

SECURITY GOVERNANCE

SECURITY SECTOR REFORM

IN SOUTHEAST EUROPE

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INTERNATIONAL POLICY FELLOWSHIP
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PREFACE

This report is a product of the one year long study and research in the framework of the continuing International Policy Fellowship at the Center for Policy Studies. It is a study of the impact of the security reforms upon governance structures in the 1990s and early 2000s in Macedonia and in other post-communist countries of Southeast Europe. The paper looks into the degree to which the security reforms that occurred in post-communist Southeast Europe have affected the governance structures and how the reform of the civilian governance institutions have affected the working of the security sector. It is a by-product of the research report that was written on the same subject in the framework of the International Policy Fellowship.

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EXECUTIVE SUMMARY

- ❑ Security sector reform is still an area where the considerable progress is lacking all over the region of Southeast Europe. It remains to be “critical weakness” of the countries of the region. There remains considerable record of unfulfilled security reform commitments.
- ❑ Lack of critical governance structures to provide necessary means for ensuring democratic governance in an adequate level in the defense and security sector, has been a major feature of the transitioning countries of Southeast Europe.
- ❑ Issues relevant to governance are still unresolved, particularly with regard to the transparency and accountability, sustaining political will for reforms and difficulties in changing the old mentality, factors that hinder the establishment of sustainable governance.
- ❑ The challenges faced by the Southeast European countries have underscored the importance of the governance in the region. Therefore, the reforms in the security and defense sector alone would not be enough to consolidate the governance. It is overall reform undertakings in whole important public spheres, including politics, economy and judiciary that will consolidate the reforms.
- ❑ There are myriad of the economic, and possibly some political, constraints that have made the security sector reform process a long one. These constraints are still in place and preventing their influence on the reform processes rests on the degree to which the political stability that the region has enjoyed in the past few years can be sustained, and on region’s ongoing ability to avoid being drawn into potential conflicts.

POLICY RECOMMENDATIONS

- Transparency: What are needed most are more transparency in the work of the security sector, greater role of the parliament in the reforms, more transparent and accountable military budget, effective planning, programming and budgeting, more active role of the civilians, stronger link with academic community, greater role of the ICT, and continuous learning process as a source for change;
- Political Will: There is a need for a strong political will and clear aims in order to accomplish the reform processes. The record in the region shows that the countries have been most successful when they have used their own resources for the launch and implementation of the reforms;
- Changing Mentality: It is a challenge to these countries in their security and defense concepts and practices to adjust them to the multi-cultural and multi-ethnic environment of these countries. In practical and down level they should attract suitable candidates for professional soldiers who possess high level of communication skills, able to tolerate the diversity and skillful to absorb different customs and manners of behavior coming from various ethnic, religious, race, and language background. With the changes, it is also necessary establishing mechanisms within the security sector that will contribute to raising awareness of and respect for democratic values and human rights principles;
- Cooperative Culture: The distinctive cultures of security sector elements must undergo fundamental change before truly substantive reform is likely to occur. New habits of intra- and interagency cooperation are required;
- Professionalization: There should be energetic move to establish benchmarks for the security sector reform as it was the case with the abolishment of the compulsory military service in Romania and accordingly, full professionalization of the security sector able to carry out the new missions acquired by the sector;
- Multi-year Planning: The security sector shall be able to plan its activities and resources needed for them years in advance. Therefore, the establishment of the multi-year planning, programming and budgeting is must to all the countries;

- Intelligence: Intelligence reform remains a daunting challenge to the region and reform in the services will benefit to the stability of the region's governance;
- Public Trust: It is the trust of the citizens that makes the state institutions reliable bodies in the eyes of the people. And this trust cannot be acquired unless the crimes committed by the security sector elements have not found justice;
- Accountability System: Changes in the security environment and in the functions and missions of the security sector units, require serious consideration for the reform of the authority and competence system of the civilian governance structures on how to control the security sector and how to institute checks and balances inside and outside the sector, particularly as the security and defense sector units have acquired new functions;
- Continuity: It is essential to establish wider security reform community in the government and outside it that will transfer the experiences from one government to another and that will establish sustainability and momentum for the required reforms;
- Implementation: The governments shall consider increasing the implementation skills of the governmental agencies in putting in practice the elements drafted in the principal reform documents such as security, defense and military strategies;
- Civil Society: The forging of a new security culture based on a genuine partnership between government and civil society is particularly needed.

