>		<p>responsibilities of organizers. In regards to radicalization, this law enables individuals who hold grievances towards certain government policies to use their right to protest and influence policy.</p>	
<p>LIGJI Nr. 05/L -096 PËR PARANDALIMIN E PASTRIMIT TË PARAVE DHE LUFTIMIN E FINANCIMIT TË TERRORIZMIT</p> <p>LAW No. 05/L-096</p> <p>ON THE PREVENTION OF MONEY LAUNDERING AND COMBATING TERRORIST FINANCING</p>	<p>MAY 25, 2016</p>	<p>STATUTE</p>	<p>This Law stipulates measures, competent authorities and procedures for detecting and preventing money laundering and combating terrorist financing. It provides important provisions in tackling financing of terrorism, however, the law provides several limitations for the functioning of CSOs, and it is urged to be amended so that it is also more in line with EU acquis.</p>	<p><a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=12540">https://gzk.rks-gov.net/ActDetail.aspx?ActID=12540</a></p>
<p>LIGJI NR. 04/L-149 PËR EKZEKUTIMIN E SANKSIONEVE PENALE</p> <p>LAW NO. 04/L-149 ON EXECUTION OF PENAL SANCTIONS</p>	<p>JULY 29, 2013</p>	<p>STATUTE</p>	<p>This law regulated the execution of penal sanctions, sanctions on offences and measures of mandatory treatment, and application of detention measures. These are relevant in determining the procedures for the reintegration and re-socializing formerly detained individuals so that they can safely rejoin the society.</p>	<p><a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=8867">https://gzk.rks-gov.net/ActDetail.aspx?ActID=8867</a></p>

<p>LIGJI Nr. 2004/32 PËR FAMILJEN I KOSOVËS</p> <p>LAW No.2004/32 FAMILY LAW OF KOSOVO</p>	<p>JANUARY 6, 2006</p>	<p>STATUTE</p>	<p>This Law regulates the engagement, marriage, relations between parents and children, adoption, custody, protection of children without parental care, family property relations and special court procedures for disputes of family relations. It is particularly relevant in current reintegration efforts for conflict-zone returnees and their family members, who often have to deal with complex family situations such as related to custody rights etc.</p>	<p><a href="https://qzk.rks-gov.net/ActDetail.aspx?ActID=2410">https://qzk.rks-gov.net/ActDetail.aspx?ActID=2410</a></p>
<p>LIGJI Nr. 06/L-082 PËR MBROJTJEN E TË DHËNAVE PERSONALE</p> <p>LAW NO. 06/L –082 ON PROTECTION OF PERSONAL DATA</p>	<p>JANUARY 30, 2019</p>	<p>STATUTE</p>	<p>This law determines the rights, responsibilities, principles and punitive measures with respect to the protection of personal data and privacy of individuals. This Law determines responsibilities of the institution responsible for monitoring the legitimacy of data processing and access to public documents</p>	<p><a href="https://qzk.rks-gov.net/ActDetail.aspx?ActID=18616">https://qzk.rks-gov.net/ActDetail.aspx?ActID=18616</a></p>
<p>LIGJI NR. 02/L-17 PËR SHËRBIME SOCIALE DHE FAMILJARE</p> <p>LAW NO. 02/L-17 ON SOCIAL AND FAMILY SERVICES</p>	<p>OCTOBER 14, 2005</p>	<p>STATUTE</p>	<p>This Law sets out and regulates for the provision of social and family services to persons who are in need and families who are in need in Kosovo. It also provides a basis for addressing the needs of conflict-zone returnees currently undergoing reintegration programs and deemed eligible for the provision of social and family services.</p>	<p><a href="https://qzk.rks-gov.net/ActDetail.aspx?ActID=2447">https://qzk.rks-gov.net/ActDetail.aspx?ActID=2447</a></p>

