



# **THE WAY AHEAD IN SECURITY SECTOR REFORM**

**Editors: Dr. Philipp H. Fluri & Dr. Velizar Shalamanov**

Published by:  
Geneva Centre for the Democratic Control of Armed Forces  
George C. Marshall Association – Bulgaria

Edited by:  
Philipp Fluri  
Velizar Shalamanov

Project Coordinators:  
Anja Ebnöther  
Ralitza Mateeva

English Language Editing:  
Martin Noble

Cover design:  
Angel Nedelchev

Type setting:  
ProCon Ltd., Sofia

Printed by:  
CorectA, Sofia  
<[www.corecta.com](http://www.corecta.com)>

Printing:  
600 copies

ISBN 954-91092-2-4

Sofia, 2003

© Geneva Centre for the Democratic Control of Armed Forces, 2003  
© George C. Marshall – Bulgaria, 2003

## TABLE OF CONTENTS

<b>Preface SSR Stocktaking</b> .....	5
<i>Amb. Jean-Jacques De Dardel, Ministry of Foreign Affairs, Switzerland</i>	
<b>Introduction</b> .....	7
<i>Ralitza Mateeva, Philipp Fluri</i>	
<b>I. Security Sector Reform in Central Eastern Europe (CEE)</b>	
1. 'Did Not, Does Not, Will Not', Or Why Defence Reform Continues to Be the Weakest Element of Hungary's Transformation .....	11
<i>Pál Dunay</i>	
2. Security Sector Reform – Does It Work for Poland? .....	38
<i>Agnieszka Gogolewska</i>	
3. Reshaping Security Understanding in Slovakia .....	51
<i>Silvia Mihalikova</i>	
<b>II. Security Sector Reform in South East Europe (SEE)</b>	
4. Civil-Military and Interagency Cooperation in the Security Sector in Albania .....	75
<i>Zija Bahja</i>	
5. Civil-Military and Interagency Cooperation in the Security Sector in Bulgaria.....	112
<i>Velizar Shalamanov</i>	
6. Civil-Military and Interagency Cooperation in the Security Sector in the Former Yugoslav Republic of Macedonia .....	154
<i>Vladimir Gjoreski</i>	

7.	Security Sector in Romania .....	172
	<i>Claudiu Degeratu</i>	

### **III. Security Sector Reform in the Black Sea Region**

8.	Civil-Military and Interagency Cooperation in the Security Sector in Georgia .....	192
	<i>Archil Osidse and Ivlian Haindrava</i>	

9.	Civil-Military and Interagency Cooperation in the Security Sector in Moldova .....	213
	<i>Nicolae Chirtoaca</i>	

10.	Civil-Military and Interagency Cooperation in the Security Sector in Ukraine .....	233
	<i>Grigoriy Perepelitsa</i>	

11.	Conclusions .....	245
	<i>Philipp Fluri and Velizar Shalamanov</i>	

12.	The Way Ahead .....	250
	<i>Velizar Shalamanov and Philipp Fluri</i>	

List of Contributors .....	254
----------------------------	-----

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) .....	256
---	-----

The George C. Marshall Association of Bulgaria .....	258
--	-----

PfP Consortium .....	259
----------------------	-----

## **PREFACE**

### **SSR STOCK-TAKING**

*Dr. Jean-Jacques de Dardel*

Change has been one of the few constant aspects in international and security affairs in the last decade. Some changes came more or less over night and only needed little political guidance; others had to be managed more actively. Security Sector Reform (SSR) certainly belongs to the second category of necessary but sometimes painful changes. The Swiss government supports this important aspect of a broader transformation policy towards open, democratic, free-market oriented and constitutionally guided societies. SSR not only makes the security apparatus more efficient, but also more accountable to democratic standards and rule of law. These are essential factors for stability.

Switzerland has put SSR high on its EAPC agenda and actively promotes this topic as the main Swiss contribution. The establishment of the Geneva Centre for the Democratic Control of the Armed Forces (DCAF) in 2000 has been a clear symbol of our commitment. The pooling of resources and expertise and diffusion of that expertise is an important task of DCAF. Its unique position in the 'peace capital' of Geneva provides for a close co-operation with other relevant actors and institutions active in the broader international security context.

This publication provides analysis of the status, success and failure of civil-military relations and SSR in the countries of Central Europe, South-Eastern Europe, and the Black Sea region. This stock taking programme is an important step in a comprehensive reform process. It is critical to assess the current state of the security sector and to evaluate its weaknesses, strengths and requirements for change. Only by carefully examining the current state of the sector is it possible to tackle specific problems and design specific projects.

But we have to be aware that the important challenge lies in the implementation of the reform projects. This level can only be achieved if the target countries see a real need for the reforms. In that sense, concrete and flexible concepts are needed to support a

tailor-made reform of the security sector. Only a supported bottom-up approach that includes the key domestic stakeholders can bear fruit. External actors, such as international organisations, states, think-tanks and NGOs, can lend support to such an implementation process as facilitators.

Switzerland thinks that by continuing this process of active support of these transformation processes it can contribute to the further stabilisation and sustainable development of regions that are important to us.

Dr. Jean-Jacques de Dardel  
Head  
Centre for International Security Policy  
Federal Department of Foreign Affairs  
Switzerland

# INTRODUCTION

*Ralitza Mateeva and Philipp Fluri*

Security Sector Reform (SSR) has become a key issue not only for the international discourse on governance, but also very concretely for European integration and Transatlantic security cooperation. What started in the early 90s of the previous century as defence reform programs to provide more transparency, to introduce democratic oversight of the armed forces and to provide for interoperability in international peace-keeping programmes has become in many countries a *planned, concerted, comprehensive effort to reform all security providers (including the democratic legal infrastructure and political oversight and guidance of such) in an effort to democratically and efficiently address contemporary challenges to individual (human) and state security*. It is thereby understood that European and Transatlantic security is a cooperative effort and requires therefore not only international agreements, but a great deal of *interoperability* and qualified *exchange* on both the political and the technical levels. Whether *Security Sector Reform Works* in an individual country is thus a question which can only be answered with a view to the challenges to regional and global security which need to be addressed cooperatively.

Nor is security sector reform a merely technical affair. Security Sector Reform as understood in the context of contemporary Transatlantic security cooperation entails strong elements of democratic transparency. Without parallel and adequate democratisation, improvements and adaptations in the security sector of a flawed political and social order will only make repression better. Security Sector Reform implies thus not only an updating of techniques and technical artefacts, but a genuine change in political and security *culture*. Such an interoperable security culture will necessarily be democratic.

Security sector change from above – decreed by an authoritarian ruler or *junta* – may eventually lead to greater compatibility with the technical equipment of the states or alliances which are intended to be impressed by such decrees. But only a democratic permeation of the whole society will eventually make these changes *reforms*.

NATO expansion designs and the European integration process have clearly created incentives for neighbouring states to contemplate and seek inclusion in such processes. Such plans were accommodated by various organisations and institutions in varied ways.

This book deals with the experiences in Security Sector Reform made by new NATO members (Poland and Hungary) and invitees (Bulgaria, Romania, Slovakia) which will eventually become NATO members in 2004; we propose to also look at MAP countries Albania and Macedonia, unilaterally declared NATO membership hopefuls Ukraine and Georgia, and Moldova, adjacent to a very probable future NATO member, yet still plagued with the aftermaths of a civil war.

### **Does Security Sector Reform Work?**

One would like to believe that once a country is accepted to full NATO membership it has been found equal to the old members, which again would imply that it has reached maturity in its technical and political reform efforts, that it has not only gone through certain *rites de passage*, but also truly internalised and en-cultured values, norms procedures, been inspected and not found wanting, and is now technically and politically interoperable with its peers which had founded or joined the organisation earlier.

All of the countries under discussion in this volume have gone through a series of reforms. Membership Action Plans and similar devices helped to streamline and improve certain aspects of the security sector. Closer scrutiny will, however, reveal that though, for example, democratic and civilian oversight of the armed forces may have been understood and implemented to very high degrees, democratic and civilian oversight of the other security providers may not yet have become an issue, and that therefore legal provisions for oversight adapted to the new political situation may not even exist yet. While the armed forces may have been streamlined and put under strict oversight and transparency rules and regulations, the powerful ministries of interior affairs and the services subordinate to them may have become bloated and may still be mainly overseeing themselves, if at all. There may even be a dichotomy within the armed forces, i.e. reforms may have reached only a part of the armed forces: that part which



interacts and cooperates with international counterparts and participates in international peace-keeping operations.

This volume asks whether Security Sector Reform as a *planned, concerted, comprehensive effort to reform all security providers (including the democratic legal infrastructure and political oversight and guidance of such) in an effort to democratically and efficiently address contemporary challenges to individual (human) and state security* is successful in the countries under scrutiny. The Partnership for Peace Consortium of Defence Academies offers unique possibilities for such comparative studies. The present volume is one of the first products of the newly founded Working Group on Security Sector Reform under the aegis of the Geneva Centre for the Democratic Control of Armed Forces, in this case in cooperation with the George C. Marshall Association of Bulgaria.

## **The Approach**

In order to help authors to work out comparable answers to comparable questions, the following systematically structured questionnaire was put at their disposal. Not all authors have chosen to go by the questionnaire, or to answer all questions.

Authors were asked to answer the following questions:

- What are the challenges, threats and risks to which your country's national security policy answers, and are they identified in official documents? Is there a divergence between official and public perceptions of threats and risks to security?
- Which institutions are assigned to address which risks and threats, and what legal and procedural provisions exist for their interaction and cooperation on the local, national, regional and international (identify institutions) level?
- Does the existing network of institutions and their cooperation leave important problems untouched (e.g. corruption)?
- Analysis of the SSR in key areas of Civil-Military-Security and Inter-agency Cooperation. How is this cooperation developing, whom are these institutions reporting to, and who intervenes in the case of problems?

- Is there an asymmetrical development of institutions and are all these institutions democratically accountable? (e.g. Ministries of Interior)?
- Are there problems in civil-military-security and inter-agency cooperation typical for your country/region, how would you describe them, and how could they eventually be overcome?
- Assessment of the current state of the SSR and SSR Action Plan. Is Security Sector Reform successful? Only in parts? Which institutions are the most successful, and why?
- In conclusion: would you claim that SSR in your country is comprehensive, adequate and transparent, and what reporting mechanism on progress would eventually need to be introduced to create such comprehensiveness, adequacy and transparency in due time? What international and domestic institutions would eventually need to be involved in such oversight functions? What role is there for civil society?

## CHAPTER ONE

---

# **‘DID NOT, DOES NOT, WILL NOT’ OR WHY DEFENCE REFORM CONTINUES TO BE THE WEAKEST ELEMENT OF HUNGARY’S TRANSFORMATION**

*Pál Dunay*

### **1 Introduction**

When historians look back to the transformation of Central and Eastern Europe after the Cold War they will most probably unanimously conclude that the transition of Hungary has been among the most successful. After severe economic decline the country recovered and by the end of the late 1990s the per capita GDP exceeded that of the late 1980s. Democratic institutions were established and have functioned properly in most cases. The support of the population for liberal democracy as a model has increased and this political organisation has no alternative. The irreversible development has been recognised by the West and its institutions. Between 1990 and 2004 the country either joined or will join each organisation to which it has aspired, ranging from the Council of Europe (1990), the OECD (1996), NATO (1999) and to the European Union (expectantly 2004). The ‘grass roots’ integration of the country brought even more convincing results than the formal gaining of membership. Suffice it to mention that since the beginning of the twenty-first century Hungary has been exporting approximately three-quarters of its total export to the EU. This is higher than the share of intra-EU exports of 13 of the 15 current member-states.<sup>1</sup>

In spite of the above one could point to shortcomings in many areas. Rather than giving an overview about problems which do not form the subject matter of this study, one can simply mention that the capacity of the public sector has not reached the level that would make implementation and enforcement of laws particularly easy. Those portfolios, which were not in the forefront of the system change or gained no priority for political reason

---

<sup>1</sup> The two countries which represent the higher intra-EU export share are the Netherlands and Portugal.

temporarily are in a particularly disadvantageous situation.<sup>2</sup> One can draw the preliminary conclusion that the *portfolios less exposed to the pulling effect of the private sector or less indispensable for the overall success of the transformation process have been the losers of the last decade.*

## 2 Threat perceptions

The Hungarian population, and also to some extent the political establishment, had opted out of the official, shared-threat perception of the Warsaw Treaty around 1983–84 during the so-called second Cold War between the Soviet Union and the United States. Since then it has been extremely difficult to ‘sell’ some major external, traditional military threats to the Hungarian population. Hence, it was practically impossible to rally public support behind projects countering those non-existent threats. In this sense the Hungarian population has been demonstrating empathy and maturity for approximately two decades. The system change of 1989-90 and the events, which followed shortly impacted upon the threat perception of the country. On the one hand, Hungary became (temporarily) militarily non-aligned and in case of an external challenge it would have been obliged to rely upon its own means. On the other, ‘the long peace’ of the Cold War came to an end in Europe and nearly half a decade of war followed in Yugoslavia, a country with which Hungary shared 610 km-s of common border. That conflict had direct bearing upon the threat perception of Hungary much more than any other event.<sup>3</sup> The next significant change occurred in the late-1990s when Hungary became member of NATO and hence could formally rely on the Alliance in countering eventual threats.<sup>4</sup> Not much later the regime change in Belgrade reduced the threat perception of the public to

---

<sup>2</sup> It is a methodological dilemma of volumes of collective essays based on country studies that analytical rigor may undermine cohesion in the sense that countries which have been performing better are assessed more critically and vice versa.

<sup>3</sup> This means by indication that the potential threats emanating from the former Soviet Union, in contrast with many other Central and Eastern European countries, have never had any measurable impact upon the threat perception of the Hungarian public. For details see F. Molnár, ‘A közvélemény alakulása a biztonságról és a haderők szerepéről a Cseh Köztársaságban, Lengyelországban és Magyarországon’ [The Evolution of Public Opinion about Security and the Role of Armed Forces in the Czech Republic, Poland and Hungary], *Új Honvédségi Szemle*, 54:8 (2000) 4–23.

<sup>4</sup> Hungarian military experts express this in connection with the reduction of the need to reinforce the armed forces in the unlikely case of an emerging violent conflict as this can be guaranteed by reinforcement from other members of the Alliance. See e.g. L. Szigeti, ‘A tömeghadsereg utáni haderő hadkiegészítési kérdései’ [The replenishment questions of the post-mass army era], *Új Honvédségi Szemle*, 54:1 (2000) 22.

non-measurable. In short, by the turn of the twenty-first century Hungary has been in an enviable situation. *It could not identify any credible external military threat and could assume that this situation would not change in the foreseeable future.*

During the last decade several documents addressed the 'official' threat perception of Hungary. They were prepared to the public and thus had to address multiple audiences, including the broader Hungarian public, its establishment as well as the foreign partners of the country. Hence, they can serve as points of reference at best and it requires insider knowledge of the underlying political processes to have a realistic picture of the threat perception of Hungary. The first conservative government of Hungary spent several years preparing two documents, one on the basic principles of security policy and another on those of defence policy. It is understandable that both documents start out on the basis of the indivisibility of European security and the assumption that Hungary does not regard any country as its enemy.

There are two factors which made the Hungarian case special and different from others:

- 1 The reference to 'intolerant nationalism' as a destabilising factor. It is 'a question of security and human rights that affects the security of the whole CSCSE region'. Guaranteeing the rights of Hungarian minority is a fundamental requirement of good neighbourly relations.
2. The reference that Hungary rejects 'both the alteration *by force* of existing borders and the artificial alteration of the ethnic consistency of the population by any means not only in the Carpathian basin but in the whole Eastern and Central European region'.<sup>5</sup>

It is understandable that Hungary, which had nearly three million (according to nationalists, 3.5 million) ethnic Hungarians in the neighbouring countries attributed great significance to the respect for minority rights. Making this a precondition of good neighbourly relations was an invitation to disaster, however. It meant that countries, which did not treat the Hungarian minority as imagined by the nationalistic Hungarian government endangered good neighbourly relations and thus undermined stability in the

---

<sup>5</sup> Basic Principles of the Security Policy of the Republic of Hungary (1993), *Fact Sheets on Hungary*, No. 4, para. 8,

region. Some politicians (from Milosevic to Meciar and to some extent also Iliescu) were reluctant to meet the demands of Hungary. It was no longer clear who endangered stability in Central and Eastern Europe, those who did occasionally violate minority rights or those who presented excessive demands, including their insistence upon collective rights and autonomy. The reference to rejecting border change by force also carried a dubious message. It meant that Hungary kept the door open for the revision of borders by peaceful means, probably as part of a new European settlement. Some neighbours of Hungary could not find this particularly reassuring, bearing in mind the hardly concealed revisionist aspirations of the country between the two world wars. There is reason to conclude that *Hungary not only perceived threat but also generated some and thus could not be regarded as a factor of stability in the region*. Although Hungary did not follow up its words by actions the intolerant rhetoric that accompanied the official document and its reciprocation by Romanian and Slovak nationalist leaders generated a false image of destabilisation. This was particularly unfortunate amidst the war in Yugoslavia, which gave the unfounded impression that other ethno-political conflicts might also turn violent. Fortunately, the Socialist-Liberal government that was in office between 1994 and 1998 pursued a different policy which, in spite of not adopting a revision of the basic principles of security policy, reassured the partners of the country, East and West alike.

It was a conservative government again that deemed the revision of the basic principles of security and defence policy necessary. It happened in conjunction with the NATO accession of Hungary and entered into force on that day.<sup>6</sup> Hungary reinterpreted its role. The Prime Minister emphasised that 'Hungary has a mission, we were taken to NATO to have a stabilising effect in the region of Central Europe and in particular in the region of South-eastern Europe through our foreign policy.'<sup>7</sup> Even the Kosovo war fought near the southern border of Hungary was seen in a different light due to NATO membership of the country. 'Due to our fast NATO accession we have arrived at the outbreak of the conflict not defenceless and isolated but as an equal member of the strongest military

---

<sup>6</sup> See 'Az Országgyűlés 94/1998 (december 28) számú határozata' [Resolution 94/1998 (28 December) of the National Assembly], Reprinted in Ferenc Gazdag (ed.), *Magyar biztonság- és védelempolitikai dokumentumok 1989–1998* Vol. 1 (Budapest: SVKI, 1998), 53–7.