I. SECURITY GOVERNANCE IN THE REGION

With the signing of Ohrid Framework Agreement in August 2001 that ended the crisis in Macedonia, it was marked the end of wars and conflicts in the region of Southeast Europe. Since then the countries of the region have had stable governments with reform agenda that would lead the countries of the region into the Euro-Atlantic integration.

This has provided them an important baseline for restructuring and reform initiatives, though economic, and possibly some political, constraints have made the reform process a long one. There are economic and political constraints that are still in place and preventing their influence on the reform processes rests on the degree to which the political stability that the region has enjoyed in the past few years can be sustained, and on region's ongoing ability to avoid being drawn into potential conflicts.

Economic, political and social difficulties that the countries of the region of Southeast Europe have faced, has made it difficult to easily consolidate the control over the security sector. Also, the weak and imprecise constitutional and legal tools have put additional obstacles for establishing democratic governance in the security sector. Next there has been high political and economic price of reform. The key issue now has become how to invest and spend in the short term in order to make defense and security affordable over the long term. The government of the countries of the region have been unable economically and socially to meet the demands of the security sector, particularly of the conscripted soldiers and the maintenance of the barracks and other responsibilities.

The impact of these myriad problems was felt in almost all countries of the region. With deteriorating economic and social conditions in the region, the military with conscripted soldiers, has been not able to contribute to nation building as young people (mostly men) from all parts and from different social backgrounds and ethnic origins work together. Army no longer has served as a 'melting pot'.

The recent challenges faced by the countries of the Southeast Europe with regard to the security and defense sector such as the shortage of competent civilian specialists in security and defense policy, economic threats, ethnic hostility and religious intolerance, insecure and inefficient borders, organized crime and corruption, the proliferation of small

arms and dual technology, information threats, etc., have shown that the undertaken reforms has not been enough for sustaining democratic governance in the security sector and that it is the governance in itself that has emerged as a weakness of the countries of the region.

Therefore, the reforms in the security and defense sector alone would not be enough to consolidate the governance. It is overall reform undertakings in whole important public spheres, including politics, economy and judiciary that will consolidate the reforms.

Initially, it was an overall expectation that the initial reforms undertaken in the security and defense sector immediately after 1989-1991 changes would be enough for streamlining the security and defense sector actors and for ensuring their proper behavior in the newly established formal democratic ambient. However, the security reforms were not as smooth process as it may have seemed to both reformers and observers at the first glance. Generally, little changed in the practical aspects of the work of the security sector.

This was most evident in the continued dominance of the former state security and intelligence agencies in the security and defense sector even after 1991, a problem that continues to dominate the agenda of the countries of the region. Insufficient reforms in the intelligence services all over the region has proven to be general lack of capability on the part of civilian security governance structures to institute overall and comprehensive reforms in the security sector.

The reform environment in the region has following problems. First, there is lack of public trust to the state institutions. Second, there are widespread tendencies for the politicization of the state administration structures. Third, the transition that has been experienced since 1989 has not been able to provide a model of how these countries of the region would evolve as a consequence of the undertaken structural reforms as there has been lack of continuity in the reform processes and policies.

In the reform environment marred with these characteristics, the countries of the region driven by the overall objective of obtaining membership in Euro-Atlantic institutions, has molded every aspect of its security and defense policy with the aim to fit into the NATO and EU preferences. However, the governments so far, despite their successes in instituting broader reform policies that will consolidate democracy and market economy in the country, have faced various difficulties that have hampered the reform efforts, including the attempts to reform the security sector and establishing a

stable, legitimate and accountable civilian governance able to design, plan and implement independent security reform policies. Continuous and stable defense and security policies under the guidance of professional civilians stand to be a vital symbol of a sound security sector.

A frequently neglected aspect of the security sector reform in Southeast Europe is whether the governments are actually competent to decide on and implement a defense and security policy and direct the course of security reforms. Thus, it is in this context that come the significance of the civilian governance able to evaluate and define the security interests and threats of a country.

At the beginning of the reforms in the region, a big problem was the lack of expertise on the security reforms and governance issue. The willing politicians wanted reforms but they did not have clear visions about the scenario. Currently in the region, many problems in security sector result, in part, from the scarcity of legitimate security and defense experts – whether civilian or military-, who are capable of making the defense and security case to their legislatures and broader public. Though efforts have been made to overcome the difficulties and existing problems by training corps of civilian defense and security professionals, little progress has been made yet in developing viable civilian security and defense community able to adequately conduct oversight of the military, police or intelligence services.