<p>LIGJI NR. 03/L-212 I PUNËS</p> <p>LAW NO.03/L –212 ON LABOUR</p>	<p>NOVEMBER 1, 2010</p>	<p>STATUTE</p>	<p>This Law aims at regulating the rights and obligations deriving from employment relationship, as defined by this Law. It is relevant in reintegration and resocialization programming for former radicalized individuals.</p>	<p><a href="https://qzk.rks-gov.net/ActDetail.aspx?ActID=2735">https://qzk.rks-gov.net/ActDetail.aspx?ActID=2735</a></p>
<p>LIGJI Nr. 04/L-138 PËR ARSIMIN DHE AFTËSIMIN PROFESIONAL</p> <p>LAW No. 04/L-138 FOR VOCATIONAL EDUCATION AND TRAINING</p>	<p>FEBRURY 28, 2013</p>	<p>STATUTE</p>	<p>The Purpose of this Law is to regulate the national vocational education and training system in accordance with the needs of the economic and social development of the Republic of Kosovo. It is relevant to current reintegration efforts for conflict-zone returnees who are also benefiting from vocational training programs to ensure their self-sustenance.</p>	<p><a href="https://qzk.rks-gov.net/ActDetail.aspx?ActID=8676">https://qzk.rks-gov.net/ActDetail.aspx?ActID=8676</a></p>
<p>LIGJI PËR KOMPETENCAT E ZGJERUARA PËR KONFISKIMIN E PASURISË SË FITUAR ME VEPËR PENALE NR. 06/L-087</p> <p>LAW OF EXTENDED POWERS ON CONFISCATION OF ASSETS NO. 06/L-087</p>	<p>DECEMBER 26, 2018</p>	<p>STATUTE</p>	<p>This law extends confiscation to defendants but also to third parties when they are not bona fide buyers of the asset. The adoption of the law is important in broader efforts to tackle the financing of terrorism as well as organized crime.</p>	<p><a href="https://www.kuvendikosoves.org/Uploads/D ata/Documents/Liqjin06L-087_nW8p4KGefs.pdf">https://www.kuvendikosoves.org/Uploads/D ata/Documents/Liqjin06L-087_nW8p4KGefs.pdf</a></p>

## OTHER RELEVANT ISSUES

	Constitutional provisions	Statutory law (statutes, rules, regulations etc.)	Important case law	Comments/issues relevant to radicalization
<b>Freedom of religion and belief</b>	Article 38, 39	<p>Law No. 02/L-31, all provisions</p> <p>Law No. 03/L-047</p> <p>Article 7</p> <p>Law No. 04/L – 149</p> <p>Article 89</p> <p>Law No. 06/L –082</p> <p>Article 8</p>	//	<p>The right for freedom of conscience and religion is enshrined in the constitution for all residents. It includes the right to change, express, or not express religious belief; practice or abstain from practicing religion; and join or refuse to join a religious community. These rights are subject to limitations for reasons of public safety and order or for the protection of the health or rights of others. In spite of the current legal provisions in places related to freedom of religion and belief, the Kosovo Assembly is yet to adopt the Law on Religious Freedom with incorporated amendments based on the recommendations of the Venice Commission.</p> <p>The Constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p> <p>Law No. 02/L-31 on Religious Freedoms <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2442">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2442</a></p> <p>Law No. 03/L-047 Law No. 03/L-047 on the Protection and Promotion of the Rights of Communities and Their Members in Kosovo</p> <p><a href="https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2531">https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2531</a></p> <p>Law No. 04/L – 149 for the Execution of Penal Sanctions <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=8867">https://gzk.rks-gov.net/ActDetail.aspx?ActID=8867</a></p>

				Law No. 06/L –082 on Protection of Personal Data <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616">https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616</a>
<b>Minority rights</b>	Article 57, 58, 59, 60, 61, 61	Law No. 03/L-047, all provisions.  Law No. 02/L-37, Article 1, 2, 4, 8,		<p>The constitution provides strong safeguards for the rights of non-majority ethnic communities in Kosovo, including through reserved seats in public institutions at the central and local level. The constitutional provisions are followed by a well-established legal framework and adequate plans of action. Yet, in terms of implementation, there is a need for greater inter-institutional coordination to ensure that minority rights and the legal framework in general is equally respected throughout the country.</p> <p>The Constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p> <p>Law on Languages No. 03/L-047 <a href="https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2531">https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2531</a></p> <p>Law on Protection of Personal Data No. 02/L-37 <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2440">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2440</a></p>
<b>Freedom of expression</b>	Article 40	Law No. 02/L-37, Article 3  Law No. 06/L –082  Article 16		<p>There is an adequate legal framework regulating freedom of expression, which is further supported by a pluralistic media environment. Limitations to freedom of expression are applied in cases when it is deemed necessary to prevent violent or hostile reactions based on certain background characteristics, such as race, nationality, ethnicity, or religion – which could lead to hate and increased social polarization.</p> <p>The constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p>