<sup>7</sup> 'Orbán Viktor a pozsonyi NATO konferencián' [Viktor Orbán at the NATO conference in Bratislava] 29 April 2000, 1 at: <http://www.meh.hu/Kormany/Kormanyfo/2000/04/000429.htm>

alliance.<sup>8</sup> The threat perception of Hungary approached its all time low. It further affected this process positively that the younger generation of conservative politicians did not have any strong feelings regarding the Hungarian minority in neighbouring countries. There was only one direction where old prejudices prevailed and did not give way to sober analysis: it was the Russian Federation that was regarded as a residual security risk:

We seek good relations, want to strengthen our economic relations, and we are gladly taking part in co-operations of cultural character. But, there is a clear dividing line between us in the sense of security and defence policy. I could say the more intensively we co-operate economically, the clearer and sharper dividing line has been drawn between us, the eastern-most member-state of NATO and the territories further to the east, in the field of security and defence.<sup>9</sup>

The Orbán government in a unique move passed the national security strategy of the country in May 2002 after it lost the elections. This highlights the threat perception of the government if not that of the whole country.<sup>10</sup> Contrary to earlier drafts of the document it has de-emphasised the importance of external threats. The emphasis put on certain diffuse, transnational threats and those of domestic origin was only partly due to the prominence of the threat of terrorism after 11 September. It was equally due to some discrepancy between the Hungarian position and the one reflected in the strategic document of NATO. There are two areas where the Hungarian national strategy reports the persistence of some residual security risks – in the former Yugoslavia and in the former Soviet Union:

Democracy, market economy and the Euro-Atlantic values spread at significantly varying speed in the southern Slav area. Addressing the unsolved national, ethnic, minority and religious problems poses a very serious challenge to the states of the area. The countries of the region still have not found a comprehensive answer to the challenges of political transformation, economic

---

<sup>8</sup> 'Parlamenti vitanap: a miniszterelnök expozéja' [Day of debate in the Parliament: The exposé of the Prime Minister], 1 at: <http://www.meh.hu/Kormany/Kormanyfo/1999/04/000429.htm>

<sup>9</sup> 'A miniszterelnök a feladatszabó értekezleten' [The Prime Minister at the task assigning conference of the Hungarian defence forces], 1 March 2001, 2. at: <http://www.honvedelem.hu/cikk.php?cikk=717>

<sup>10</sup> 2144/2002 (V.6.) Korm. határozat a Magyar Köztársaság nemzeti biztonsági stratégiájáról [2144/2002 (6 May) government decree on the national security strategy of the Republic of Hungary].

under-development, national, religious and cultural contradictions that have appeared simultaneously. Currently the efforts of the international community aim at the stabilisation of the situation rather than a final settlement.<sup>11</sup>

In the case of the former Soviet area it is obvious that the document could not reflect the negative sentiment of some members of the Orbán government. It is formulated ambiguously as it does not specify whether it alludes to traditional or so-called new threats. 'It is a factor influencing the security of Hungary that the potential crisis processes emanating from Central Asia do not stop on the border of the region. They cross Russia and appear at the western border of Ukraine.' At another instance it is mentioned that the 'dangers emanating from internal instability have declined, though not vanished fully in case of Russia.'<sup>12</sup> The document offers a catalogue of transnational threats ranging from terrorism to the proliferation of weapons of mass destruction and their delivery vehicles, financial instability, the challenges of information society as well as illegal and mass migration. It also addresses internal security challenges; among them organised crime, the spread of drugs, black economy and corruption and demographic challenges are listed. The nearly comprehensive catalogue of security threats and risks does not define priorities and hence leaves further elaboration for different portfolios.

The Medgyessy government, or more precisely put the minister of defence, stated clearly that the national security strategy should be revised.<sup>13</sup> This statement has resulted in a situation that in the absence of security strategy the drafting of doctrinal documents had to be put to a halt. Since then no new document has been approved. Bearing in mind that the Orbán government offered a comprehensive catalogue it seems fairly difficult to draft a fundamentally different document. In order to concentrate scarce resources on the priorities of Hungarian national security it may be necessary to set priorities far more clearly than did the Orbán government. Under current conditions as threats are not identified sufficiently, specifically various portfolios responsible for

---

<sup>11</sup> '2144/2002 (May 6) government decree ...'

<sup>12</sup> '2144/2002 (May 6) government decree ...'

<sup>13</sup> 'A kormány átondolja a nemzeti biztonsági stratégiát: Juhász Ferenc védelmi miniszter a Külügyi Bizottságban folyamatos egyeztetést ígért a pártokkal' [The government reconsiders the national security strategy: Defence Minister Ferenc Juhász promised continuous exchange of views with the parties in the Foreign Relations Committee], at: <http://www.korridor.hu/static/popup.php?type=nyomtatcikk=10000034477>



different fields of national security compete for financial resources. The bureaucratic rivalry is sometimes supported by arguments based on apparent social needs (e.g. the dissatisfaction of the population with the high rate of criminality) or on the emergence of needs (e.g. better intelligence gathering on potential terrorist linked activities after 11 September) or on the international commitments of the country (e.g. the armed forces referred both to NATO membership generally and the promises made during the accession talks and to Hungarian participation in peace operations, like KFOR in order to be better endowed with resources).

### **3 Security sector definition – integration concept**

Hungary, similarly to most other countries of the world, has traditionally made difference among various elements of the area now fashionably called the security sector. This has been based upon the different functions of those elements and the way such differentiation was enshrined in the constitution of democracies. The most important underlying reason is to differentiate between *institutions, which provide for external and those which provide for internal security*. It is a fundamental principle of democracy to keep the armed forces away from domestic contingencies (maybe with the exception of natural disasters), which make the application of enforcement measures necessary. Hungary has followed the well-established tradition both in the legal system and in the practice of state administration. It was not ready to involve the armed forces in the only case when this could emerge since the beginning of the 1990s.<sup>14</sup> Hungary, as a new democracy, is particularly sensitive in respect to the rule of law in this field. This is not only due to meeting the expectations of those Western democracies which have a longer lasting and better established record on this issue but more importantly it is in line with democratic principles broadly shared by the population.

Beyond the continuing separation between internal and external security providers it is also recognised in Hungary that the changing nature of security challenges makes the close co-operation of those institutions which address external and internal security issues indispensable. It is a peculiar aspect of the problem that in the largely threat free

---

<sup>14</sup> This was the so-called taxi drivers' blockade in autumn 1990.

international environment it is in the best interests of the Hungarian defence sector, including both the MoD and the armed forces, to avoid clear differentiation between them and other parts of security sector. It may be a reflection of this when a well-known military sociologist formulates his view as follows: 'in the civil society next to those citizens who want the most reliable security for their tax forints [the national currency of Hungary – P.D.] we also find those citizens who do not want to take any defence burden'.<sup>15</sup> If one takes a close look and analyses the statement it is clear that he juggles with two categories. Namely, he does not clearly distinguish between 'security' and 'defence'. It is not a coincidence. It is due to the fact that the *security concerns of the population were associated with activities other than defence*. The author does not want to state the obvious. Namely, that the citizenry wanted to increase internal security, have a more reliable (and less corrupt) police fighting (transnational) organised criminality and more effective border guard, preventing (illegal) migration. *The entire security agenda has moved from the main external security provider, the armed forces to internal security providers*. In sum, the decline of an external threat paralleled the very limited increase in prestige of the armed forces.

Hungary has not been insensitive to changes, however. Namely, it has been recognised there as well that there are security problems, which require transgressing the sharp and constitutionally necessary divide between internal and external challenges to security. This has happened on the surface, belatedly and in a limited manner. Formal, high level co-operation among different security services had not begun until the term of office of the Orbán government.<sup>16</sup> Then a body of highest level of formal co-operation was established as the national security cabinet of the Hungarian government, which may address such complex matters. It is an institution which is not regulated in details and can thus be adapted flexibly to political changes in the government. This body always includes the cabinet members in charge of 'power' ministries and other ministers and state secretaries dependent upon the governmental structure. The Prime Minister is

---

<sup>15</sup> Prof. János Szabó, '*Haderóátalakítás: Az ezredforduló haderőreformjának előzményei, jellemzői és perspektívája*' [Defence reform: The antecedents, characteristics and perspective of the defence reform of the turn of the millennium], (Budapest: Zrínyi, 2001) 11.

<sup>16</sup> FIDESZ won the 1998 parliamentary elections due to, among other things, putting internal security matters, primarily the need to fight organised crime, at the centre of its campaign. It is understandable that after their victory they had to deliver and this required putting more emphasis upon security matters and establishing necessary structures.

always a member of the security cabinet, though he is not the chairman in each case.<sup>17</sup> Due to the fact that it is a working body of the government it can be adapted flexibly to changing needs. Expert assessment does not emphasise the flexible functioning of this body rather puts the emphasis upon that 'it functions irregularly, it lacks correct decision preparation and coordination functions, and its decisions more often than not are influenced by informal and peculiar agency interests'.<sup>18</sup> There were instances when it was mentioned to have been convened. The body was maintained by the Socialist-Liberal government formed in 2002. It is the direct evidence of this that it was convened in the beginning of the US–UK invasion of Iraq in 2003. There were other instances, however when this body took the final decision, as in the case of the aircraft tender during the office term of the Orbán government when it opted for Gripen against other options, such as F-16.<sup>19</sup>

The development of Hungary has taken a long way since the beginning of the 1990s in a short period of time and its current system of political institutions reaches the level of those democracies, which had more time to develop them. It is a separate matter how those institutions function. In most cases they do function properly although they are not free of ups and downs. For instance, institutions like the Constitutional Court or the Ombudsman had been more high profile than during the term of office of the Orbán government when institutions of constitutional control were less in demand. This may be due to the largely successful completion of the transformation process that makes the need for constitutional control and certain types of investigations less prominent. It may well be, however, that the change has been due to the concentration of power in the hands of the executive.

There are of course certain functions and activities which cannot be assigned to a single institution. The fight against corruption no doubt belongs to this category. In terms of its lack of corruption, Hungary has been the second or third 'cleanest' country of Central

---

<sup>17</sup> In case of the Orbán government (1998–2002) the minister of interior was the chairman, although bearing in mind the power relations in the cabinet and the high concentration of power in the hands of the Prime Minister, this had no practical importance.

<sup>18</sup> Zoltán Martinusz, 'Defense Reform in Hungary: A Decade of Strenuous Efforts and Missed Opportunities', in: István Gyarmati and Theodor Winkler (eds.), *Post-Cold War Defense Reform: Lessons Learned in Europe and the United States* (Washington D.C.: Brassey's, 2002) 286.

<sup>19</sup> Contrary to the proposal put forward by the MoD.

and Eastern Europe behind Slovenia and Estonia in 2002 and behind Estonia in 2001.<sup>20</sup> This would have been a remarkable achievement were its position in the world at large, reflected in the above result, to have been shared by the population of Hungary. Unfortunately, the perception of the Hungarian population about corruption in the country has deteriorated significantly. This has not necessarily been primarily due to any increase in corruption but rather to its increased visibility during the Orbán government. As the 2002 elections to the Parliament approached and the government noticed its unconvincing record in fighting corruption may well be a major issue of the campaign some measures were introduced. It included displaying some showcases of corruption as well as the passing of the law by Parliament on corporate criminal liability. The Socialist-Liberal government formed in May 2002, noticing the dissatisfaction of the electorate with the level of corruption during the tenure of its predecessor, put the matter at the centre of its domestic policy. This has been demonstrated in a set of measures including the passing of several legal norms, making up the so-called 'glass pocket' programme of the government and the appointment of a state secretary in the Prime Minister's office addressing matters of public financing. The latter has been investigating several cases suspicious of corruption. Unfortunately, his investigations seem to have been confined to the activity of the previous government.

Bearing in mind the character of this phenomenon it is extremely difficult to contemplate corruption in the security sector. It is clear that there are three areas in the *defence* sector, which may be particularly prone to corruption.

1. New acquisitions by the defence sector.
2. The selling of the property of the armed forces due primarily to curtailing the number of military facilities.
3. Conscription related activities.

As far as new acquisitions are concerned there is no direct evidence for corruption. It is a fact, however, that the defence chapter of the election programme of the Socialist Party clearly airs the suspicion: 'The appearance of political corruption surrounding acquisitions by the Hungarian defence forces have caused immeasurable damage to the

---

<sup>20</sup> In 2002 Hungary shared a ranking of 33 with Malaysia and Trinidad and Tobago; in 2001 it shared a ranking of 31 with Trinidad and Tobago and Tunisia. See <http://www.transparency.org>

budget, the tax paying citizens and to the employability of the armed forces.<sup>21</sup> After the victory of the Socialist Party at the elections the situation, similarly to other democracies, has changed. Now it is the former government forces which blame the MoD because of allegedly corrupt, and often incompetent, deals. These allegations extend to small-scale as well as large-scale matters. The larger ones include the so-called vehicle tender whose value was above 1.2 bn USD, the revision of the so-called radio tender won by the Norwegian company Kongsberg without adequate reference (according to Thales and Siemens – the losers of the tender) and modifications to the so-called Gripen aircraft deal.<sup>22</sup>

The extensive reduction of the number of military sites and facilities has resulted in extensive participation of the defence sector in selling its property. Some extremely valuable large pieces of real estate went to the market and some of the deals are still pending. It is apparent that the possibility of corruption is present in some of these cases. As scandals have been limited to rumours it is a matter of imagination how often corrupt practices appeared in such deals.

Conscription has very little support in Hungarian society. Draft avoidance is widespread. For example back in 1998 50 per cent of the eligible population in Budapest avoided military service.<sup>23</sup> The most frequent way to avoid the draft is attempting to bribe physicians who issue medical certificates or falsify them. In order to combat this problem, the armed forces introduced a more thorough system of medical certification in 2001 which succeeded in reducing the proportion of those unfit for military service by 3 per cent in comparison to the previous year's draft.<sup>24</sup> In addition, compulsory service time was reduced to six months from 1 January 2002, which may reduce the social cost of maintaining the conscript system, but is likely to damage further the effectiveness of conscript soldiers' military training. The Socialist-Liberal government, which came to

---

<sup>21</sup> 'Honvédelmi rendszerváltás – önkéntes, hivatásos hadsereget Magyarországon' [System change in the defence forces – voluntary, professional armed forces in Hungary] (Budapest: Magyar Szocialist Párt, 2002) 4.

<sup>22</sup> See 'Honvédségi ébresztőórák kérdőjelekkel' [Alarm clocks of the defence forces with question marks], <http://index.hu/politika/belfold/ebresztorok0>; Béla Szilágyi, 'Rádiótender : 15 milliárdos norvég kárigény?' [Radio tender: 15 billion [forints] Norwegian damage claim?] *Magyar Hírlap*, 25 October 2002.

<sup>23</sup> L. Hülvely, 'Javaslat a személyi kiegészítési rendszer átalakítására, 1 rész' [Proposal for the change of the system of personnel substitution, Part 1], *Új Honvédségi Szemle*, 55:5 (2001), 6.

<sup>24</sup> L. Király, 'Több lett a katonaságra alkalmas fiatal' [More young people are fit for military service], *Népszabadság*, 6 March 2002.

power in 2002, is well aware of the problems with conscription and has promised to abolish the draft before the end of its office term. It is obvious that the current government is anxiously monitoring the impact of the abolition of conscription in the society. The results of a recent opinion poll are convincing. In February 2003 69 per cent of respondents agreed that defence reform should result in the introduction of fully professional armed forces. Only 22 per cent supported the idea of maintaining compulsory military service and 9 per cent remained undecided. When the respondents were informed that the cost of the change over to professional armed forces would equal with 60 billion forints (approximately 250 million USD) 85 per cent (of the 69 per cent) maintained its support for the abolition of conscription.<sup>25</sup> It is obvious that the widespread opposition to compulsory military service will result in some problems for the remaining short period until its total abolition, be it January 2005 or 2006.

#### **4 Problems of civil-military and inter-agency cooperation**

Due to the evolutionary nature of the system change in Hungary, the country's political class had to develop a new institutional political framework before the change actually took place. Indeed, Hungary's institutional adaptation actually preceded the elections of spring 1990. The legal foundations of a democratic system were laid down through an extensive revision of the old 1949 Constitution. The scale of constitutional change is reflected in the anecdote that the only part of the constitution that remained unchanged was that stating that 'The Capital of the Republic of Hungary is Budapest'.<sup>26</sup>

Under the modified constitution: 'The Parliament shall elect the President of the Republic for a term of five years' (Art. 29/A). The President 'is Chief of the armed forces' (Art. 29). The Parliament is entitled to decide on: 'the declaration of a state of war and the conclusion of peace'; 'the deployment of the armed forces both abroad and within the country'; and it can 'establish the National Defence Council, in case of war, or imminent danger of armed attack by a foreign power (danger of war)' (Art. 19, para (3), subparas

---

<sup>25</sup> 'Az önkéntes hivatásos haderőre való áttérés társadalmi fogadtatása [The reception of the change-over to voluntary, professional armed forces in the society] February 2003. Study prepared upon the request of the Prime Minister's Office, esp. 2 and 8.

<sup>26</sup> The Constitution of the Republic of Hungary, Act XX of 1949 as revised and restated by Act XXXI of 1989, Article 74. (Further references to the constitution are made in the text.)