In all these countries there has been massive participation of the personnel of the security sector in educational and training programs abroad, particularly in the NATO countries. The people educated or trained abroad initially were great hopes both for the countries as well as to the international community who had invested much in them. However, these initial hopes later proved to be generally false, as the returning personnel were not able to institute or establish an environment for sustainable reforms, they returned to their old style of working cultures or they were blocked by the mid-level structures or by their superiors who considered them as threat. Also, most of the education programs have targeted the military personnel rather than civilians, a fact that has decreased the opportunities for civilian training and education in security and defense policy management.

Security developments since the end of the Cold War have greatly affected the security sector around the region. The security sector was given new assignments while being

asked to perform their old core tasks in a different manner. Today, it is quite common for the defense units to be involved in more security functions rather than on defense actions. This transformation is shifting the military from being a defender of territorial integrity to providing security to the citizens.

This is also more evident in the increased participation of the militaries of the region to the missions of peacekeeping or peace enforcement, and disaster relief. Also, the countries of the region in 1990s and early 2000s have become increasingly faced with new non-military asymmetric threats such as terrorism, organized crime, and corruption, all of which require specific responses that traditional defense based armies are not able to perform.

Brief examination of the system accountability in the countries of Southeast Europe, shows that the countries of the region have come a long way in their efforts to establish democratic oversight of the defense and security sector. We are witnesses that there is a system of power sharing that provides for checks and balances against political abuse of the security sector. The laws of these countries, although with some lacking clear cut lines, have established who commands and controls the security and defense sector in peacetime, who promotes officers, who holds emergency powers in crisis, and who has authority to make the transition to extraordinary or war situation. However, there is growing concern about the gray constitutional framework that does not adequately define competencies between the Government and the President, which provokes political mistrust and allows both unproductive competition and duplication of efforts in the security sector reform processes.

It goes without saying that responsibility for the decision to go to war is clearly and unambiguously defined and vested in the hands of the executive branch, subject to the approval of parliaments. This is a case in all the countries of Southeast Europe. However, the problem that appears despite tightly drafted constitutions and legal frameworks is who has prime responsibility in emergency circumstances, and what is the chain of command and level of authority between political and military circles.

Budgetary control of the security sector, which in all Southeast European countries has been entitled to the legislative, in spite of being, theoretically, main pillar of oversight, in practice, is not functioning as crucial part of the security sector control. Despite the

general expectation, the legislature has not been improving its budgetary oversight capabilities.

Besides the budgetary control, another area that calls for attention is the parliamentary oversight on arms procurement. In any consolidated democracy, budget-proposing activities, in general, and arms procurement in particular, must be transparent and accountable to the public. Unfortunately in all countries of the region parliament has a limited say in arms procurement.

The overall gap that exists in the above-mentioned system of accountability of the security sector in Southeast Europe, the countries of the region have sought to overcome through relevant oversight institutions such as ombudsman, civil society, media, and auditor general. However, they have not produced the desired results in this respect.

Another issue is the control of the security sector by the local self-governing institutions. Macedonia possesses one of the most decentralized system in this regard in the region. This accomplishment in Macedonia was made in 2001 when local elected municipalities were granted the authority to appoint local police chiefs, an authority that previously belonged exclusively to the minister of interior.

II. REFORMS DESIGN AND IMPLEMENTATION

The need for security and defense reforms was felt throughout the region almost in the same time, mainly following the regime changes of 1989-91. However, their actual implementation differed widely among the countries of the region.

There has been a general tendency for the governments to approach security and defense reforms on a compartmentalized basis with different aims and objectives without linking the processes together under an overarching strategy. Following the establishment of the Stability Pact for Southeastern Europe that propagated the comprehensive approach in finding solutions to the regional countries' security problems, the governments in the region started to look into the issue as part of overall economic and democratic development. In the case of Macedonia, there has been an overall comprehensive strategy of the country's representatives and international community in instituting security and defense reforms and directing programs more precisely to the needs of the country.

Since the beginning of the reforms in Macedonia, the governments did not have in mind any distinctive reform model or blueprint how to design, launch and implement the reforms in the security sector. Security reforms in Macedonia have never been carried out according to one generic plan. Each stage of reform had its specific circumstances and causes and often was in reaction to the outside environment or an outright necessity. However, throughout the 1990s and early 2000s, there was always widespread public consensus on the direction of the transformations: democratization, modernization and integration with NATO.

Recently, there has been substantial progress in the region on the basis of new hierarchy of strategies. In the case of Macedonia, at the top end there is a new overarching National Concept for Defense and Security and the Government has started with the implementation of the recommendations that came out from the political framework of the Strategic Defense Review that was adopted in October 2003. At lower levels there are police reform and integrated border management strategies. Work has been done to establish a new system of crisis management that will coordinate security operations and the work of the intelligence agencies. Similar developments have happened in the other countries of the region as well. In this context, a momentum of security reforms has been established in the region that has led to significant results.