				<p>Law No. 02/L-37 on the Use of Languages <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2440">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2440</a></p> <p>Law No. 06/L –082 on the Protection of Personal Data <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616">https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616</a></p>
<b>Freedom of assembly</b>	Article 43	<p>Law No. 03/L-118,</p> <p>All provisions</p>		<p>The constitution guarantees the freedom of assembly and association, which is particularly important in ensuring that citizens feel safe to freely express their views and objectives such as through protests.</p> <p>The constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p> <p>Law No. 03/L-118: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2633">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2633</a></p>
<b>Freedom of association/ political parties etc.</b>	Article 44	<p>LAW NO. 03/L-047</p> <p>Article 11</p> <p>LAW NO. 03/L-073</p> <p>Article 2</p> <p>LAW NO. 03/L-072</p> <p>Article 3</p> <p>LAW NO. 03/L-212</p> <p>Article 88</p>		<p>The freedom of association/political parties allows members of different communities to organize around a political orientation and mobilize citizens through the right to vote. The existing legislation enables citizens to elect their government representatives in fair and periodic elections, which are organized through secret ballots.</p> <p>The constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p> <p>Law No. 03/L-047 <a href="https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2531">https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=2531</a></p> <p>Law No. 03/L-073 <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2544">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2544</a></p> <p>Law No. 03/L-072 <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2549">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2549</a></p> <p><u>Law No. 03/L-212 <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=2735">https://gzk.rks-gov.net/ActDetail.aspx?ActID=2735</a></u></p>

<b>Hate speech/ crime</b>	Article 40			<p>The constitution provides for “the right to express oneself, to disseminate and receive information, opinions and other messages without impediment” with limitations when such freedom infringes upon the rights of others to prevent encouragement or provocation of violence and hostility on grounds of race, nationality, ethnicity or religion. Hate crime is also foreseen as an aggravating circumstance by the Criminal Code of Kosova.</p> <p>The constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p> <p>Criminal Code: <a href="https://www.refworld.org/docid/6012e70d4.html">https://www.refworld.org/docid/6012e70d4.html</a></p>
<b>Church and state relations</b>	Article 8			<p>The constitution establishes Kosovo as a secular state that is neutral in matters of religious beliefs.</p> <p>The constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p>
<b>Surveillance laws</b>	Article 36			<p>Although there is no specific legislation on surveillance, related provisions can be found in the constitution as part of the Right to Privacy as well as in the Criminal Procedure Code where terrorism-related offenses are categorized as serious crimes whose investigation may require that covert and technical measures of surveillance (Article 88). Moreover, surveillance and interceptions are included in the Law on the Kosovo Intelligence Agency and the Law on the Interception of Electronic Communications.</p> <p>The constitution: <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p>

				<p>Criminal_Code:  <a href="https://www.refworld.org/docid/6012e70d4.html">https://www.refworld.org/docid/6012e70d4.html</a></p> <p>Criminal Procedure Code, Article 88:  <a href="https://www.ecoi.net/en/file/local/1267798/1226_1362067275_kosovo-cpc-2012-en.pdf">https://www.ecoi.net/en/file/local/1267798/1226_1362067275_kosovo-cpc-2012-en.pdf</a></p> <p>The Law on the Kosovo Intelligence Agency: <a href="https://www.aki-rks.org/HTML_ENG/2008_03-L063_en.pdf">https://www.aki-rks.org/HTML_ENG/2008_03-L063_en.pdf</a></p> <p>The Law on Interception of Electronic Communications: <a href="https://cps.rks-gov.net/wp-content/uploads/2020/08/LAW_NO_05_L-030_ON_INTERCEPTION_OF_ELECTRONIC_COMMUNICATIONS.pdf">https://cps.rks-gov.net/wp-content/uploads/2020/08/LAW_NO_05_L-030_ON_INTERCEPTION_OF_ELECTRONIC_COMMUNICATIONS.pdf</a></p>
<b>Right to privacy</b>	Article 36	Law No. 06/L –082 Article 78		<p>By constitution everyone enjoys the right to privacy which includes secrecy of correspondence, telephony, and other communication. Such a right may only be limited by court decision if it is necessary for criminal proceedings or defense of the country as defined by law.</p> <p>The Constitution <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702">https://gzk.rks-gov.net/ActDetail.aspx?ActID=3702</a></p> <p>Law No. 06/L –082 <a href="https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616">https://gzk.rks-gov.net/ActDetail.aspx?ActID=18616</a></p>