(g), (j) and (h)). The National Defence Council 'shall decide on the deployment of the armed forces abroad and within the country and on the introduction of emergency measures ...' Its composition is also regulated by the constitution. In case the Parliament is obstructed in reaching the necessary decisions 'the President ... shall have the power to declare a state of war, a state of national crisis and establish the National Defence Council, or to declare a state of emergency' (Art. 19/A, para. (1)). In peacetime, the government 'directs the operation of the armed forces and of the police and other security organs' (Art. 35, para. (1), subpara. (h)).

The Constitution clearly defines the roles of the different enforcement agencies when it declares that 'the fundamental duty of the armed forces (Hungarian Army, Border Guard) is the military defence of the country. Within the ambit of its policing initiatives, the Border Guard shall guard the borders of the country, control border traffic, and maintain order on the borders' (Art. 40/A, para. (1)). The 'fundamental task of the police is to maintain public safety and internal order' (Art. 40/A, para. (2)).

The rules of the constitution proved to be insufficient to provide for every contingency, however. Namely the statement that 'only the Parliament, the President of the Republic, the National Defence Council, the Government and the responsible Minister shall have the right to direct the armed forces' (Art. 40/B, para. (3)) required further clarification. It was apparent that not all those bodies could direct the armed forces, particularly not at the same time. The Minister of Defence asked for an interpretation from the Constitutional Court. The Court decided on the matter in September 1991, stating clearly that the 'direction of the functioning of the armed forces is in the legal power of the government'.<sup>27</sup> It is also stated that the 'commander in chief of the armed forces ... is leading [the armed forces] though not commanding them'. Consequently, the number of actors who had peacetime responsibility (including the President and the government) to direct the armed forces was reduced, even if the problem was not eliminated fully. On the 'dark side' of this decision, it appears that the Chief of the General Staff could interpret the situation as meaning that the only 'institution' which represents civilian control is the Minister of Defence. Bearing in mind that over the last 13 years Hungary's

---

<sup>27</sup> 48/1991 (IX. 26.) AB határozat. [48/1991 (26 September) decision of the Constitutional Court].

defence ministers have not been the best prepared and most influential politicians, this arrangement does not seem politically perfect.

The Constitution sets forth that with ‘the exception of military manoeuvres carried out according to international treaties and peace-keeping missions upon the request of the United Nations, the armed forces may only cross the country’s borders with the prior consent of the Parliament’ (Art. 40/B, para. (1)). This rule deprives the country’s government and its military leadership of some flexibility. The argument for modifying the constitution to allow Hungary to become more actively and flexibly involved in NATO activities has been quite compelling. It should be emphasised that Hungary did not in any manner violate NATO norms with this regulation. It simply has less flexibility than would be possible after an eventual revision of the rule. It is a further constraint that, except for a few exceptions, it is the Parliament that has to decide on the transit of armaments and military equipment. This, in combination with the tense atmosphere in the Hungarian legislative, has resulted in a situation that the country proved to be a difficult partner of the Alliance. It led to a time-consuming process to approve the transit of military materiel when the support of Turkey was at stake right before the beginning of the war against Iraq in March 2003.<sup>28</sup>

It is important that the constitutional and generally legal foundations of the civilian control of the military existed early in the process of system change. As ‘Bonapartism’ has never been an issue in the modern history of the country and it would be difficult to find an instance when the military decided to influence politics decisively, the core issue of the civilian control of the military is not a matter of particular excitement in Hungary. What matters far more is the interaction between civilians and military professionals in the defence sector, in particular in defence planning. Although the situation has evolved significantly since 1990 there are still some fundamental shortcomings which overshadow our understanding of the complexity of the situation.

If we start at the beginning it is clear that Hungary as a new democracy could not install a competent class of civilians in the Ministry of Defence to support the civilian political leadership immediately after the system change. The armed forces were suspicious of

---

<sup>28</sup> See e.g. Zoltán Haszán, *Továbbra sincs megegyezés a NATO-szállítmányokról /Still no agreement on NATO transports/, *Népszabadság*, 20 February 2003.*



the few civilians who had acquired expertise in the field of defence. The fact that most Western support in training and retraining was offered to military professionals also contributed to a slow development of civilian expertise. The professional superiority of the military in defence matters, as declared by the military itself, was politically damaging. Military professionals retained significant influence on decision-making inside the Ministry of Defence. At the same time, the weakened civilian leadership of the ministry could not credibly represent military interests at the political (governmental and parliamentary) level. The fundamental misunderstanding stemmed from the fact that it was not only civilian expertise in defence matters which was insufficient. It was military competence as well. Whenever it is mentioned that Hungary was integrated in the Warsaw Treaty, it was strategically subordinated to the Soviet high command and that it had no genuine strategic culture for at least four decades, the conclusion is not drawn. Namely that this must have meant that Hungary had no competent military which could contribute to shaping the defence policy of an independent state. Consequently, it was two largely incompetent groups facing each other: the civilians of the defence sector and military 'professionals'.

Different answers were given to the problem of coexistence and co-operation of civilians and the military in the defence sector during the 13 years that has passed since the system change. The civilians often looked down on the military professionals and tried to reduce their autonomy also in those areas, which were clearly military matters. The military, in turn tried to present a large number of matters forming part of the exclusive competence of the military. This 'cats and dogs game' has been going on for some time and dependent upon the strength of one group vis-à-vis the other resulted in the 'swing' of the pendulum. In certain phases this has led to the 'remilitarisation' of the defence establishment whereas in other cases attempts were made to maximise civilian influence. The period of the Socialist–Liberal Horn government (1994–98) was typical for 're-militarisation' whereas the two conservative cabinets (1990–94, 1998–2002) were more determined to turn the defence ministry into a civilian institution. There is a chance that increasing competence on both sides of the defence sector may result in a balanced relationship between the leadership of the MoD and that of the General Staff.

While these games have been played the Hungarian defence sector continued to lag behind the expectations<sup>29</sup> set against it internationally. More importantly it has been objectively lagging behind a modern armed force conscious of its task and with a vision for the future. It is necessary to take a look at the human factor of the defence sector to complement the picture. It is a fact that for the first 12 years of the Republic of Hungary the post of defence minister was offered as compensation or part of a political deal and the persons selected for the post had no competence in this field. Moreover their position was weak in the political establishment. The first minister, Lajos Für (1990–94) was awarded the post in compensation for not being elected to become President of the Republic. György Keleti (1994–98) became defence minister as he had been the MoD's press spokesman and had been directly elected in the first round of the elections with a convincing majority. Although he had no proper military experience (he used to work in press matters and at the party committee of the MoD) he had fair knowledge of the ministry. His own interpretation of his role was to contribute to the budget balance and not to present excessive demands. János Szabó (1998–2002) was awarded the post of minister of defence in the last minute. He belonged to the junior coalition partner, the Smallholders' Party, a party, which has demonstrated mass incompetence and was unable to manage any portfolio properly. Not to mention that the Prime Minister systematically violated his decision-making autonomy enshrined in the law on national defence.

It was clear before the parliamentary elections of 2002 that irrespective of which major party forms the government after them the Minister of Defence will for the first time be a politician who has genuine interest in defence matters. So it happened. The Socialist minister of defence, Mr Ferenc Juhász, was a member of the defence committee of the legislative for eight years, and vice president for four. In spite of this the first year of his office term underlined the fact that was a bureaucratic experience that could have made a difference if he had had any. Furthermore his performance demonstrated that so-called defence expert politicians of the larger parties filled a niche in the hope that little competition would allow them to get to the top with ease. It has been a further problem that mistakes in selection at the top of the defence sector often resulted in the selection of the least fit at the lower echelons of the defence bureaucracy.

---

<sup>29</sup> For more details see point 5 below.

## **5 Why is defence the weakest element of the security sector?**

When Hungary started its transition in the late 1980s it was clear there were many other items on the agenda which were far more important than the transformation of the defence sector. The new political elite found satisfaction when it learnt that non-interference of the armed forces in political processes was guaranteed. Priority was given to institution-building. The first Hungarian government formed after the system change with its intimate knowledge of nineteenth-century Hungarian liberalism performed very well in this respect. Its contribution to the security sector was not confined to establishing civilian control and clarity in the constitutional situation, however. It was also important that the Antall government was clearly committed to the idea of NATO integration of the country and left no doubt about it to its Western partners.

The Socialist-Liberal government, which came into office in 1994, was extremely busy with those leftovers of its predecessors, which did not belong to their success stories. It had to consolidate the economic situation (the introduction of the so-called Bokros austerity package in March 1995) and revise the fairly tense relations with two problematic neighbours of the country, Romania and Slovakia. As far as the defence sector was concerned, the Horn cabinet started out from that (mistaken) assumption that NATO accession would not occur any time soon. Hence, the contribution of the defence sector could be nothing else than not to undermine the shaky economic balance of the country. The defence budget was shrinking further, in particular if weapons acquired against the debt of the former Soviet Union were not counted. It followed the pattern of its predecessor in the sense that various military reform plans were following each other so swiftly that they gave no chance of putting them into practice. There was no respect for the length of the time period necessary to put the plans into practice. The few important steps were made in order to meet the expectations of the world at large, most importantly those of NATO and its member-states. This included the establishment of a co-ordination mechanism to prepare for NATO accession among others. After the invitation announcement in the summer of 1997 the Horn government revised its concept that did not count on enlargement at any time soon and demonstrated more determination. It carried out the change half-heartedly as it was of the view that even if

enlargement took place it would primarily be a political process.<sup>30</sup> Not to mention the fact that time was not sufficient to achieve anything substantial due to the upcoming elections.

When the Orbán government was formed in the summer of 1998 it also faced the difficulty that a large majority of the population demonstrated a lukewarm attitude towards defence matters. Hence, in spite of the NATO accession of Hungary a few months later, defence did not become a priority matter for the government. In spite of this there are two important positive developments that should be attributed to the moderate conservative government.

1. It played a constructive and co-operative role (i.e. co-operative with other members of NATO) during the Kosovo operation in spring 1999.
2. After the conflict it introduced a long-term and fairly comprehensive defence reform plan, which despite certain shortcomings could have been implemented.<sup>31</sup>

It was obvious that defence reform could not be postponed further. The urgency stemmed from two factors: First, considerable pressure had built up over the need to transform a defence structure which absorbed major resources, without contributing greatly to the defence capability of the country. The disruption caused by the Hungarian government's decision to send one battalion to the NATO-led Kosovo Force (KFOR) in July 1999, for example, highlighted the financial fragility of the Hungarian defence budget. The second pressure for reform was international, and stemmed from the need for the government to demonstrate it could shoulder the burden of NATO membership. Specific Hungarian deficiencies were highlighted during the Kosovo crisis, when, after Serbian planes had violated Hungarian airspace, the air force had to rely on NATO allies to patrol its airspace.

---

<sup>30</sup> In this respect the Horn government was by and large right. The first post-Cold War enlargement of NATO did not pay particular attention to military preparedness. When it did at a late stage, it found satisfaction with requesting the candidates to increase their military allocations. Such a fiscal approach did not require any improvement of military capabilities, however.

<sup>31</sup> For more details concerning the reform and my opinion about it, see 'Hungary', in: H. J. Giessmann and G. E. Gustenau (eds.), *Security Handbook 2001* (Baden-Baden: Nomos Verlag, 2001), 249–82, 'Hungary: Peace and Quiet of an Increasingly Illiberal Democracy', in: D. N. Nelson and U. Markus (eds), *Brassey's Central and Eastern European Security Yearbook* (Washington D.C.: Brassey's, 2002), 85–119, 'Building Professional Competence in Hungary's Defence: Slow Motion', in: A. Forster, T. Edmunds and A. Cottey (eds.), *The Challenge of Military Reform in Postcommunist Europe* (London: Palgrave, 2002), 63–78.

In the summer of 2000 the Parliament approved the decision on the long-term transformation of the Hungarian Defence Forces (HDF). The process was divided into three phases between 2000 and 2010. During the first phase the emphasis of the reform was on transition to the new structure, relocation of troops, the establishment of adequate proportions of personnel strength, the creation of the basis for reducing operational costs and costs of maintenance, improvement of living and working conditions, and the establishment of a minimum level of NATO interoperability. The second phase from 2003 to 2006 would pursue programmes to improve the quality of life, combat capability and training of the HDF. Until the end of this phase the armed forces would essentially operate on the basis of existing – though in some cases upgraded – equipment. Phase three from 2006 to 2010 aimed at the modernisation of equipment in accordance with capability requirements, and the demands of increased NATO compatibility and interoperability. This fairly comprehensive plan had no chance of being realised as the Orbán government lost the elections in the spring of 2002.

It was obvious that the sharply divided establishment would take over as little of the legacy of the conservative cabinet as possible. There were two apparent shortcomings to the defence reform plan. Namely, it intended to maintain a mass army, even though much smaller than before. This was closely associated with the insistence of the Orbán cabinet upon maintaining conscription for a longer period of time. For barely understandable ideological reasons Orbán was determined to maintain conscription for a fairly long period of time, maybe for a full decade. When the service time of conscripts was reduced to six months at the beginning of 2002 it was clear that conscript soldiers would not represent any measurable military value. Furthermore, as conscript soldiers could not participate in international missions, conscription contributed to maintaining a two-tier system. In the framework of selective development a few units were prepared for international operations whereas others were sustained on a low level of preparedness and equipment. This was understandable temporarily and resulted in Hungary performing fairly well when it was dependent upon the activity of elite units, like in Bosnia and Kosovo. It meant that *Hungary combined a mass army with some pockets of a modern armed force*. It was a separate matter that, at a later stage when it became obvious conscription would have to be abolished due to its huge unpopularity, some FIDESZ politicians put forward the idea of establishing a new National Guard type

institution where young men would get short basic training on a mandatory basis. It was the most important weakness of this idea that it would have drawn on those scarce resources, which would have been badly needed for putting the defence reform into practice.

It was a major shortcoming of the office term of the Orbán government that the Prime Minister and his entourage did not notice that following NATO accession the role of the defence sector, first of all that of the MoD, increases significantly in co-operation with the Alliance. This would have required persons in charge of the MoD who could communicate to NATO and its member-states the (few) achievements of the Hungarian defence sector and also generate understanding to the shortcomings. Rather than dwelling upon the topic, suffice it to state that neither the intellectual nor the moral state of the MoD's leadership made them eligible to carry out that important job. This resulted in a communication catastrophe at a high level, which complemented the generally weak performance of the Hungarian defence sector.

When the Socialist–Liberal coalition government was formed in May 2002 there were hopes that the alleged professional competence of the new minister of defence would make a difference. It was one of the first decisions of the minister to order a review of the defence capabilities of the Hungarian defence sector. Ten months after the government was formed, the review has not been concluded, yet. The defence minister declared that due to the ongoing review the Atlantic Alliance was ready to accept that Hungary gave general answers to certain questions of the defence planning questionnaire. Valuable time has been lost. The experience of the past years has demonstrated that governments do not take controversial and costly decisions in the last 12–18 months of their office term, particularly not in defence as this sector influences the opinion of the electorate marginally at best. Hence the current government has at maximum a year and a half to carry out its reform plan. There are some elements of the plan, which have become clear before the completion of the review.

1. Although the two coalition partners do not agree upon the date when full professionalisation should be introduced conscription will be abolished during the office term of the current government. There are two ways to carry out the decision. Either through the modification of the law on homeland defence, which

requires two-thirds majority of the Parliament, i.e the co-operation of the opposition on this matter. It would be difficult for the opposition to resist the abolition of conscription when compulsory military service has so little popularity. If the opposition does not co-operate on this matter it is also possible to stop calling up conscripts to serve and then leave it for the next government whether it reverses the decision, and runs the risk of losing popularity.

2. It is obvious that the size of the armed forces will be shrinking further. The first attempt of the new Chief of General Staff, General Szenes is aiming to reduce military bureaucracy in the MoD, in the General Staff and the so-called 'background' institutions, like the National Defence University.<sup>32</sup> The size of 'fighting units' should be reduced from 375,000 to approximately 30,000 in a ten-year period.<sup>33</sup> This reduction is no more than the reduction that will happen automatically by the elimination of conscription. It is a noble idea to change 'head to tail' ratios and has a chance of being implemented, but only if the system of interest is revised and adapted as well. Currently those officers and NCOs get supplementary payment who work in the MoD and at the General Staff. This may well be necessary in a booming city where not only average incomes are significantly higher<sup>34</sup> but living expenses as well. On the other hand, however, living conditions ranging from schools to medical facilities and to cultural institutions are much better in the capital city where one-fifth of the country's population lives than in some parts of the countryside where many military units are located, so it would be necessary to introduce a generous system of compensation to those who serve with 'fighting units' in the countryside rather than with those in the capital city. Because this pressure to serve in Budapest, work at the headquarters that also offers better 'visibility' and hence better career prospects will continue. This will undermine the implementation of another series of however well-intentioned reforms.

---

<sup>32</sup> Iréne Szabó 'Létszámcsökkentés a minisztériumban és a vezérkarnál' [Reduction of personnel in the ministry and at the General Staff], *Népszava*, 11 March 2003.

<sup>33</sup> Iréne Szabó, 'Harmincezres seregben gondolkodik a vezérkari főnök' [The Chief of General Staff thinks about an army of thirty thousand], *Népszava*, 14 March 2003.

<sup>34</sup> Actually approximately 150 per cent of the per capita average income of Hungary.

Apart from the concrete changes it seems there is little understanding in the MoD leadership that the abolition of conscription and hence the introduction of full professionalisation require a different philosophy than previously. The differentiation between units and the development of only some of them at the expense of others cannot be sustained. It is necessary to think that, in terms of the career path of military professionals, there needs to be a more planned and predictable pattern. Furthermore, the communication catastrophe that characterised the MoD of the Orbán government seems to continue on a somewhat reduced scale. This burdens communication with NATO which may not help ease the pressure that had been mounting upon the Hungarian defence sector in the last two years of the conservative government. The commitment of the Hungarian government to increase military expenditure may not ease the situation significantly.

