



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

Ministria e Drejtësisë-Ministarstvo Pravde- Ministry of Justice

ADMINISTRATIVE INSTRUCTION MoJ-No.15/2023¹
ON THE FUNCTIONING OF THE INTELLIGENCE UNIT

¹ Administrative Instruction MD-No. 15/2023 On the functioning of the intelligence unit, signed by the Minister of Justice on 27.11.2023

Minister of the Ministry of Justice,

Pursuant to Article 18, paragraph 7 of Law no. 08/L-131 on the Kosovo Correctional Service (OG No. 20, 08.08.2022), based on Article, 11 paragraph 1, sub-paragraph 1.5 of Law no. 08/L-117 on the Government of the Republic of Kosovo, in accordance with Annex 1 (item 3) of the Regulation (GRK)-No. 14/2023 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries, as well as Article 38 paragraph 6 of Government Work Regulation No. 09/2011.

Issues:

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CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose

The purpose of this Administrative Instruction is the functioning of the Intelligence Unit in the Correctional Service of the Republic of Kosovo in relation to the planning, collection, systematization, analysis, distribution, archiving and protection of specific intelligence information that pose a threat and danger to the order and security of correctional institutions.

Article 2
Scope

The Administrative Instruction on the Functioning of the Intelligence Unit is implemented by the Intelligence Unit of the Correctional Service (hereinafter: KCS).

Article 3
Definitions

1. For the purpose of this Administrative Instruction, the following terms have the following meanings:

1.1. **Intelligence Unit** - means the Intelligence Unit within the KCS.

1.2. **The right to know** - means that the requester has official and legal competence for the requested information.

1.3. **Need to know** - means that the requested information is necessary and belongs to the competent institutions for starting, developing or conducting an investigation.

CHAPTER II FUNCTIONING OF THE INTELLIGENCE UNIT

Article 4 Status of Intelligence Unit

1. The intelligence unit is a special unit within the General Directorate of KCS, competent for all Correctional Institutions.
2. The promotion procedure for the personnel of the Intelligence Unit is developed in accordance with the relevant legislation in force.

Article 5 Powers of the Intelligence Unit

1. The Intelligence Unit carries out the planning, collection, systematization, analysis, distribution and protection of information that pose a threat and danger to the order and security of correctional institutions.
2. After evaluating the information, the Intelligence Unit notifies the General Director of the KCS and requests the undertaking of measures in order to prevent the security threat to the KCS.
3. Intelligence officials to collect information during their work will use specialized correctional intelligence techniques, technologies and best practices which are in accordance with the legislation in force and the protection of human rights.
4. The Intelligence Unit is responsible for identifying individuals and groups that pose a security threat to correctional institutions, informing, exchanging information and intelligence with the competent institutions.
5. The Intelligence Unit cooperates with other competent institutions in order to protect general security.

Article 6 Role of Intelligence Unit

The role of Intelligence Unit is to provide information and produce intelligence products for the General Director for maintaining and raising the level of security in KCS.

Article 7 The process of developing and processing information

1. The process of development and processing of intelligence information must go through the following steps:

- 1.1. planning;
- 1.2. collection;
- 1.3. systematization;
- 1.4. analysis;
- 1.5. evaluation;
- 1.6. distribution;
- 1.7. re- evaluation.

2. The steps defined in paragraph 1 of this Article are applied in order to create the intelligence product.

3. Except in cases where the information is assessed to be of an urgent nature, the steps defined in paragraph 1 of this Article may not be applied.

4. The manner of implementation of the intelligence process shall be determined by standard operating practice.

Article 8 Resources and information

The Intelligence Unit, in order to maintain security in Correctional Institutions, uses all sources of internal and external information related to the Kosovo Correctional Service.

Article 9 Handling of intelligence information

Intelligence information in KCS as well as other information related to intelligence are treated in accordance with the legislation in force on the classification of information.

Article 10 Maintaining confidentiality

1. Intelligence Unit must protect information sources, methods, work tools, investigations and human rights in accordance with the relevant legislation in force.

2. The obligation to protect this information does not cease even when the official is no longer employed as part of the Intelligence Unit or terminates the employment relationship with the KCS.

Article 11
Distribution of intelligence

The Director of Intelligence Unit with the authorization of the General Director of KCS allows the distribution of the intelligence product to other relevant security institutions in compliance with the relevant legislation in force.

Article 12
Cooperation

1. Intelligence Unit cooperates with all KCS units.
2. KCS personnel are obliged to enable and facilitate the Intelligence Unit's the access to the collection of information to the Correctional Institution.
3. The Intelligence Unit for the implementation of its responsibilities, NJI cooperates with other competent institutions of the KSK in the field of security.

Article 13
Entry into force

This Administrative Instruction enters into force seven (7) days after its publication in the Official Gazette.

Albulena Haxhiu

Minister of Justice

27/11/2023