There were examples of other countries, mainly those of NATO and EU member countries, and partly the successful examples from the Central European countries, such as Poland, the Czech Republic, Hungary, and Slovenia. However, the use of these examples did not lead to any model that will give distinctive framework for the reform of the security sector in accordance to the country's democratic, political and economic standards. It was the adoption of national security and defense strategies and the Strategic Defense Review in Macedonia that established a minimal framework on how to design and proceed with the reforms. The national strategic reform documents in other countries as well have played an essential role for instituting the reforms.

The conditionalities put down by the international community, including the governments, institutions, programs and advisers, have exerted strong influence on security reforms and Macedonia as well as other countries of Southeast Europe have encountered the entry of international community on a broad front. The entry has consisted of western governments, institutions and programs such as the NATO, EU,

OSCE, independent foundations, centers and academia. Conferences, workshops, and seminars on security affairs frequently take place at the region's capitals, and local and external experts, advice, projects, and information are ubiquitous.

The "NATO factor" as an international conditionality has been a source for some reforms in the region that has gone beyond cosmetic improvements. In the process of approaching NATO, countries of the region have taken on many new security obligations, and have actively participated in international peace support operations led by NATO. Adopting NATO standards and attending peace missions have brought the countries' security sector into the international oversight that in turn has been another trigger of reforms.

Romania has undertaken most far-reaching reform in the security sector: the abolishment of the compulsory military service, and full professionalization of the armed forces of the country, that provides good example of the role of the change of the government in instituting reform. The last thirteen years have not been an easy period for the Romanian security sector. It had to deal with substantial changes and restructuring under some very difficult circumstances, as Romania was one of the countries where the governance structures still remained weak with regard to security sector. The resources needed were not always available, and it had to downsize forces in an unfavorable economic environment. In addition, because of the lack of experience, the vision of the desired goals to be achieved has not always been very clear.

This has been most ambitious reform ever done in the region of Southeast Europe. Other countries have not been able even to resemble certain moves of Romania. They have just been able to decrease the number of months served in the military and to change the universal compulsory military service to selective by recognizing conscientious objectors and medical dropouts.

In all the countries of the region, we have the dominance of the executive branch (President, Prime Minister, Ministry of Defense, Minister of Foreign Affairs, Minister of Interior), in designing the reforms. In certain cases, the special legislative commissions and the General Staff have played great role as well. However, the main work on the plan and design of the reforms has belonged to the executive. The role of the legislative, i.e. Parliament, has been in adopting the proposed legislation relevant to the security reforms.

In the countries of Southeast Europe, mainly, the scandals related to the work of the security and defense sector were one of the major triggers for security reforms. Particularly, in the cases of Romania, Bulgaria, Croatia and Serbia-Montenegro, the scandals have been one of the sources for security reforms in the country.

Media coverage of the reforms has constituted substantial part of the process of the security sector reform. Media has had information function to play. But due to the tendency of the media to look for scandals in the security sector that in turn would generate tension, it has been significant impediment to the spreading of the word for the required reforms. The main reason for that has been the insufficient knowledge of the journalists in the field. However, on the other hand, in general, there has been growing expertise of the journalists in the field. In these countries started to emerge the journalists who understand the reforms and who can pressure the government for more reforms, despite the general tendency on the part of journalists not to be friendly to the security sector.

Establishing horizontal contacts between governmental officials and various security agencies is critical in all seven countries of the region. The establishment of a crisis management system and accordingly a crisis management center in Macedonia will be a major test in this regard.

The factors that stand as obstacles to the remaining reforms include bureaucratic resistance; obsolete mentalities; lack of decisive action on the part of the governments and the parliaments; lack of political vision, will and initiative; influence of the generals on the Presidents of the countries by bypassing the Minister of Defense; lack of recourses and lack of will for committing the existing resources for the sake of reforming the security sector; right people not being on the right places; decreasing importance of the security profession in the public eye that have led people to focus to more daunting problems such as unemployment rather than on security reforms. The weaker point is also an inability of the government to synchronize and coordinate the numerous reform efforts targeted at every element of the security sector and unwillingness of the governments to take responsibility for this.

It has been general assumption that it is the security sector itself that is main obstacle to the reforms and that it is staunch supporter of the status quo. There have been cases in which the governments have faced with a difficulty in overcoming the opposition of the

security sector personnel itself who tend to be naturally resistant to the changes that may affect their positions, functions and jobs. There has not been recorded so far any case where the establishment has blocked any reform process. What has been most evident has been their opposition that has derailed the reform processes.