It is extremely difficult to carry out major, sustained military reform when there is no external threat that would support the allocation of resources to this sector, and when available human resources due among other things to the fortunate economic boom of the country are limited. Selective development in certain key areas<sup>35</sup> may help but it would require broad consensus in the Hungarian political elite to agree upon those key areas where such development should concentrate. Bearing in mind that since the system change each democratically elected government of Hungary has served its office term and none of them were re-elected it is impossible to carry out military reform without broad political consensus. In the light of the mutual alienation of the main political forces due to the populism and irresponsibility of former Prime Minister Orbán and his entourage, Hungary will most probably continue to be a difficult case for the rest of NATO as far as its defence sector is concerned.

Hungary has compensated and will continue to compensate for the disappointment it has generated among its allies, primarily in the international staff and the U.S., which were the most vocal on the matter. The means it has relied upon have been as follows:

---

<sup>35</sup> The list Hungary presented at the Prague NATO summit in late November 2002 includes the improvement of the mobility of the Hungarian Defence Forces, defence against biological and chemical weapons and logistical support to the deployment of the forces of allied powers as well as to guarantee the air refuelling capability of the Gripen aircraft Hungary has purchased. It was not made clear whether Hungary would purchase An-70 transport aircraft or whether transport capacity would be established in co-operation with other countries. See '30 milliárd forintos magyar felajánlás a NATO-nak' [30 bn forints commitment to NATO], at: <http://www.korridor.hu/cikk.php?cikk=100000044877>



1. Hungary has proved to be extremely loyal members of the Alliance that were aware of their importance compared to the great powers of NATO. Their *loyalty* was reflected in the fact that they have not interfered with the decision-making process of NATO in any measurable way. This could be perceived clearly during the Kosovo operation of NATO when decisions were taken just as smoothly with 19 members as would have been taken with 16. Loyalty was also reflected in the fact that Hungary has contributed to the two major NATO-led peace operations, SFOR and KFOR, in a similar way to most candidate countries and the other two new member-states of NATO. Loyalty with the Transatlantic link and with the leading power of the Alliance was also demonstrated when the Hungarian Premier signed the so-called letter of the eight.<sup>36</sup>
2. Hungary has also contributed to carrying out the tasks of the Alliance through its *location*. The Alliance could use their airspace, airfields and other military facilities whenever it was necessary. In the case of Hungary, a neighbour of three successor states of the former Yugoslavia including Serbia, this meant a particularly active engagement in the Kosovo operation. In the case of the US–UK operation in Iraq it opened its airspace for transit and permitted the training of Iraqi opposition personnel in Hungary at the Taszár airbase.
3. Due to the strategic location of the new members, and their instincts concerning some of their strategically important neighbours, they have contributed to the common knowledge of the Alliance. They have also actively participated in *intelligence* co-operation.
4. Last but not least, Hungary compensated for its weak performance in a number of fields through the *promises* it has been making. It has been extremely skilful in making promises and seldom delivering on them later. When it did, delivery was belated and was made under pressure from different forces in the Alliance. This resulted in a situation in which there was permanent dissatisfaction with the

---

<sup>36</sup> See Ph. Webster, 'Eight leaders rally "new" Europe to America's side', *The Times*, 30 January 2003 and A. Applebaum, 'Here Comes the New Europe', *Washington Post*, 29 January 2003.

performance of Hungary,<sup>37</sup> and to a lesser extent also with that of the other two new members.

## 6 Conclusions

Hungary has carried out a largely successful transformation since the beginning of the 1990s. Priority in this process was given to areas where, due to the demand of society or to the expectation of those institutions to which Hungary has been willing to join, transformation became indispensable. That is why the transformation has focused on establishing functioning democratic institutions, creating a modern, export-oriented economy and a system of law enforcement agencies which can provide for the rule of law and also guarantee the safety of the country's population. Where human and financial resources have been concentrated Hungary presented a convincing performance.

This set of priorities has not extended to the military for a host of reasons. As Hungary has not faced any major, identifiable and measurable traditional external military threat there was no objective reason to give priority to the transformation of the armed forces. Furthermore, as the preparation for the first post-Cold War enlargement of NATO was fully focused upon political conditions and far less on military ones, if anything it gave an easy way out for those countries, including Hungary, which wanted to buy their 'ticket to NATO' through political loyalty. After the NATO accession of the country the Alliance had to face the situation that it has had far less leverage over Hungary than it used to. It could have made accession conditional on achieving certain critical capabilities. It did not do so and thus missed an opportunity.

Even though there is full concord on the fact that the Hungarian defence sector looks pretty grim it may not be the right question to ask why Hungarian defence reform is so unsuccessful. It is more appropriate to raise the question of why no defence reform has been successful anywhere in Central and Eastern Europe. If it is due to the many

---

<sup>37</sup> The dissatisfaction of NATO was not unfounded. As defence minister Juhász said in an interview the day before the coming into office of the new government 'following NATO accession the country fulfilled 76 per cent of its pledges, 50 per cent a year later and only 26 per cent in 2001'. See Mihály Bak, 'Nem minden vezető marad a helyén a honvédelmi tárcánál – Négyszemközt Juhász Ferencsel' [Not every leader keeps its post at the defence portfolio – Eye to eye with Ferenc Juhász], Magyar Hírlap, 26 May 2002.

changes international security has been going through since the end of the Cold War then it is an excessive demand to expect that the small countries amidst their transformation could adapt to all changes. The move from collective defence, or rather collective offence in the Warsaw Treaty, to power projection, primarily for the broad spectrum of peace operations and last but not least the priority given to counter terrorism after 11 September 2001, has stretched the Hungarian armed forces beyond the limit similarly to others. If the rapid pace of adaptation continues there is little chance that Hungarian armed forces could cope with the task objectively.

Due to the coexistence of domestic and external factors, the transformation of the defence sector has remained fragmented, reform plans followed each other with such frequency that made putting them into practice impossible. Moreover the political masters imposed their vision about the future of Hungarian defence without any consistency. As this may continue in the future it is clear that the future of defence transformation depends on building broad political consensus around this issue. As such consensus seems unlikely to emerge, so Hungarian defence reform seems unlikely to be realised.

The objective reasons why the defence sector has remained without effective transformation is that defence has been the portfolio which went through the least convincing transformation. The objective shortcomings have been complemented by subjective mistakes. It is an understatement to conclude that not the best human resources of the Hungarian political establishment were concentrated over there and in some cases the 'selection of the unfittest' characterised the highest echelons of the bureaucracy as well. In comparison with other countries of Central and Eastern Europe, Hungary has become a modern democratic country without a modern defence sector. This may be highly annoying to those who have deemed modern defence an integral part of modernity. It may well be, however, that Hungary set its priorities right and focused resources on areas which may be more important for the country's future.

## **Appendix: the most important legal norms**

1993 évi CX törvény a honvédelemről (Law CX of 1993 on National Defence).

1995. évi CXXV törvény a nemzetbiztonsági szolgálatokról (Law CXXV of 1995 on National Security Services).

2001. évi XLIII törvény a Honvédelmi Minisztérium és a Honvéd Vezérkar integrációjával érintett törvények módosításáról (Law XLIII of 2001 on the modification of laws affected by the integration of the Ministry of Defence and the General Staff of Homeland Defence).

99/1995 (X. 13.) OGY határozat a Magyar Honvédség 1995. és 1996 évi részletes bontású létszámáról (Decision 99/1995 (13 October) of the National Assembly on the detailed breaking down of the personnel strength of the Hungarian Homeland Defence Forces in 1995 and 1996).

106/1996 (XI. 29.) OGY határozat a Magyar Honvédség 1996 év végi részletes bontású létszámáról (Decision 106/1996 (29 November) of the National Assembly on the detailed breaking down of the personnel strength of the Hungarian Homeland Defence Forces at the end of 1996).

29/1997 (III. 28.) OGY határozat a Magyar Honvédség 1997 év végi részletes bontású létszámáról (Decision 29/1997 (28 March) of the National Assembly on the detailed breaking down of the personnel strength of the Hungarian Homeland Defence forces at the end of 1997).

124/1997 (XII. 18.) OGY határozat a fegyveres erők részletes bontású létszámáról (Decision 124/1997 (18 December) of the National Assembly on the detailed breaking down of the personnel strength of the armed forces).

62/2000 (VI. 21.) OGY határozat a fegyveres erők részletes bontású létszámáról szóló 124/1997 (XII. 18.) OGY határozat módosításáról (Decision 62/2000 (21 June) of the National Assembly on the modification of decision 124/1997 (18 December) of the National Assembly on the detailed breaking down of the personnel strength of the armed forces).

11/1993 (III. 12.) OGY határozat. A Magyar Köztársaság biztonságpolitikájának alapelvei (Decision 11/1993 (12 March) of the National Assembly. The basic principles of the security policy of the Republic of Hungary).

27/1993 (IV. 23.) OGY határozat a Magyar Köztársaság honvédelmének alapelveiről (Decision 27/1993 (23 April) of the National Assembly on the basic principles of the defence of the Republic of Hungary).

94/1998 (XII. 29.) OGY határozat a Magyar Köztársaság biztonság- és védelempolitikájának alapelveiről (Decision 94/1998 (29 December) of the National Assembly on the basic principles of the security and defence policy of the Republic of Hungary).

61/2000 (VI. 21.) OGY határozat a Magyar Honvédség hosszú távú átalakításának irányairól (Decision 61/2000) of the National Assembly on the directions of the long-term transformation of the Hungarian Homeland Defence Forces).

2144/2002 (V. 6.) Korm. határozat a Magyar Köztársaság nemzeti biztonsági stratégiájáról (2144/2002 (6 May) government decree on the national security strategy of the Republic of Hungary).

## CHAPTER TWO

---

### SECURITY SECTOR REFORM – DOES IT WORK FOR POLAND?

*Agnieszka Gogolewska*

#### **Introduction**

The case of Polish civil-military transformation has frequently been pointed to as an example of a success story. The day of Polish accession to NATO on 4 March 1999 was regarded by many people in Poland and abroad as an impressive proof of the success of Polish reforms in that field. And although civil-military relations represented just one sector of the complex democratic transition, given the turbulent record of relations in the first half of the 1990s the achievements should be especially appreciated. Having said that, one should not forget that the success of civil-military transformation has encompassed only one part of the security sector, namely the military, and that even in the military sector some of the achievements have been at best disputable and at worst have failed.

#### **Threat perceptions**

In the process of establishing and consolidating a democratic system, Poland was in a fortunate position of facing only internal problems to transformation. The reform of the military was just one of the facets of that multi-dimensional process. Yet, the difficulties associated with attempts to reform the army in the first half of 1990s and the strained civil-military relations that resulted from the attempted transformation had a negative impact on the entire democratisation process in Poland and proved that without fundamental reforms of the security sector democratic transition can be neither lasting nor fully successful.

As a result of the military reform devised and launched in 1991 the MOD became divided into two separate parts: military General Staff and civilian-military ministry. As an indirect result of that reorganisation, the MOD became dependent on the General Staff for access to military resources and information. That made the General Staff a semi-independent body, able to articulate the military views independently and exert political pressures effectively. The then Chief of General Staff made full use of that capacity. Moreover, the division along the lines of purely military/mixed civilian-military personnel led to perceiving the General Staff as an exclusive preserve of the military, contrasted with the 'civilian' ministry, the perception that remained embedded in the army. The problems in civil–military relations were further aggravated by the regulations of the Interim Constitution in 1991 that gave the President a dominant position in the defence and security policy. All this led to the formation of an informal political alliance between the President and Chief of General Staff that left civilian ministers of defence bereft of influence over the defence and military policy. The situation resulted in the series of much publicised political scandals in the years 1994–95, most notably the 'Drawsko affair',<sup>1</sup> the cumulative effect of which put the entire Polish democratisation process in jeopardy and threatened to exclude Poland from the first wave of NATO enlargement.

Those drawbacks, however, should not obscure the fact that since 1989 Poland has successfully democratised its political system. Successive Polish governments established a framework of working democratic institutions, regulated and supported by democratic laws and procedures. At present, neither the officials nor the public in Poland can perceive any imminent domestic threats that would put democratic institutions in jeopardy. Furthermore, although the Polish political scene does feature a few radical and populist political movements, none of them would seriously contest the democratic system as such or question the very need for democratic transformation in post-1989 Poland.

That is not to say, however, that democratic institutions are popularly perceived as strong or enjoy public confidence. On the contrary, opinion polls have for years been consistent in their showing that non-political institutions feature a much higher degree of

---

<sup>1</sup> In 1994 at the Drawsko training grounds during the official dinner the high-ranking officers in the presence of the President and the civilian Minister of Defence took an informal vote of no confidence against the latter. Despite parliamentary investigation and condemnation of the 'Drawsko dinner' by the majority of politicians, the minister was dismissed. It was the biggest scandal in civil–military relations in Poland.

public trust than any of the pillars of democracy as well as the fact that the political class has been popularly perceived as incompetent and corrupt. The President for years has been the most trusted politician, scoring around 75% in terms of good opinion. In comparison, at the same time the level of satisfaction regarding parliamentary activity oscillated from 16% to 32%, and the government scored similar results. The public in Poland has much better opinion of non-political institutions: public Polish Radio typically comes first in the polls, with a favourable of 86%, and among the most appreciated institutions there are the army (62–74%) and the Supreme Chamber of Control (49–58%).<sup>2</sup>

After the outbreak of the so-called Rywingate in 2003,<sup>3</sup> public confidence in democratic institutions reached an all-time low and sparked discussion on the critical conditions of Polish democratic institutions and the deep corruption of public life. This is where the greatest divergence of views between politicians and the public at large has taken place. While government officials refuse to admit that there is a crisis of political institutions in Poland, public opinion is bitterly critical of them. The situation resulted in a complete severance of the bond of trust between the political elite and the electorate and may open the way to the formation of anti-democratic, extremist movements in future.

Throughout the 1990s the Polish international environment was conducive to democratic changes and Poland was a stabilising factor in the region. Already in the first security strategy document of 1991 it was confirmed that the state did not perceive any particular state as its enemy. Good neighbourly relations and gradual integration with NATO and EU were the main security policy goals. By mid-1990 Polish authorities managed to negotiate and sign treaties on good neighbourly relations and mutual co-operation with all the neighbouring states and perhaps more importantly, opinion polls show that such policy enjoyed genuine public support. Polish accession to NATO strained relations with Russia; however, after the coming of president Putin those relations gradually but steadily improved. Last but not least, the process of NATO enlargement itself was a

---

<sup>2</sup> 'Ocena działalności instytucji publicznych', komunikat z badań (Warszawa: Centrum Badania Opinii Społecznej, June 2002).

<sup>3</sup> 'Rywingate' concerned the alleged corruption proposal made by the biggest Polish film producer to the owner of the biggest Polish newspaper of ensuring the adoption of the parliamentary bill in the form favoured by the press owner. As parliamentary investigation has revealed, among the people implicated in the scandal were the President and the Prime Minister.



powerful factor driving forward democratic reforms of the security sector in Poland and contributing to better regional security co-operation through the PfP.

In short, until the events of 11 September the international and security policy if anything were the stabilising forces in Polish democratic transition. That optimistic view of international relations of the 1990s after 9/11 has given way to the gloomy picture of global instability and terrorist threat. The official statements and public opinion are consistent in their estimation of the threats that may today destabilise Poland or threaten its security. During the parliamentary debate on foreign policy, the Minister of Foreign Affairs emphasised that the international position of Poland, its stability and security are dependent on three major factors: the process of integration with the EU, our membership in NATO and global threats to stability in the world, primarily related to international terrorism and the proliferation of weapons of mass destruction.<sup>4</sup> This illustrates how the terrorist attack on the United States forced Polish authorities to look globally. Never before have the government had to worry about Central Asia or the Middle East as regions that have some direct influence over security and stability in Poland. Today the terrorist threat is a fact and the public shares this view with the government, although they may see different solutions to the problem, particularly in regard to the use of armed forces.<sup>5</sup> The post-9/11 situation and particularly the direct involvement of Polish armed forces in Iraq triggered further reforms in the security sector; however, those reforms are driven by the immediate needs of security and not by democratic transition.

### **Security sector definition – security sector integration concept**

The terms ‘security sector’ or ‘civil–military relations’ have not become part of official vocabulary in post-communist Poland. In fact, in contrast to many other young democracies, the notion of civil–military relations has not become part of the specialised vocabulary of political science in Poland and is often misunderstood for civil–military cooperation, or CIMIC. The only term that made its way both into the popular conscience

---

<sup>4</sup> Parliamentary speech of the Minister of Foreign Affairs Władzimirz Cimoszewicz, [http://www.msz.gov.pl/file\\_libraries/24/166/expose2003.htm](http://www.msz.gov.pl/file_libraries/24/166/expose2003.htm)

<sup>5</sup> ‘Co uważamy za terroryzm, co myślimy o terrorystach?’ komunikat z badań (Warszawa: CBOS, July 2002).

and into official vocabulary has been 'democratic civilian control of the armed forces' which already demonstrates how narrowly the SSR has been understood and treated in Poland.

In the course of transition since 1990 the emphasis was always on the transformation of the military sector since the establishment of the democratic civilian control of the military was a precondition for membership in NATO. The reform of the defence and military sector has been the most publicised, best scrutinised and most successful of all the reforms carried out in the security field. However, when Poland was finally accepted as a full member of NATO, that membership had a somewhat adverse effect on the reforms of security sector. For the authorities in Poland, it was an acknowledgement of the completion of the necessary reforms in the military. Consequently, further reforms were constrained in the MOD and never launched on a bigger scale in other parts of the security sector.