## ANNEX II: LIST OF INSTITUTIONS DEALING WITH RADICALIZATION & COUNTER-RADICALIZATION

Authority (English and original name)	Tier of government (national, regional, local)	Type of organization	Area of competence in the field of radicalization & deradicalization	Link
<p>Division for Prevention and Reintegration of Radicalised Persons (DPRRI)</p> <p>Divizioni për Parandalim dhe Riintegrim të personave të radikalizuar (DPRPR)</p>	National	Division within the Department for Public Safety, Ministry of Internal Affairs	DPRI has been established to coordinate, communicate, monitor, and evaluate the process of reintegration for radicalized persons.	<a href="https://mpb.rks-gov.net/f/78/Divizioni-per-Parandalim-dhe-Riintegrim-te-Personave-te-Radikalizuar">https://mpb.rks-gov.net/f/78/Divizioni-per-Parandalim-dhe-Riintegrim-te-Personave-te-Radikalizuar</a>
<p>Kosovo Police</p> <p>Policia e Kosovës</p>	National	Law enforcement	The Investigation Department works towards awareness raising, early identification, targeting and treating individuals and criminal groups. Prevention of serious crimes, including terrorism involves: prevention of radicalism and Violent Extremism, conducting proactive and reactive investigations. Its Directorate Against Terrorism seeks to prevent and disable terrorists from recruiting, planning attacks or building legitimacy within Kosovo through investigations, collection of intelligence, maintenance and analysis of intelligence, use of secret investigation measures, conducting of clandestine operations, etc.	<a href="https://www.kosovopolice.com/en/departments/investigation-department/">https://www.kosovopolice.com/en/departments/investigation-department/</a>
<p>Kosovo Intelligence Agency (KIA)</p>	National	Security and Intelligence Agency	KIA seeks to identify threats detrimental to the security of Kosovo through the collection and analysis of information related to, among	<a href="https://www.akj-rks.org/">https://www.akj-rks.org/</a>

Agjencia Kosovare e Inteligjencës (AKI)			others, incitement, aiding and abetting or advocating terrorism; acts of organized violence or intimidation against ethnic or religious groups in Kosovo.	<a href="#">HTML ENG/home.html</a>
Kosovo Correctional Services (KCS)  Shërbimi Korrektues i Kosovës	National	Agency, Ministry of Justice	KCS aims works towards the correction and re-socialization of prisoners by respecting their fundamental rights regardless of race, language and religion as well as providing a safe environment for staff, prisoners, and society	<a href="https://shkk.rks.gov.net/en/shkk/480/historiku/480">https://shkk.rks.gov.net/en/shkk/480/historiku/480</a>
Kosovo Probation Services (KPS)  Shërbimi Sprovues i Kosovës	National	Agency, Ministry of Justice	KPS organizes, applies and supervises the execution of the alternative punishments and the social re-integration of the convicted persons (probation duties); prepares social inquiries and pre-punishment reports for the committals of criminal acts; evaluates criminal risk and assesses the treatment needs of the committers of criminal acts	<a href="https://md.rks.gov.net/page.aspx?id=219">https://md.rks.gov.net/page.aspx?id=219</a>

### ANNEX III: BEST PRACTICES/INTERVENTIONS/PROGRAMMES\*

#### National level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
1.				
2.				

#### Sub-national/Regional level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
1.				
2.				

#### Local level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
1.				

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\* Current programs lack structure and impact assessments. Therefore, they have not been included in this Annex.

2.				
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## ANNEX IV: POLICY RECOMMENDATIONS

1. Amend and adopt the legislative and strategic framework as necessary to correspond with the shifting threat of radicalization and violent extremism. A number of current guiding and strategic documents related to radicalization are tilted towards addressing Islamist radicalization. Thus, given the evolving nature of radicalization and violent extremism in line with domestic and international dynamics, it is important for the legislative and strategic framework to reflect the shifting character of the threat.
2. Strengthen prevention of radicalization and violent extremism by expanding cooperation with international and local partners. In spite of marked progress in addressing radicalization, the institutions of Kosovo still face deficiencies in terms of the lack of resources and capacities. Expanding partnerships with local and international organizations is one way in which efficiency could be improved in efforts to prevent radicalization and violent extremism.
3. Adopt an individualized, gender-sensitive, and trauma-informed approach to the process of rehabilitating and reintegrating individuals who have been formerly associated with violent extremist networks. It is well established that the needs and challenges of individuals who have been radicalized or those who have returned from the foreign conflict zones differ based on the personal characteristics such as gender, age, and level of exposure to trauma. Thus, a customised approach is necessary to facilitate rehabilitation and reintegration.
4. Adopt separate legislation to regulate the process of reintegration for children who have returned from the foreign conflict zones. There is currently a lack of dedicated legislation that regulates how the process of rehabilitation and reintegration for children who have been formerly affiliated with extremist organizations. This legal basis is needed to improve current approaches that have to rely on general legislation that may not fully correspond to the specific needs of children.
5. Establish standardized protocols that regulate the work of key institutions involved in the process of rehabilitation and reintegration of radicalized persons with the purpose of improving information-sharing and inter-institutional coordination. This is particularly relevant in the work of KCS, KPS, as well as DPRRI which would facilitate the safe transition of an individual from the prison context back into society.
6. Institute consistent and comprehensive monitoring and evaluation tools to assess the impact of intervention programs to counter radicalization, specifically programs related to rehabilitation and reintegration of persons formerly affiliated with extremist groups. Without systematic and standardized assessments, it is difficult to evaluate whether a certain intervention is working and if /what changes may be necessary to adjust the course of action.



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