III. BROAD EFFECTS OF THE REFORMS

Generally, the countries of the region so far have been successful in laying down the pillars of planning for security sector reform and restructuring. It is also important to note that they have made rapid progress toward the goals laid down in their reform policy documents, and developing a far more efficient and flexible security sector than what existed previously. Moreover, they have been able wisely to tap into the extensive resources of NATO and EU as well as the desire of western governments to help develop Southeast European nations.

The regional governments have made success to overcome the obstacles that have stand on their way to initiate and carry out substantial reforms that would turn their relatively developing countries of the European continent into the area of stability and prosperity. The overall reforms undertaken, including political, security and economic ones, not only have overcome the legacies of communism, but also have been able to a great extent to overcome the lack of an independent local policy making infrastructure.

The security reforms in the region to a large extent have reduced the problems in the security sector. The reforms applied, have solved many of the problems that the security sector of these countries have faced, including, the establishment of the new organizational structure, increasing the transparency and democratic control, shortening of the army service, understanding the right on conscientious objection, decreasing the suicide rate in the armies, more investment budget allocation in the defense budgets, greater readiness on the part of the security to perform new security missions, less scandals then before, more money for modernization and education, etc.

The governments of the region have managed to establish civilian governance in the security sector, where all decisions are taken by civilian representatives responsible to the elected Parliament or directly to their electorate. However, this success applies only, to the

first round of reforms that happened immediately after the regime changes of 1989-91. Major difficulties were there in the second round of reforms, and are still there in the most recent wave (third phase) of the reforms including in the modernization, professionalization, education and emergence of new leaders of security sector, and participation in overseas peacekeeping operations. Also, there is still to be done more in the intelligence and in the policing as the results to fight crime, including organized one have been not satisfactory. Moreover, the countries have been successful in downsizing their militaries, however, they have not been able to find a dignified occupation for the discharged militaries, to change the mentality of the security sector people, to change the system of the management in the security sector, and to change the spirit of the sector.

Thus, despite the overall success of the region in establishment of a sustainable environment for the reform of security sector and despite the integration of a part of the region into the NATO, the countries have not yet reached their objectives in terms of the security sector reform. This applies to all seven countries. Success is more evident in the defense side rather than in the intelligence, police and other relevant elements of the security sector.

IV. PROSPECTS FOR REFORM

The discussion for reform in the region is not over. Issues relevant to governance are still unresolved, particularly with regard to the transparency and accountability, sustaining political will for reforms and difficulties in changing the old mentality, factors that hinder the establishment of sustainable governance. Not all the problems are solved. The security sector reform is a permanent and multidimensional process, and as such it is affected by the changes in various affairs.

Fifteen years long history of the security sector reforms Macedonia and in other countries of Southeast Europe exposes the interaction between the security and defense sector and the overall democratization and developments processes. The record of the transformation of the security sector in Southeast Europe underscores the importance of the governance for ensuring stability and prosperity.

Security sector reform is still an area where the considerable progress is lacking all over the region of Southeast Europe. It remains to be “critical weakness” of the countries of the region. Produced reform policy documents such as the strategic defense reviews, working plans, etc. represent positive statements of good intent. However, there remains considerable record of unfulfilled security reform commitments and the reform documents themselves, lack concrete proposals and objective targets. In this context, it is premature to talk about the end of the era for the required security reforms in the region. Promoted good intentions by the capitals of the regional countries need to be reflected in concrete results and there is a good deal to be done.

Generally, the region has been faced with the tough decisions on security sector reform that have had major implications. The countries so far have been successful to mitigate the negative implications of the transformation. However, the challenges still stand and the key to successfully face these challenges rests on the degree to which the political stability that the region has enjoyed in the past few years can be sustained, and on region’s ongoing ability to avoid being drawn into potential conflicts.

Looking ahead, there are many obstacles to the region’s security reform progress, not least of which is still lacking necessary efficient, effective, legitimate and accountable civilian governance structures. Whether there is progress in this regard or not, the lacking of necessary strong civilian governance will continue to have negative implications to the overall reform processes in the security sector.

It may be concluded that the countries have made quite substantial progress with reform policies and that an adequate and ambitious reform policy agenda for the medium term has been established. However, in view of past experience and in view of the current security and political crisis the commitment and willingness to quickly implement the reform agenda needs to be upheld and the international community should underpin this through applying suitable conditionality, wherever appropriate.