In general, Polish security sector consists of four major institutions. These are the military represented by the Ministry of National Defence and including Military Intelligence), Ministry of Internal Affairs, Intelligence Agency (AW) and Agency of Internal Security (ABW). The last two bodies were created as a result of a reform of the intelligence sector in Poland carried out in 2002. By the parliamentary law of May 2002 in place of the former Office for the Protection of State (UOP) two new agencies were brought into being. The Law and Statutes given to the Agencies in June 2002 by the Prime Minister divided the competencies so that the Intelligence Agency was granted all the former prerogatives of the UOP in the realm of external (non-military) intelligence and the other body, ABW, is concerned with matters relating to internal intelligence and protection of security. The heads of both Agencies are directly subordinated to the Prime Minister. The official aim of the reform that was prepared and implemented by the post-communist government was to acquire better parliamentary and executive control of the intelligence sector through its division of competencies and responsibilities as separation of premises. In reality, however, the large-scale personnel purges carried out in the course of reform led to the justified supposition that the exchange of UOP cadres for the former communist security service officers was more reliable from the point of view of

the post-communist government.<sup>6</sup> This one 'reform' illustrates well the logic of recent developments in Polish security sector, which are far from the democratisation processes of the second half of the 1990s.

Legislative regulations do not treat internal and external security institutions as part of the same sector. The Constitution of 1997 does not directly distinguish between internal and external security providers. However, article 26 defines the function of the armed forces as the provider of external (national) security. According to the Constitution, armed forces of the Republic of Poland shall safeguard the independence and territorial integrity of the State, and ensure the security and inviolability of its borders. The armed forces shall observe neutrality regarding political matters and shall be subject to civil and democratic control. Other security sector institutions are not referred to in the basic law.

The second most important legal document regulating that sphere is the Law on the Specific Fields of Government Administration of September 1997.<sup>7</sup> This legal act represents a constitution of a kind for the government sector, dividing its scope of activity in specific fields and enumerating the responsibilities of ministers proper for a given field. In the area of security, the Law established two specific fields: national defence and internal affairs. According to article 19 item 1 of the above law, the field of national defence shall encompass issues related to the defence of the state and related to armed forces as well as the participation of Poland in international operations stemming from our allied obligations and international agreements. Article 29 item 1 specifies issues specific to the internal affairs field. These are: protection of public security and order, protection of state borders, issues of citizenship and control of foreigners, civil protection and fire fighting, consequence management in natural disasters and other catastrophes, supervision of mountain and water rescue services and control of the activities of the police, border guards, state fire fighting services, state civil protection and a few less significant agencies. Thus, the very scope of competencies makes the Ministry of Internal Affairs a huge institution, concerned with many security-related issues and much more important than the MOD in the daily routine of the government.

---

<sup>6</sup> Danuta Frey, 'Czystka niewygodnych oficerów', Rzeczpospolita, 2002.11.27.

<sup>7</sup> Ustawa o działach administracji rządowej.

Finally, there is the *Security Strategy of the Republic of Poland*, a document adopted by the Council of Ministers in 2000 where the strategic goal of Polish security policy, challenges and threats to national security and possible ways of reaction were set out. In that document, the sphere of security was explicitly divided into an internal and external one and this is the only document where such regulations are explicitly included. However, it is a document of a much lower order than the parliamentary laws and therefore cannot be treated as fundamental to the security sector. The events of 9/11 prompted the process of the revisions and the process is currently underway.

### **Analysis of the SSR in key areas of civil-military and inter-agency cooperation**

Since, as has been already argued in this paper, security sector reforms were not implemented as a package in Poland, it is difficult to assess whether the security sector is an integrated one or not. The civil-military transformation, although parallel to other democratisation changes in Polish political system, was driven by specific factors and implemented in relative separation from other institutions of security sector. It had its own logic and pace, too. It is possible to distinguish two distinct phases in the reform of Polish defence sector.

The first one would be the legal and institutional transformation taking place between 1995 and 1998, followed by the stage when a qualitative change in management and control should have taken place. The first phase concentrated on the problems of legal and institutional subordination of the military to democratically elected authorities. The reform was carried out in several steps in the years 1997–98. The series of major legislative changes radically remodelled the civil-military relations and changed the executive competency division on all levels of government. The two most important legal acts on which that reform was based were chronologically: Bill on the Office of the Minister of Defence of 14 Dec. 1995 and the "Big" (or permanent) Constitution of 1997. The Constitution determined the division of powers between the President and the Prime Minister regarding the security and defence policy. The President is the Supreme Commander-in-Chief of the Armed Forces, but in the peacetime he would discharge his duties through the Minister of Defence, and in case of war he would appoint the Highest

Commander of the Armed Forces on the motion of the Prime Minister.<sup>8</sup> The President also has the right to nominate the Chief of Defence Staff and the highest military commanders and to invest military ranks on the motion of the Minister of Defence and to select the members of the National Security Council.

In the next step, a clear division of competencies and responsibilities between the Minister of Defence and the Chief of General Staff was introduced by the Bill on the Minister of National Defence on 14 December 1995.<sup>9</sup> The Law made General Staff a part of the Ministry of National Defence and subordinated the General Staff univocally to the Prime Minister and Minister of Defence. It also created bases for further restructuring of the MOD–GS relationship towards a democratic model. The details of the reform were subsequently worked out between the MOD and GS representatives within the so called ‘Karkoszka’s Commission’.<sup>10</sup> The settlements of the Commission were instrumental to the introduction of the civil–military reforms and laid solid fundamentals for the consolidation of the MOD.

In the second stage of the civil–military reforms issues of good civilian management of the MOD, defence planning and programming, inter-agency co-operation and the like should have been tackled. However, it is the author’s opinion that the relative success of the legal and institutional reforms in the MOD was not followed by the necessary qualitative improvements in management and control of defence sector. Most crucially, in the model of MOD management and control adopted in Poland, political appointees exercise control of the military, but the key functions of their advisers, experts, executors of their orders etc. are still performed by the military. The development of civilian expertise in defence policy was always very low on the political agenda of successive ministers of defence, and consequently civilian component of defence policy remained weak.

Perhaps an excessive militarisation of the national defence policy represented by the MOD sector is one of the factors responsible for the staggering and reluctant co-operation between the ministries of defence and interior. The other one is certainly the

---

<sup>8</sup> ‘Obronność bez kontrowersji’, interview with Prof. Marek Mazurkiewicz, Chairman of the Parliamentary Constitutional Committee, by T. Mitek; *Polska Zbrojna*, No 7, February 1997, p. 10.

<sup>9</sup> Dziennik Ustaw No 10/1996, title 56.

<sup>10</sup> Andrzej Karkoszka was then Under-Secretary of State for Defence Policy.

competition for funds. Numerous opinion polls as well as press publications and meetings of politicians with the electorate show clearly that for the great majority of people in Poland 'security' is associated only with problems of internal safety and public order. As for the external security, until 9/11 people were of the opinion that membership in NATO guaranteed peace and stability. The events in the United States as everywhere else shook the fundamentals of that conviction, nevertheless the prevention of terrorist and sabotage acts and consequence management under Polish law are the preserve of the Ministry of Internal Affairs and so the call for greater funds for anti-terrorist action played mostly into the hands of the people from MIA and not MOD.

But precisely the rigidity of legal regulations distinguishing internal and external security responsibilities was a factor impeding some of the inter-agency co-operation after 9/11. As most new democracies, Poland introduced safeguards to the Constitutions that would not allow the military to perform internal police roles. However, the legal framework made it impossible or left legislative gaps even in the fields where such co-operation was necessary. Moreover, in the course of post-communist reforms in the 1990s all the militarised units (including anti-terrorists) were moved from the MIA to the MOD, while all rescue services, civil protection and even border guards were given under the purview of Ministry of Internal Affairs. As a result, the MIA became a ministry of excessive size, not able to manage and control effectively all the services subordinated to it. Consequently, more military-like functions became marginalized.

Civil protection is a prime example here. Although this is the service (under Polish law) that performs most of its functions in military crisis and war, it was practically merged with the State Fire Fighting Service and the head of the service became head of civil protection, too. Serious difficulties were experienced in the co-operation between border guards and the military when an intra-ministerial agreement was negotiated to enable the military to assist the guards in certain emergency situation. It turned out that the scope of military assistance is drastically limited by legal regulations that forbid the army to participate in the activities of border guards without prior high level decisions. Last but not least, the complete demilitarisation of the internal sector turned out to be a short-sighted move, too. In 1999 the Ministry of Interior removed a special commando unit from its structures, and this year the need for a special anti-terrorist force was publicly indicated by the MIA representatives. Therefore it may seem that some of the decisions

might have been premature, and the orthodox approach to the functional division between external and internal security in the end may have a negative impact on national security as a whole.

Many of those legislative and practical solutions were called into question after the September 11 terrorist attack in the USA and prompted revisions of legislature. The legislative framework defining possible threats to the security of Poland as well as institutions responsible for handling them is still not complete; nevertheless the general lines of responsibility and co-operation are clear. The two most relevant documents in this respect are the Security Strategy of the Republic of Poland and the Defence Strategy of the Republic of Poland. Both were adopted by the Council of Ministers (the government) in 2000. The Security Strategy divided the security of Poland into two separate areas of external and internal policy. The strategic goals of the external policy of the state include defence of the territory of the state against any military aggression, participation in collective defence of NATO members, according to article 5 of the Washington Treaty and support of international organisation activities in crisis management and political-military stabilising operations. The external security is the domain of the armed forces and the military would play a leading role in any operation of that type. The provisions of both strategic documents turned out to be insufficient, particularly in the field of crisis response operations in reaction to terrorist action. Moreover, the existing strategic documents divided crisis situations into political – military and non-military and granted responsibilities of handling them accordingly to the MOD and MIA. The possible terrorist attack would create a situation blurring the boundaries between the two types of crisis and naturally would pose the question of who should be in charge of crisis response action.

The situation called for an urgent rectification and the new document is already under preparation. The new 'National Security Strategy' should provide for an integrated approach to national security, without the rigid separation between external and internal threats and without a strict division of two fields of security, although still making sure that military would not become responsible for public law and order or do internal policing functions. As a result of the revisions, the new Strategy should also pave the way to a new, more flexible crisis response system in Poland.

The process of institutional adjustment of the national defence system and inter-agency security co-operation to responding to asymmetric threats was also realised through adoption of the package of legislative regulations on emergency states. The three most important acts were the following: Law on the State of Natural Disaster of 18 April 2002, Law on the State of Emergency of 21 June 2002 and finally Marshal Law of 29 August 2002 that also regulated the scope of competencies of the Supreme Commander in Chief of the Armed Forces. In addition to the new legislature, Parliament amended the old Law on Universal Military Service to give legal foundations for detailed regulations of the defence and security field, mainly for ministerial ordinances. Taken together, the new laws created a comprehensive legislative framework for the effective prevention and defence of the Republic of Poland against domestic and external security threats, including terrorist attacks, and for the eventual crisis management. They defined the organisational frames for the civilian crisis management system and rescue services and described the conditions under which the rescue services and civilian authorities can call upon the military units (stationed locally or specialist troops) to assist them in preventing or responding to crisis situations and in consequence management. Yet, despite the legislative process being initiated by the emergence of asymmetric threats, the military can only be called upon in a supporting role and as a last resort. Current legislative regulations do not permit an independent military role in fighting terrorism in Poland and there is a danger of 'border situations' where the competency conflict may cause delays in crisis response operations.

It is difficult to assess unequivocally the degree of integration of the security sector. Certainly, recent legislative solutions and the practical inter-agency co-operation, for example in protecting critical infrastructure or border protection, improved the situation. Still, however, mutual distrust and competition between the various agencies of the security sector for funds and prerogatives at the most senior level more often than not restrict or strangle practical co-operation at the lower level. Last but not least, the complicated structure of advisory and executive bodies responsible for the security at the government level is also an obstacle to better integration of the sector. The most prominent bodies in this respect are the permanent Committee of the Council of Ministers, Crisis Management Board, Information Exchange Board (mainly for the special and intelligence services), and Inter-Ministerial Board for Countering Organised Crime and International Terrorism. Additionally, within the presidential office there are



two bodies concerned with the field, namely the National Security Council (constitutional body) and the National Security Bureau. The sheer number of these advisory bodies would be enough to make coordination of activities difficult. But in addition to overlapping responsibilities, in many cases there is a rotation of chairmanship in those institutions that further blurs responsibilities and fuels rivalry between the ministers and down to expert level.

## **Conclusions and recommendations**

Numerous shortcomings in security sector reform in Poland should not obscure the fact that civil–military transformation in that country has been to date largely successful. The political institutions under transition withstood the pressure from the army and after the first few turbulent years managed to subordinate the unyielding military to political control of civilians. However, the reform has not created conditions conducive to their development of civilian expertise; hence the model of control and management of the military adopted in the Polish MOD lacks a strong component of civilian specialists. The relative militarisation of the defence policy subtracts from its quality and in the long run weakens the mechanisms of democratic civilian control. Additionally, NATO has lost some of its leverage over Poland and other new members after their accession and that is another factor responsible for the lack of qualitative change in the Polish defence policy after the completion of the structural reforms.

Despite those deficiencies, in many ways the reform of the armed forces and the democratisation of civil–military relations have been deeper than in any other sector of the security institutions in Poland. The development of the Ministry of Internal Affairs and Administration was never publicly perceived as being part of security sector reform. The ministry itself developed into a giant institution that had so many functions – internal security being just one of them – that it was able to coordinate them rather than manage and control effectively. The lack of clarity in division of competencies and responsibilities between MOD and MOIA fuels the competition between the two institutions and causes clashes. Particularly the two institutions cannot come to agreement in regard to the actual role and prerogatives in the crisis management field. Equally unclear is the situation at the government level where a large number of bodies concerned with

security matters complicates the reasonable integration of the sector. Last but not least, the problem of control of two non-military intelligence agencies should not be overlooked. The former Office for State Protection (UOP) had a long history of suspicious political involvements, and the two bodies that recently replaced UOP already managed to provoke complaints from the members of the special parliamentary commission on their lack of co-operation.<sup>11</sup> The likelihood of political manipulation of intelligence sector today in Poland is greater than of political abuse of the military.

It is difficult to assess the general state of reform in security sector in Poland. There are important deficiencies in democratic management and control of the security institutions, but certainly not all of them should be attributed to failure or lack of conscious reforms. Security, especially external security, has a low priority on the majority of political agendas, and the public at large is also little interested in the field. The events of 11 September slightly changed the optimistic view of the security situation in Poland, yet it was not enough to provide substantially greater funds or sustainable interest in developments in the security sector. The legislative framework for security is not yet complete; however, the existing regulations do not hamper the implementation of democratic procedures in the sector. Much more detrimental is the lack of strong democratic civic culture that would be a natural safeguard of democratic control of the security sector, and moreover would counter the rampant corruption now also present in the security sector. For such a culture, however, time is needed for its development. Therefore it is very important to try to contribute to the emergence of an informed and interested 'security community' in every available way, including constant exchange of information and opinion. Only critical monitoring of the security sector by the NGOs or independent individuals may ensure the proper democratic control of the security sector and its further reform. Here, in the author's opinion, lies the key to the success of SSR.

---

<sup>11</sup> Anna Marszałek, 'Szef służb krytykuje postać', Rzeczpospolita, 12.11.2002.

## CHAPTER THREE

---

### RESHAPING SECURITY UNDERSTANDING IN SLOVAKIA

*Silvia Mihalikova*

#### **1 Post-communist Slovakia in Retrospect**

The brief period between the collapse of Communism and the creation of the Slovak independent state was marked by a highly politicised struggle between the Slovak and the Czech elites about the future shape of the federation, against the backdrop of a complex transformation process. This process, directed from Prague by federal politicians, involved economic and political reforms in line with the standard neo-liberal transformation package. In economics the reforms entailed rapid liberalisation and stabilisation, followed by restructuring and small- and large-scale privatisation. In the political sphere institutions and procedures that previously played only a cosmetic role were to be transformed into genuine organs of a democratic state, embodying the principles of plurality, tolerance and compromise. Only then, it was assumed, would the East European identity fade. Reintegration into Western civilisation would follow, with all the benefits of a capitalist market economy rooted in democratic governance.

This posed serious challenges for the unity of Czechoslovakia. The two parts of the federation brought with them different legacies not only from the recent past but also from their more distant history. However, separation was not inevitable. First, the two republics were closer in terms of basic economic and social indicators at the time of the separation than at any other time in their shared history. Secondly, public polls conducted before, during, as well as after the division indicated that the majority of both Czechs and Slovaks favoured preservation of the common state. Thirdly, those who aimed at achieving Slovakia's independence and positioned themselves to the forefront of the independent state after its creation had no history of commitment to emancipation. They were opportunists. Fourthly, the fact that the reform policies of the independent

Slovak state did not change dramatically from those directed from Prague under the federal arrangement testifies to many shared aspirations.

There is no doubt, that the initial transition influenced the Slovak economy more negatively than the Czech. Slovakia faced higher unemployment figures and the level of foreign investment was lower. Furthermore, Slovakia's heavy industry – a legacy of Communist modernisation and equalisation efforts – proved difficult to restructure and/or privatise. Politically or ideologically Slovakia differed slightly from its Czech counterpart due to a milder post-1968 normalisation period. It had a less active dissident community as well as a population more inclined to tolerate state intervention (social planning) or paternalism. So did grey areas between the Czechs and Slovaks regarding issues such as the interpretation of Czechoslovakia's birth or the conduct of the two republics during the Second World War. There was no room for addressing these in the context of the First Republic nor under Communism.

The differences between the Czechs and Slovaks crystallised in the June 1992 elections. Two parties based on national lines won the elections and proved unable to compromise. The leaders of the Czech-based Civic Democratic Party (ODS) and the Slovak-based Movement for Democratic Slovakia (HZDS), Vaclav Klaus and Vladimir Meciar respectively, opted to dissolve the common federation. Dissolution occurred on 1 January 1993, without a referendum.

While transition to independent statehood proved relatively easy for the Czech Republic – which inherited the capital city and appropriated formally federal institutions – Slovakia faced a problem of building up a new state almost from scratch.

A number of Slovak academics, journalists and foreign observers<sup>1</sup> argue that, after the separation, Slovakia abandoned the transformation path clearly set out by the federal government in Prague. Undoubtedly, there was a regressive tendency intensified after the early 1994 elections. Among unsavoury episodes was the strange circumstances

---

<sup>1</sup> From domestic studies I refer especially to S. Szomolanyi and J.A. Gould, *Slovakia: Problems of Democratic Consolidation and the Struggle for the Rules of the Game* (Slovak Political Science Association, Bratislava, 1997) or the issues of the Institute for Public Affairs *Global Report on Slovakia* (Bratislava, 1996, 1997, 1998); and from foreign sources to M. Kaldor and I. Vejvoda, 'Democratisation in central and east European countries', *International Affairs* (73, 1, 1997) pp. 59–82 or M. Carpenter, 'Slovakia and the Triumph of Nationalist Populism', *Communist and Post-Communist Studies*, (1997, Vol. 30, No. 2) pp. 205–20.

surrounding the kidnapping of the then President Michal Kovac's son to Austria and the state authorities' reluctance to investigate this case; and the involvement of Meciar's government in privatisation schemes whereby coupon privatisation was discontinued and redistribution of property continued on the basis of direct sales to predetermined buyers through a Meciar-controlled Fund of National Property.

As a result in the mid-1990s there emerged in Slovakia a clear political polarisation not along classical partisan (ideological) lines as in the West but along a socio-political and cultural-civilisational axis. Two broad political camps developed.<sup>2</sup> The first was represented until September 1998 by the leading governing coalition parties. The second broadly encompassed the opposition parties from both the left and the right.

Meciar's rule has been described as unstable though still democratic, at least in the formal sense, precisely because the struggle over rules and procedures took place within the existing (formal) democratic institutions.<sup>3</sup> This leads to another conundrum, namely, that having a democratic institutional framework does not necessarily mean having a democracy. For instance, while laws were passed in a semblance of a democratic procedure they were often ineffectual.

The unstable environment was reflected in the realm of international affairs. It accounts for the disqualification of Slovakia from West European and transatlantic integration processes. During the 1997 summit in Madrid, Slovakia was excluded from the group of countries included in the first wave of NATO enlargement, despite its apparent military readiness. Furthermore, notwithstanding the country's impressive macroeconomic performance (at least until 1996/1997) – and its status as an associated member of the European Community (EU) – it was not invited to further integration talks until the end of 1999. Thus the mid-1990s were years of lost opportunities for Slovakia in the field of international relations.

The September 1998 elections marked a break from the policies and conduct of the previous government. Although HZDS received the biggest single share of the votes, the

---

<sup>2</sup> G. Meseznikov, 'Domestic Politics', *Slovakia 1996–1997. A Global Report on the State of Society* (Institute for Public Affairs, Bratislava, 1998) pp. 11–27.

<sup>3</sup> S. Szomolanyi and J.A. Gould (eds), *Slovakia: Problems of Democratic Consolidation and the Struggle for the Rules of the Game* (Slovak Political Science Association, Bratislava, 1997).

former opposition gained a constitutional majority in the Parliament overall. The election turnout was very high: over 80% of eligible Slovaks voted – thanks to the participation of many young people and first-time voters.<sup>4</sup> The ballot thus rejected ‘Meciarism’ and endorsed those parties committed to redirecting Slovakia’s path towards democratic consolidation and integration with the West (the two are considered virtually identical goals).

As a matter of fact, Slovakia’s new government has succeeded in transforming the country’s image abroad. Suffice it to say that, following NATO’s 50th anniversary summit in Washington (April 1999), there was a good prospect of Slovakian participation in the ‘second wave’ of that organisation’s enlargement. As for the EU, the year’s progress in Bratislava was enough to overcome early reservations about membership. At a Council of Ministers’ meeting in Helsinki (December 1999), it was announced that Slovakia would be invited to start pre-accession talks in 2000.

The most concrete foreign policy improvement of 1998/99 was a warming in relations with neighbouring Hungary. The government has pledged to push through reform of language laws to accommodate the 500,000-strong ethnic Hungarian minority, which often complained of unfair treatment by Meciar.

On the economy, problems persist but ambitious plans have been laid: the government sold a big stake in the state telecom company, in bank sector and slashed the budget deficit to 2% of GDP. On the other hand, the country has experienced increasing unemployment and an increase in the cost of living.

Nevertheless, the September 2002 elections confirmed the path of development started in 1998 and it is the first time in post-communist Europe that a centre-rightist government has been returned to power with a majority and bucks the trend seen in recent elections in Poland, Hungary and the Czech Republic which have all shifted to the left. HZDS with Vladimir Meciar appears isolated again and unable to form a majority government.

---

<sup>4</sup> According to a daily *SME* some 320,000 first-time voters participated in the September elections.

The results after four years of intensive diplomatic activity brought about an integration success, as Slovakia fulfilled its goals of being invited by the end of 2002 into both NATO and the European Union.

## **2 The current state of the relationship between army and society**

There is no theory that explains how to build effective civilian control of the military in a country that has been under communist rule for 40 years and overnight begins a transition to liberal democracy. Much can be learned from analysis of the Western approach to civil–military relations, but they do not offer a simple checklist of developments which a country can mark off one at a time and when the list is exhausted proclaim healthy civil–military relations. It is a process that takes time and effort. It evolves according to each country's unique endeavours to create democratic institutions, embrace the rule of law and strike a balance in the relationship between the armed forces and society.

Throughout the later 1990s political discourse in Slovakia was dominated by discussion related to Slovakia's exclusion from the transatlantic and Western European integration processes. Especially emotional was the inability of Slovakia to join NATO in the first wave of its enlargement together with the Czech Republic, Poland and Hungary. While it has often been stated that Slovakia's accession was thwarted due to political reasons rather than shortfalls in the military's readiness, there were (and are) problems in the area of civil–military relations.

The case of Slovakia is peculiar because the general problems connected to the transformation of the army into a democratic institution in a fast-changing global security environment – the shift from a bipolar to a multi-polar international system or the shifting focus of security policy from classical state-based military conflict to dealing with supra-territorial issues such as terrorism – have been further complicated by the dissolution of Czechoslovakia. As a result of the split and the creation of an independent Slovak state in 1993 a new army had to be built.

The post-1998 Slovak government is indubitably committed to the principles of democratic control of the armed forces. Whereas Meciar governments espoused these principles only verbally, the coalition government led by Mikuláš Dzurinda took office determined to correct past errors.

In what follows I look at the formal/legal framework for civil-military relations in Slovakia and at the practical implementation of reform since 1994. The top-level actors involved are: Parliament, the President, the Government, and the State Defence Council. At the next level are various ministries related to the military through their specific responsibilities: the Ministry of Defence, Ministry of Foreign Affairs, Ministry of Economy, Ministry of Interior, Ministry of Finance, as well as a number of NGOs and think-tanks working in the field of security issues.

On the dissolution of the unitary Czech and Slovak Republic (formerly Czechoslovakia) in 1993, the divorce settlement gave the Slovaks one-third of the predecessor-state's armed forces and equipment, much of its infrastructure (and a lot of its troubled defence-related industry). Their new state did not, however, have a Defence Ministry or a General Staff, lacked some key military-educational facilities and also had no established arrangements for the legislative oversight of security policy and provision. The challenge for Slovakia was to fill these lacunae.

The 'post-shock' experiences of the two states are vastly different too. Through the middle-1990s, Slovakia patiently developed its independent defence capacity and, as one of the Visegrad group of countries, seemed at one stage a front-runner for 'first-wave' NATO accession. It became 'the favourite which disqualified itself' because of the Meciar regime's ambivalence about international policy priorities and authoritarian approach to domestic governance. In the post-Meciar years, since 1998 – another 'discontinuity' in the national experience – the country is trying earnestly to make up lost ground. After making very little headway in 1999/2000, it is now broadly succeeding and has crafted a new forward programme.

Slovakia has actually had two 'discontinuities' in the last decade. The fundamental one occurred in 1993 on the break-up of the Czech and Slovak Republic (formerly Czechoslovakia). The second happened in late 1998 when the Meciar era of ambivalent



external relations and authoritarian internal rule finally ended. The political situation has been stable since 1998.

An important uncertainty surrounding support for NATO membership was the outcome of the autumn 2002 elections and the subsequent forming of a new government. The elections results have reassured Western governments about the maturity of Slovakia's democracy, and about the sincerity of the country's commitment to joining the European Union and NATO in the coming months.

All relevant political parties remain nominally keen to join NATO. Even the HZDS voted in favour of the new *Security Strategy* of the Slovak Republic, adopted 27 March 2001, in which NATO membership as a goal is asserted repeatedly (for the first time in such a document). This must be considered an important signal from the HZDS. Only SNS, the ultra-nationalist Slovak Nationalist Party, remained opposed – the party did not overcome the threshold to enter Parliament in the 2002 elections. Thus, there is overwhelming support at the political level. This is of crucial importance for civil–military relations in general, and for the impact of civilian oversight and guidance in the run-up to the Prague summit. The MoFA and MoD are working on the assumption that membership is the only policy course to follow. They know they have the support of the governing elites, while other party elites are moving towards support. Their core task, of course, is to persuade NATO's 19 member states that the Slovak Republic is indeed 'ready' for accession. Providing reassurance that the country practises 'democratic-style' civil–military relations is part of that job.

### **3 Civil–military relations**

Democratic-style government was emphatically not the Meciar method, but the constitutional and legal provisions stood the test. The position and power of the President of the Slovak Republic have been defined in Chapter VI (*Executive Powers*) of the 1992 Constitution together with those of the government (as the executive). The President is the supreme commander of the armed forces and he is entitled to declare the state of war, following the advice of either the government or Parliament. In these areas, the executive power of the President was limited by constitutional law in 1999,

while the Constitutional Court has clarified ambiguities in some articles of the Constitution, e.g. as to the competence of the President and the prime minister. Similarly, the Constitutional Court has solved some differences of interpretation about the roles of Parliament and parliamentary bodies, thereby strengthening the model of a parliamentary democracy. Since 1993, there have been no conflicts between the President and Parliament, but frictions between him and the prime minister or ministries have occurred, e.g. the presidential right to refuse the nomination of a cabinet member or the chief of the secret service. There has been some tension between the Presidential Office and MoFA lately, as to the competence of formally presenting Slovak foreign policy. However, these frictions have not necessitated a Constitutional Court ruling.

Parliament exercises its supervision of the armed forces mainly through the Council of Defence and Security. It exercises budget authority, and the main security and defence documents – like the *Security Strategy* – must be approved by its plenary. During Meciar's rule, the MoD was led by a representative of the Slovak National Party. This meant that Parliament was minimally informed and that there was little to be informed about. Approval of the (meagre) documents was a rubber-stamp exercise and 'debate' was sometimes not even held in public. Most importantly, the MoD approach to security policy was still rooted in Cold War, or conventional, military thinking. Security was defined in terms of military threats. Slovakia was still caught somewhere between NATO and a militarily strong Russian Federation whose vital interests should be respected. In fact, the national concern was not so much *security*, but a rather narrowly defined *defence* problem. Defence and security were almost synonyms, and, since the military professionals remained the predominant policy experts, military-operational considerations tended to be elevated to the status of 'state' concern. Executive and parliamentary oversight of the General Staff (GS) and the services was therefore ineffective and lacked direction. Military planners were left free to decide priorities. As a consequence, no significant measures were taken, no realistic planning and budgeting was done and the run-down of the armed forces was slow and uneven, leaving the older, high-ranking officers untouched. The lack of policy direction, political quarrels, reduced defence budgets, deteriorating socio-economic living conditions – and the contending views on NATO membership – all contributed to dividing the military and (to a certain degree) to politicisation of the military. The existence of different views and groups in the officer corps, and attempts to draw the military into the various political camps, created

tensions within the MoD and hampered the professionalisation of the new defence organisation. The absence of reform was brought about by the difficult circumstances imposed upon the military, as well. The most trusted state institution – together with the Catholic Church – suffered from political games as much as from its own reluctance to rationalise the defence structures.

Things have changed for the better since 1998, and in a really big way since Jozef Stank and in 2002 Ivan Simko became Ministers of Defence. There is now clear policy direction; and parliament is well-informed and actively involved in policy formation developed in logical sequences. These points will bear elaboration. In the first place, the post-1998 governments were determined to act decisively and move to NATO. Under their predecessor, the MoD was headed by the nationalist Sitek, a situation far from conducive to an international outlook, much less a NATO orientation. The military were divided themselves as to what direction to take and how best to plan. Dissenting views were risky and fear for one's career impeded initiatives and even seriously restrained the freedom to venture a view. At the same time, the 'old time boys network' remained largely in place, including less competent – often older – officers at relatively high positions in planning and policy. The GS was able to keep a high profile and largely to maintain its unchallenged role in planning and personnel management. Its headquarters in Trenčin – more than 100 kilometres from Bratislava – were not integrated at all in the structure of the defence organisation. The GS has now been brought to the premises of the MoD in Bratislava and is being integrated in the MoD structure.

In the second place, the changes made by the post-1998 government are clearly reflected in *Security Strategy*, a text adopted by the National Council (Parliament) in March 2001 with 104 votes (out of 150). Briefly summarised, this excellent, modern-styled and analytically comprehensive document foreshadows an all-out effort on the part of the political leadership to integrate successfully and meaningfully into NATO while recognising very realistically the difficulties that have to be overcome and the severely limited financial resources available for adjusting and improving the armed forces. The document represents a sea-change in thinking and goes far beyond traditional views on security in terms of military threats. It distinguishes between 'vital' and 'important' interests and ranks the risks to be accepted accordingly. *Security*

*Strategy* fully recognises the importance of a sound *Ostpolitik* and the crucial role of diplomacy in security policy and in shaping a stable Europe.

The third significant development in this sequence is that *Security Strategy* has been followed up by the more detailed and concrete *Defence Strategy* and *Military Strategy*. These were published in the first half of 2001 and discussed with the Council of Defence and Security in Parliament. The three documents form the basis for *Slovak Armed Forces 2010*, a plan sent to Parliament in October 2001 following more or less informal discussion between the MoD and the Council until formal submission. *Slovak Armed Forces 2010* contains more detailed plans than the previous documents, but is not different in content. The prospectus is set to take effect at once; and that is why the MoD has sought consent in the Council during the actual process of decision-making for long-term, realistic and thoughtful defence planning. National consensus is considered crucial (a) for a credible and sustained military commitment to NATO as well as (b) for a robust foundation of the will and determination to implement the – painful and unpopular – measures envisaged. The logical sequence of studies and steps in the decision-making process should commit the political forces, whatever the outcome of the next elections will be. The involvement of the legislature is a remarkable accomplishment and should help to erase the ignorance of a number of parliamentarians.

Activities in the security sector took place largely outside the public eye and received little attention in the media. In part, this is due to circumstances; it can also be partly ascribed to the general lack of knowledge about security and defence. Expertise is very much limited to the professionals working in the ministries. A community of security specialists outside the government hardly exists. The experts from NGOs and academic institutions by and large are pro-NATO, but none has really developed options for defence policy. There is a lack of well-informed debate among these analysts, while coverage in the media is often tainted by the party orientation of the journalists. Thus, discussion and decision-making within official channels are to a great extent disconnected from debate on security and defence outside which has remained diffuse. The state of the debate among the public-at-large corresponds – not surprisingly – with that among the ‘security community’. It has been incidental and spasmodic, having neither impact on public opinion nor influence on the decision-makers. If this could be called a ‘democratic deficit’, the reason for it lies mainly in the configuration and attitudes

of the national elites who make the strategic decisions. Political power in Slovakia is highly concentrated in the hands of the politicians and change depends more on elites than on popular participation in politics.

#### **4 Slovak civil society in defence and security affairs**

Regarding the development of Civil Society Organisations (CSOs) in Slovakia it is necessary to say that up to middle of the 1990s one could hardly speak about the CSOs in a form considered usual in Western democracies. Prior to 1989 in such a sense only the activities of some individuals, concentrated mainly within the environmental or religious groups could be perhaps seen. After the changes in 1989, several non-governmental organisations appeared in Slovakia, mainly owing to several acts accepted in 1990 guaranteeing and adopting the right of association into diverse organisations. The newly accepted legislative standards liberated the conditions for organising and, compared to previous communist regime, they have brought about a certain freedom to the society. The liberated conditions have on the one hand begun the growth of civil associations, foundations, non-investment funds and non-profit organisations (hereinafter CSOs), which are also supported by data from the Ministry of Interior of Slovak Republic, by which the number of registered CSOs in Slovakia gradually increased from 3,167 existing in 1990 to 11,870 established in 1996 and finally attained the number of 17,044 in the year 2000. However, it must be noted that only a very low percentage of this number were NGOs devoted to new political, economical, social or security interests.

The first institution based on think-tank features was the scientific-research centre the Slovak Institute of International Studies (SIIS), founded in 1993. The aim to create a think-tank similar to the British Chatham House or the American Council of Foreign Relations was not achieved, both due to poor interest of the government and due to the tragic death of its founder. Nevertheless, the SIIS in the first years of its activity was devoted to editing the magazine *International Questions* and started a series of professional debates regarding the international policy of the Slovak Republic. After a break in activity of SIIS between 1998 and 1999 the institute was renewed in 1999, and today again belongs among the active think-tanks in Slovakia.

Another institution dealing exclusively with questions of security and defence (hereinafter as security sector) was the Centre for Strategic Studies of Ministry of Defence (CSS) and at present also its successor the Defence and Security Institute (DSI). Both SIIIS and CSS were not standard CSOs, since they were established by the state bodies (Ministry of Foreign Affairs of SR and Ministry of Defence of SR). This fact had a great (mostly negative) impact on both institutions, because their establishers more or less hindered their development and in this respect also the development of security community in Slovakia due to insensitive and non-systematic reorganisations of their structures as well as due to frequent personal replacements.

The basic precondition for a standard Western model of operation of 'security sector' is the presence of powerful public control on the part of public opinion, civil experts for security (as a part of security community) and also the existence of non-governmental organisations actively operating in the field of security policy. The year-long activity of such non-governmental and academic organisation or foundations as for example the Slovak Foreign Policy Association, Friedrich Ebert Stiftung Institute for Public Affairs, Citizens' Eye Association, Slovak Atlantic Commission, Euro-Atlantic Centre, Slovak Centre for Strategic Studies, Slovak Political Science Association, Slovak Security Forum or the Department of Political Science at the Comenius University, played an important role since 1995. However, it has to be said that the independent third sector was still not an equivalent partner to state organisations in Slovakia. In the Slovak conditions there are missing non-governmental partners to the government sphere, participating in the public control of security sector. Though at present there exist certain positive experience from the cooperation of state institutions with the non-governmental organisations, their contacts have not sufficiently developed yet.

## **5 Public attitudes**

About 60% of the Slovak population supports the drive for NATO membership (mid-2001). This has prompted a 'public awareness campaign' also urged by NATO. It rests in the hands of an interdepartmental committee, chaired by the Head of the Policy and Planning Department of MoFA. Polls are being conducted – by IVO, the Public

Information Institute – as informational input for the strategy. NGOs and experts are asked to participate in the campaign. Officials and parliamentarians are on the road to get the message out. TV debates are being held.

The official position of Slovakia during the Iraq crisis proved that unlike some of its neighbours, Slovakia has consistently expressed its support for US-led military action against Saddam Hussein, and in return, it has been promised unspecified rewards by senior US officials. However, a poll by the National Education Centre's Culture and Public Opinion Research Institute conducted in mid-March shows that 79.1% of Slovaks are in favour of joining the EU, compared to only 47.8% in favour of joining NATO.

There are at least two caveats to be entered about this intensive and costly effort. One is the danger of the counterproductive image of a propaganda campaign, using an elite group of speakers. The other is related to this style and concerns the likely response of the audience to 'being told from above' what to think. Information leaflets are easily perceived as an attempt to brainwash society. The hierarchical relations in society reminiscent of Hungarian rule still impact on the fragmented, class-conscious groups in society. Ordinary people maintain a deep mistrust towards those 'above' them: politicians, intellectuals, and bureaucrats alike. Whatever these say is suspect. Moreover, the Cold War image of NATO persists, especially since the Organisation is not seen as a constructive element in the new Europe (because of the Kosovo-related bombing of Serbia, for example). Thus the 'public awareness campaign' should not be seen as a short-term endeavour. A change of hearts and minds in Slovakia regarding NATO may be a matter of a generation.

This has to be viewed against the background of the Slovaks having a strong sense of self-esteem and a perception of being important in the international arena (or, perhaps, a strong desire to be seen as such). Independence and sovereignty, finally gained in 1993, had been preceded by a long history of subservience to the Hungarians and Czechs. The present mood is that the new Slovakia should defer to no-one, least of all immediate neighbours. A graphic expression of this sentiment is that 80% of Slovaks oppose giving official status to the Hungarian minority's native language. Also many attributed Slovakia's failure to gain 'first wave' accession to NATO not to their government's non-compliance with democratic norms but to Western indifference.

This is not to say that the Slovaks look eastward. Fewer than 7% want to have (stronger) ties with Russia. But it is not for the West – or NATO – to tell the Slovaks what is good for them; and nationalist leaders find fertile ground when they allude to the unacceptability of the West – or anyone else – telling Slovakia what to do. As noted earlier, the policy elites follow the logic of Slovakian interests in NATO, both as an independent security value and as a first symbolic, but essential, step towards the major Western institutions. By the same token, the ‘public awareness campaign’ appears to alleviate criticism and to help fostering a popular majority in favour of NATO membership.

## **6 Military education**

Military education is regarded in Slovakia, as elsewhere, as a sacred domain of the professional soldier, a crucial instrument to build *esprit de corps* and to establish a professional group identity. Moreover, while the professional military are temperamentally inclined to emphasise operational and technical training, the legacy of the Soviet system has made things worse: there is a clear overemphasis on operational art and combat management<sup>5</sup> (taking 75% of the time, including physical training, at Slovakia’s main facilities). Social sciences, international relations or security studies appear in only a relative small proportion of courses (some 4–5% of hours), although attention to leadership and management is improving. Where instructors exist, attention is also paid to military sociology and politics. Unfortunately, few tutors are available and no use is made of civil educational institutions.

Language training has been enormously intensified, however, in particular after strong insistence from NATO in the MAP exercise. Many of Slovakia’s more senior officers still have problems in understanding and speaking English, but the lower ranks have improved their skills greatly. The young cadets are the most promising category; among them are English speakers of outstanding quality. Other reforms will be necessary in order to make Slovak officers ‘speak’ a new language which actually reflects a new

---

<sup>5</sup> A. Bebler, ‘The Evolution of Civil-Military Relations in Central and Eastern Europe’, in: *NATO Review* (NATO Office of Information and Press, Brussels, August 1994).



mindset. Most importantly, successful implementation of the key policy documents will require a changed approach and a prompt introduction of appropriate courses at the Military Academies in Liptovsky Mikulas (army and air force) and Kosice (air force).<sup>6</sup> Courses should teach modern ways of planning, awareness of political-economic priorities and affordability, NATO's procedures, civil-military relations, and a thorough knowledge of history and current international (European) relations. Up until now, these subjects have been neglected and are only part of future reform as set out in *Slovak Armed Forces 2010*.

Many officers have been trained abroad and this is likely to continue. However, upon return to Slovakia these officers have not always been used in an optimal way. On the contrary, many have been assigned to duties unrelated to their foreign training and experience or even sidelined and told to wait for their pension. On the other hand, many junior officers think senior officers are simply hanging on until a new retirement law guarantees them a decent pension.<sup>7</sup> Notwithstanding the fact that most senior officers in key posts of the MoD and GS *at this moment* have enjoyed high-level (foreign) training, human resource management has been hostage to quarrels between various departments at the MoD and between them and the GS. The staff has been able to dominate educational policy-making, impeding change. The military academies and their staff were not or were insufficiently consulted and their decisions often overruled. Moreover, the quality of teachers has raised questions and still does. A sustained effort to train the trainers would be helpful and management could eradicate the present system of arbitrary assignments of sometimes good, even excellent, candidates and at other times unqualified persons. Even though the political interference of the past has been officially denounced, it remains to be seen how well the 1999 Concept of military education has been introduced and brought into practice by competent faculty and staff at the academies. There are not enough officers with training in the West who could be used to share their knowledge for courses on civil–military relations and other politically essential subjects; and, as noted, if they are available, they might not be used in the correct, efficient way. In any case, the overloaded faculty staffs may have to be reduced along with the rest in order to change high staff: student ratios.

---

<sup>6</sup> F. Coulon, *Problems and Prospects in the Reform of the Defence Establishment in Slovakia: The Case of the Military Academy of Liptovsky Mikulas in Central Slovakia* (North Atlantic Fellowship Programme, Bratislava, Summer 1996), pp. 23–6.

<sup>7</sup> Sentiment collected from many discussions with junior officers.

In order to attract young officers and NCOs, MoD will offer to graduates – from universities and high schools, respectively – a one-year course of military training before entering the ranks. The training at the military academy will be considered as a Masters Programme for university graduates; recruits from high school and one-year military training will be NCOs eligible for the rank of officer. Joining the armed forces will no longer be a matter of a lifelong career, but will be opened up for contracts of varying duration. During the fulfilment of the contract, promotion will be based on performance evaluation; for career officers, the ‘up-or-go’ criterion will apply. It must be noted that the GS remains responsible for the selection of officers to be promoted. The number of high-ranking officers will be fixed at a much lower level than the present, thus allowing younger, better-educated officers to pursue their career rather than being blocked by the older generation. High-ranking officers will be subjected to an inquiry regarding (a) their age, (b) evaluation of performance, and (c) correspondence between their present rank and function. (There are at present numerous colonels taking functional positions of a captain and even lieutenant.) Budgetary provisions are being made to support this policy of involuntary retirement and, at the same time, attracting young officers and NCOs. For example, a policy for required housing facilities, including the financing of either the mortgage or part of the rent, is being designed.

Since 1993 too, there has been an effort to teach Slovak academics, politicians, civil servants and soldiers about pluralistic society, market economics and civil–military relations. NATO and Western universities and research centres have sponsored seminars. Mobile teams of instructors from Western European and American institutions have visited Slovakia. Exchange programmes with a host of foreign military schools, colleges and defence universities have been run. Slovak officers have attended courses at the George C. Marshall Center. Domestic programmes have been laid on by a variety of Slovak institutions and universities, both private and public, including the Slovak Foreign Policy Association and the Institute for Political Science at the Slovak Academy of Sciences, plus the local offices of organisations like the Friedrich Ebert Foundation and the Konrad Adenauer Foundation. Finally, the Faculty of Arts and the Law Faculty at Comenius University (specifically, the Department of Political Science and the Institute for International Relations), the University of Matej Bel in Banska Bystrica and University

of P. J. Safárik in Presov are all now engaged in the study of democratic government and civil–military relations.

In terms of formal military education, it is now possible for future officers to study at civilian universities; and the Military Academy of the Slovak National Uprising at Liptovský Mikuláš, allows civilians to attend courses at the college.

## **7 Security sector reform in progress**

Both at the MoFA and MoD, all our interlocutors see it as the main challenge to put the *Security Strategy* now into reality, despite likely opposition and, even more compelling, a shortage of capable, reform-minded and determined people throughout the defence organisation. The first steps at the political level have been successfully taken; and with great determination. The former minister, Stank, appointed in December 2000, has shown resolution in establishing civilian leadership. He has appointed two civilian State Secretaries, one of them a former Director-General for NATO Integration at the MoFA. The nomination of a non-party man met opposition from the coalition parties, but Stank insisted on having an expert running the negotiations with NATO. Similar high-level appointments have been made elsewhere at the Director-General level, for Plans and Policy and for International Relations, respectively. The DG for International Affairs was recalled from London where he was Ambassador. Some new faces are already seen at the level of Director too.

The first reorganisation in early 2001 was followed by others. Even though the GS has now moved from Trenčín to the compounds of the MoD in Bratislava, one cannot conclude yet that it has been fully integrated in the ministry. A lack of a clear division of responsibilities will undoubtedly lead to duplication of work with the DGs (in particular the DG for Plans and Policy) and, worse, to continuing rivalry and struggles over competence. But Stank has proved to be a ‘tough minister’. He has given the State Secretary full responsibility as his first deputy with ministerial authority during his absence. In the preparation of the *Military Strategy*, the State Secretary held the chair and, significantly, the Chief of the General Staff was subordinated to him. The officers at

the working level from both the DG Plans and Policy and the GS are selected with great care and they actually form a team of capable and 'reform-minded' colleagues. Another sensitive area – personnel policy and education management – has been entrusted to another civilian. In general, a 'critical mass' of competent and willing office-holders is clearly emerging and the political leadership seems determined to use this asset for change, while removing superfluous and/or incompetent personnel. Many officers already have been discharged.

Further reorganisation will involve cuts in the strength of departments as well as personnel changes. Both measures will be problematic. First, heads of departments will have to choose for quality rather than rank. Heads of departments already conduct six-month evaluations and – in case of incompetence – replace the serving officer. Many of the 'old generation' of military officers are likely to fail the test. Younger, better educated majors and lieutenant-colonels are waiting to take over from many of the extravagant numbers of over 100 colonels and hundreds of lieutenant-colonels. Secondly, this policy – together with the need to cut back on staff – will create social problems. When less capable personnel are transferred, the question comes up where to put them. The option of pensioning is an expensive one. However, the political leadership is firm on rundown and strengthening competence. Once *Slovak Armed Forces 2010* was adopted by Parliament in October 2001, the MoD's ministries (Stank, Simko) intended to complete the reduction of no less than 30% of the MoD and GS personnel. Budgetary room has been created for the financial consequences. Resistance in the higher echelons of the military is fierce. Over the years they have been successful in resisting 'attacks' on their positions, while continuing to plan unrealistically and spend unwisely. Job cuts in the defence organisation outside Bratislava – both in the military academies and the barracks – are bound to follow action in the capital.<sup>8</sup>

The main challenge of implementing the *Security Strategy* is reorganisation at all levels to make sure that the policy changes have an impact. In this respect, the two documents to support the *Security Strategy* are *Defence Strategy* (approved by the government in February 2001) and *Military Strategy* (approved in May 2001). The first was more or less a repetition of the *Security Strategy*. The second, as already noted, was drafted under

---

<sup>8</sup> *Organising National Defences for NATO membership. The Unexamined Dimension of Aspirants' Readiness for Entry*. Centre for European Security Studies, Groningen, 2001.

the personal leadership of the State Secretary. *Military Strategy* is considered of key importance in that its aim is to translate the risks and threats identified in the *Security Strategy* into an effective and credible defence policy, culminating in *Slovak Armed Forces 2010*. Several Western officers, serving as advisers to the MoD, are being consulted in this strategic review process. A main concern – at least identified by civil servants at MoFA – is whether this exercise actually leads to a change in strategic thinking. For the first time, the Slovak Republic can shape its own defence effort, independently. This is a challenge for everybody. That is why the MoD leadership has done its utmost to involve the parties and the political establishment in the process leading to *Slovak Armed Forces 2010*: to show them that money is to be well spent and that planning will be used to maximise output. Prioritisation and an overhaul of the flawed planning system are crucial. Output-oriented thinking must take over the minds of GS officers accustomed to an input-oriented approach. This is generally seen as a long learning process.

MoD has worked hard to complete *Slovak Armed Forces 2010* in order to meet its October 2001 deadline. The political leadership established groups of combined planners from the GS and DGs of the MoD. The experts were divided into four teams: (1) Force Requirements; (2) Personnel and Leader Development; (3) Training Issues and Doctrine; and (4) Logistics. A fifth team was responsible for integration of their work. A steering committee – consisting of the political leaders, the Chief of the General Staff and the DGs – met the teams every month to evaluate work-in-progress. Thus, leadership and competence were combined in a relatively small group, avoiding bureaucratic inertia and possible obstruction. The objective was ‘to establish, by 2010, an effective but affordable armed force organised and equipped to comply with the *Military Strategy*, modernised to be interoperable with NATO military organisations, and supported by effective and efficient supporting activities’.<sup>9</sup>

Of paramount importance is the fact that *Slovak Armed Forces 2010* fully recognises the prioritisation and objectives laid down in *Military Strategy*. That document states the limitations and the basic approach relevant to organising the armed forces for national defence and NATO responsibilities. Slovakia must accept ‘well-reasoned risks in the current environment of relative peace and stability in order to fund and build the *Slovak*

---

<sup>9</sup> <http://www.mod.gov.sk>

*Armed Forces 2010*, a thoroughly professional and modern force for the future'. The force structure must be affordable and capable of meeting known and emerging threats as a member of NATO. Funds must be allocated to mission-oriented plans and the commanders of mission-oriented units must be held accountable. The units with the highest state of readiness and performance will receive priority in the allocation of resources and training assets. Decentralised, individual leadership is important, but all units and their commanders must understand that those (priority) units with the highest readiness postures will be maintained at that level of readiness. 'Tiered readiness' is seen as the most efficient means to ensure the highest performance given the limited resources available. Slovakia will have to accept, at least for the time being, that some risks must be taken as to missions and units that have been assigned a lower priority. Funding across-the-board and stretching limited resources over too many 'paper units' belong to the past. A fundamental choice has also been made as regards the emphasis to be placed on the investment in human capacity-building in relation to investment in materiel and infrastructure. The transition to a more professional, Western-style personnel structure is seen as the most critical component of the modernisation of the armed forces, its highly motivated, well-trained, educated and disciplined personnel as the most significant resource and asset. This emphasis will be maintained through all stages of the reform.<sup>10</sup>

Further, the planners say they will take into account some of the prescriptions put forward in the MAP exchanges with NATO, like language training and the implementation of the 'public awareness campaign'. Moreover, priority in the near term will be placed on NATO interoperability and compatibility. Slovakia will also strengthen its capacity to offer Host-Nation Support. Materiel resources will be tailored to the needs of (a) territorial defence and (b) support for potential NATO operations. Existing inventories will be reviewed for consolidation, reduction, elimination and disposal. Similarly, mobilisation stocks will be reduced to provide savings to fund higher-priority programmes. Resources for improving materiel readiness will increase gradually over time, to reach the required level by the middle years of the planning period. Thus, some tough choices have been made and, in spite of significant annual increases of the defence budget since 1998 and those foreseen up to 2010, the plans show a welcome

---

<sup>10</sup> *Organising National Defences for NATO membership. The Unexamined Dimension of Aspirants' Readiness for Entry*. Centre for European Security Studies, Groningen, 2001.

sense of reality. One manifestation is the decision to forgo early modernisation and postpone significant acquisitions until the second planning period. Even then, funding for replacing (Warsaw Pact) equipment will not be at the expense of provision for human resources and (existing) materiel readiness.<sup>11</sup>

Since independence, most of Slovakia's defence money has been allotted to personnel and operating costs. In 2000 only 2.3% of the budget was spent on procurement. For 2001, the proportion is 10.8%, to provide cash for goals adopted under MAP and modernisation of rapid reaction forces that can be assigned to international missions. *Slovak Armed Forces 2010* sets a very ambitious, overall investment objective of no less than 25% of the budgets up to 2010. Reduction of personnel continues, from 45,000 in 1999 to 30,000 in 2002, while the army's force structure is realistic (now). The air force, however, wants to buy a new subsonic combat aircraft, but no decision on either the purchase or its modalities has been made. The 50–60 fighters would cost some 3–4 times the entire annual defence budget and there is no way their acquisition can be realised within current projections. For the time being, the government has postponed a decision at least until a new concept for restructuring the air force has been developed in the *Armed Forces 2010*. This is probably going to be a long-term issue and is, under the present circumstances, almost a non-issue. Probably, the decision will be made only after Slovakia's entry into NATO.

The issue of modernisation illustrates the difficulty Slovakia faces in making choices and setting priorities. However, the present leadership of MoD appears to respect the most critical principle stated in *Defence Strategy*, namely proportionality or affordability. Acceptable risks must be taken in implementing the incremental approach to build a force that is sustainable under economic constraints, now and in the future. Threats that are not to be met by adequate forces constitute a risk that Slovakia is willing to take.

---

<sup>11</sup> See more in S. Mihalikova, *Political Culture and Civil-Military Relations in Slovakia*, Centre for European Security Studies, Groninge, 2000.

## 8 Instead of a conclusion

After years of stagnation in foreign policy towards the West under the Meciar government, the present coalition launched a very determined policy regarding NATO membership, which is widely supported in Parliament and by political elites. The challenge to be invited to join NATO at the Prague Summit was taken extremely seriously at all levels of government and underlined by clear political signals as well as action. Feedback from NATO in the MAP process has been helpful and followed by concrete measures to correct shortcomings.

- Changes in democratic-style *civil–military relations* compared with the 1994–98 government are most significant in the political sphere, particularly the favourable climate which allows pro-active guidance to the responsible ministries. There is broad political support for the *Security Strategy* – a comprehensive and clear document – and the military enjoy a very high level of trust among the population.<sup>12</sup> At the same time, *public attitudes* to NATO are mixed and about 60% of Slovakia’s population was in favour of membership before the Iraq crisis. A ‘public awareness campaign’ has been launched, but its short-term success is not guaranteed. The Slovak population is sensitive to ‘propaganda’ and being told what to think (for deep-rooted cultural and historic reasons).
- *Military education* reform is a long-term effort and little has been accomplished so far. Communication between Bratislava and the military academies has been insufficient and confusing. There is no guidance. Moreover, most available teachers are from the older generation. They lack insights and experience regarding the requirements for post-Cold War officers. The current curriculum strongly reflects the preparation of the Soviet-style operational soldier. Under current plans military education will be subject to significant reform and brought under the supervision of MoD. Moreover, education capacity will be adjusted to the quantitative need and integrated in a centrally directed career and promotion process.

---

<sup>12</sup> The Slovak Army has consistently over the past years been regarded as the most trusted public institution according to data from the government’s statistical office and the independent research agency FOCUS.



- At this juncture, the role of the government in orchestrating reform of the *defence organisation* is of paramount importance. Since the appointment of minister Stank, civil control has been imposed with determination. Moreover, good substantive work and crucial decisions for reorganising the department are in rapid and, so it appears, sustained progress. At the working level competent officers from the MoD structure and GS are put together in teams while the priorities have been set and their pursuit is being closely watched by the political leadership of MoD. The *Military Strategy*, envisaged as the most concrete ‘marching order’ for the planners and the professional military, has been approved by the government. It forms the basis for the *Slovak Armed Forces 2010*. The new political team at the ministry has decided not to hurry at the expense of the quality of the decisions, witness the time taken for consideration of acquisition plans (e.g. the follow-on fighter aircraft). The emphasis is put on human resources and training plus solidifying the financial resources for proper, balanced defence expenditures in the future, including procurement after 2003.

In the overloaded process of change taking place, there is little attention paid to the potential contribution to future EU-led operations. Basically, the MoFA prefers to stay out of the ‘debate’ in Brussels, but says the country is ready to pledge the same forces to the EU catalogue as it assigns to NATO.

Slovakia is already well on its way to political stability and democratic-style governance when it belatedly took up the challenge of defence reform. It has made great progress in a very short time in preparing the ground for a sustainable military contribution to NATO. As a problem remains corruption one of the top concerns of NATO and the EU. Corruption is a common problem in many post-communist states and despite their national strategies to fight corruption there are problems with their implementation. The strategies tend to be formalistic, concentrating on low-level rather than high-level corruption, and generally fail to tackle the most serious problems.<sup>13</sup> Market and financial analysts have repeatedly warned in the past that a corruption-free environment – as well as effective, well-functioning courts – was crucial to attract foreign investors, who might otherwise back away from the entering the country because of its history of bribery.

---

<sup>13</sup> M. Pisarova, ‘Justice Minister takes on Corruption’ in: bi-weekly *Slovak Spectator*, Vol. 8, no. 49, December 2002–January 2003.

However, the long-desired invitations to the elite clubs are definite, and the country is closer than ever to becoming an integral part of Western political and economic structures.

## CHAPTER FOUR

---

### CIVIL-MILITARY AND INTER-AGENCY COOPERATION IN THE SECURITY SECTOR OF ALBANIA

*Zija Bahja*

#### **Introduction**

It is generally accepted that, within the communist camp, starting with Engels and Lenin, Clausewitz was accepted more positively than in the west due to his thesis of considering the war as 'an act of policy.... a true political instrument'.<sup>1</sup>

John Keegan blames Clausewitz for not understanding and judging wrongly the role of culture in waging wars, and of over-emphasising the role of politics which led to the severity of modern war based on the breakdown of the belligerents' will till they were exhausted.<sup>2</sup> Like him, we of the former Communist Bloc should blame Clausewitz for the fact that civilians have misused their political power, overruled our armed forces, but also misused the Clausewitz theory to justify their political dictatorships. Albania does not constitute any exception to this process before 1990, when the most political Party and Politburo members were civilians in command and control of our armed forces and the Intelligent Service.

Again since the 1990s its security institutions, including our armed forces, have faced the threat of being misused or overruled by the lack of expertise of our young political generation, lack of political will and cooperation to enforce law and lawful procedures, respect for individual rights and dignity, as well as the low level of political culture and civic society. Because of this situational awareness, our proposition is that although there is a healthy debate at the theoretical level resulting in a common understanding of the issues of democratic control of the security sector based on democratic values of

---

<sup>1</sup> Carl von Clausewitz (1976) *On War*, ed and tr. Michael Howard and Peter Paret. Princeton: Princeton University Press, p. 99.

<sup>2</sup> John Keegan (1994) *A History of Warfare*, PIMILCO, pp. 3–60.

society, in practical terms there is a cause for tension in issues of military and society relationships, mainly within the political mainstream and security leadership, which is reflected among the grass roots both among the military and civilian population.

This relatively tense situation is generated mainly because the security situation is not only sometimes ill-perceived, but there is also a lack of expertise to implement it. There is also a lack of responsibility among political leadership, concerned more with individual profits and influence rather than national prosperity, cohesion and inclusion which would result in a stable security situation. In conclusion, there is a need to highlight the idea that civil-military relations are a common responsibility of both democratically elected or assigned civilians in charge of the security sector as well as of professional soldiers working closely with them, where both sides have rights and obligations within the boundary of the established institutions and democratic values of the security sector.

### **Widespread security threats**

The beginning of the new century has found an unpredictable and fragmented world, one in which inter- and intra-national conflicts, oppression, terrorism and poverty exist alongside peace, democracy, stability and prosperity. Nowhere are these conditions more evident than in the geopolitical area in which the Republic of Albania finds itself, sitting immediately astride the crossroads of Eastern and Western civilisation and culture in the Balkan peninsular. Nearly a decade of constant conflict has severely stressed regional political, economic, social and military institutions, and has contributed to the rapid depletion of scarce natural resources. This period of conflict has also caused immeasurable harm to the regional natural environment, the effect of which is yet to be fully realised.

There are already widespread prejudices about SEE security, which again persist. Sometimes they look like racist views, often occurring among outside observers, who claim that conflict has already been instilled in the genes of the Balkans population and their political culture. The conflict in former Yugoslavia during the last decade was perceived as arising out of old hatreds and primordial sentiments, history, religion, tradition in general. Certainly these approaches existed, and they made the international

community delay its actions, taking the proper decision not to allow the conflict in former Yugoslavia to threaten all European security, as it had done before the First World War. We support the main proposition that the roots of conflict are driven by political, cultural and economic conditions as well as external interference in the region. Nor did the roots of conflict lie in religious differences. Again, the ongoing conflict in Kosova; the possibility of its gaining its independence; the potential secession of Montenegro from Serbia if the recent agreement calling for a Serbia–Montenegro special confederate state is not working well; unsettled conflict in Macedonia and Bosnia-Herzegovina; and the unpredictability of Turkish–Greek relations in regard to disputes over Cyprus and the Aegean isles – all of these factors sustain the vulnerability of the security of SEE, raising the question: what’s next? What is the spectrum of security priorities, as they are seen in the region and from outside, allowing room to examine the threats and opportunities to SEE security regimes and provoke debate on this topic?

We will examine and use three views and definitions here:

First, we will accept Paul Wilkinson’s view of security in his paper ‘Security is an essential prerequisite for sustainable development and poverty reduction’.<sup>3</sup>

Secondly, the view of World Bank defined in the Regional Strategy for South Eastern Europe (2000), that:

Conflict, an absence of a political consensus for reform, shallow democratic traditions and weak institutions have all combined to constrain economic and political development in most countries in South Eastern Europe.<sup>4</sup>

Thirdly, since our purpose is to avoid any activity which limits the condition of non-security, then the definition of security may be assumed to be, as generally stated:

---

<sup>3</sup> Paul Wilkinson: the statement of Clare Short, Secretary of State for Development, given in Wilkinson’s paper: ‘Defence and security policy formulation, evaluation and implementation in developing countries’, delivered to ESCADA working group (CESS), Groningem 18–21 April 2002.

<sup>4</sup> World Bank Reconstruction SEE: The Road to Stability, p. 6.

<http://www.seerecon.org/RegionallInitiatives/WBRegionalStrategy/contents.pdf> Format.

Security is a contrived condition, intended to avoid, prevent, or protect from, the possibility of a perceived damage, loss, injury.<sup>5</sup>

If we follow the advice given by Bugajski in his recent published book, *Winning or Losing the Balkans*, regional instabilities may stem from five sets of issues:

Territorial and ethnic rivalries, weak or unstable states and institutions, the culture of national isolationism, outside interference, international criminality.<sup>6</sup>

However, even though they provide good insights they do not look sufficient to provide the possibility of stable security for SEE, if resolved. Therefore we will suggest an approach of conflict theory and practice to achieve stable security, the means and ways of conflict resolution: early management, regional engagements, transformation and a reconciliation process through economic, political, legal and institutional development based on Western democratic values, cross-cultural cooperation, dialogue and mutual cultural and religious (in the sense that religion is a part of culture) understanding. Otherwise we will be drawn into the 'Balkans quagmire', as well as within the constraints of 'Real politics', as has happened in the past, when conflict was only suppressed rather than resolved. Therefore, we will be considering the very interesting views expressed by Carlo Jean during recent conferences.<sup>7</sup>

### **Threat perception in official security documents: Albanian security agenda in its military strategy**

Albania already now has three recently approved documents concerning security: the National Security Strategy, Defence Policy approved by the Parliament in March 2000, as well as the Military Strategy approved in July 2002. All of these core documents are based on the Constitution of Republic of Albania approved by the popular referendum 1998, which in its articles 12, 168 and 169 states that:

---

<sup>5</sup> Giovanni Manuta (2000) *Security: An Introduction, Defining Security*. 2nd edn. Cranfield University RMCS, March, pp. 42–5, 11–16.

<sup>6</sup> Janusz Bugajski (2000) *Winning or Losing the Balkans?* A CSIS Europe Program Report. Southeast European Reconstruction, Center for Strategic and International Studies, Washington, DC, October.

<sup>7</sup> Carlo Jean (2001) 'The geopolitics of the Balkans: reality and prospects', Professor of Strategic Studies, LUISS Guido Carli University, Rome, prepared on the occasion of the international conference *The Balkans and the European Union, 2001*, 5–7 October.

The armed forces secure the independence of the country, as well as protecting its territorial integrity and constitutional order.

The armed forces maintain neutrality in political questions and are subject to civilian control. [...]

The President of the Republic is the General Commander in Chief of the Armed Forces.

The President of the Republic in peacetime exercises the command of the Armed Forces through the Prime Minister and the Minister of Defence.

The President of the Republic in wartime appoints and dismisses the Commander of the Armed Forces upon the proposal of the Prime Minister ...<sup>8</sup>

Albania's National Military Strategy has been specifically crafted to address the specific organisations and capabilities required for the Albanian armed forces to successfully meet the regional and national security challenges, always operating under the constitutional organs and civilian powers. It provides the guiding principals for the development of a military capable of executing a wide range of potential operations, in national, regional and domestic environments for the purpose of maintaining the security of Albania and its population today and in the foreseeable future. The Albanian Military Strategy accepts that the most pressing concerns regarding Albania's security are those challenges that threaten the internal stability and security of the state.<sup>9</sup> As the Republic of Albania continues its maturation process, it is understood that emerging modern democratic societies are inherently vulnerable and can be adversely affected by relatively unsophisticated means from a variety of sources.

Since 1997, Albania has made considerable progress promoting the establishment of the rule of law. The state and Albanian society are demonstrating increasing respect and responsibility regarding the institution of democratic values, human rights, a free market economy, and civilian control of the military. This progress has contributed to an increased level of internal institutional and social stability. However, several challenges remain.

---

<sup>8</sup> Constitution of the Republic of Albania, accapp/qakapp, tr. by OSCE, Tirana Albania, 1998.

<sup>9</sup> Document: Military Strategy of Republic of Albania approved by Parliament 25.07.2002, Bill Nr. 8930, p. 1461. Note: the highlighting made by the author.

The most difficult and immediate external threat facing Albanian security planners is the revival of historic regional conflicts fuelled by ethnic, religious and political extremism as well as state-supported terrorism. Additionally, internationally organised crime, illicit trafficking, as well as natural and man-made disasters, have the potential to destabilise Balkan security as the effect of these issues combine to erode the popular legitimacy of regional governments. The spread of advanced weapon technologies and the transfer of weapons of mass destruction by the so-called 'rogue' regimes and possible use by transnational terrorist organisations are of particular concern because of the potentially devastating and psychological affects associated with these weapons. Finally, threats to the environment brought on by industrial, agricultural and urban pollution could contribute to regional destabilisation as nations fail to enact adequate safeguards and preventative measures.

Organised criminal activity is recognised as another significant threat to law and order and represents an additional challenge to Albania's viability as a state. The activities associated with this issue, i.e. smuggling and trafficking, money laundering etc., could pose a direct challenge to national law enforcement agencies which they may not be fully capable of managing. These activities constitute serious drains upon the nation's economy, while intimidating and discouraging much needed foreign investment.

The slow or uneven development of the nation's economy could also affect internal stability by creating conditions where public frustration is vented at the government and national financial institutions by economically deprived segments of the population over the perception that economic reform packages are proving to be ineffective. The resulting unemployment and its associated substandard and unacceptable social and economic conditions, coupled with a well-armed population, could create conditions favourable for the resumption of violent domestic strife.

Albania's eroding national infrastructure, specifically the difficulties in providing basic services to the population, such as reliable power, water, telecommunications and transportation, has the potential to become a catalyst for civil unrest. Not only does the majority of the population continue to struggle to meet basic living requirements, but also economic expansion is threatened because the infrastructure will not support continued and sustained commercial development. The question is: how much have we learnt the



lessons of previous defence transformation and to what extent may we in Albania be able to implement the changes needed? Before we go ahead, let's take a short journey through our past experience and draw some lessons.

### **Retrospective of Albanian military reform, 1967–85 and 1992–97: lessons learned**

Now it is a known reality that military reform in Albania, which started in 1967 with the abolition of military ranks, following the Chinese Cultural Revolution was a failure and this endangered its national security in the long term. The same agenda forced by partisan politics was exerted after the communism regime collapsed in 1992. However, during 1995–96 Western analysts considered Albania a most successful country because of its military reform. I will attempt to show briefly within the scope of this paper the successes and causes of failures, in such a way that everyone may draw from the lessons learned by this experience. The main lesson to draw is: whoever uses violent means, unchecked forcible actions to conduct domestic political turbulence caused by political and economic crisis or social disparity and exclusion will fail in the democratic system. It will endanger the security situation, harm civil-military relations, as well as spoiling all the normal processes of security reform. In addition, the 'paradoxical trinity' of Clausewitz is relevant not only in the cases of external armed conflicts but also even more determinant in domestic turbulences or national identity conflicts. Whoever does not take this principle of warfare into account will fail and cause many crucial consequences for his country and his people.

Let us start with a general view of history and successes of reform in the Albanian armed forces. Like other countries, the factors which determine the national security policy of Albania are: relations with its neighbours, the pattern of its social political system and its terrain. Albania was the only country in Eastern Europe which for three decades followed its security policy of 'going it alone'. Although, after the Second World War, Albanian military forces had acquired some experience from their national liberation struggle against Nazi-Fascist occupation, the real military doctrine for regular forces was established when thousands of young men and former partisans fighters received their military education in different military academies in the Soviet Union.

It remained thus until 1961, when Albania broke its ties with the Soviet Union definitively. However, after this period until 1978, it retained some relations with China, although Chinese doctrine had little or no impact upon Albania, since the Soviet military doctrine was more advanced. Even so, the Albanian Army was dependent on China for weapons, military technique and ammunition to an extent that when ties were broken with China it meant suicide for Albanian Communism regime not only in military affairs, but also in the future economic development of our country. Since then there has been no major procurement of weapon systems for Albanian armed forces.

Following its crazy 'go it alone' policy, the communist regime caused economic stagnation due to an inability to produce everything we needed in daily life and economic growth. In addition, the military budget was consuming around 11–14% of GDP each year, which was a high rate for our small national production. All our borderline countries, including two superpowers, were considered enemies of our people. Therefore, this irresponsible security policy brought about two trends.

First, Albania invested in order to maintain a large military force and complete fortification of our terrain, which is mainly mountainous and hilly. Secondly, the military budget was not sufficient for such a big force. In addition, the ideological limitations of the military commanders did not allow them to exercise their full authority. Furthermore, high political leadership was suspicious of any competition by high-ranking military leaders, which led the dictator Hoxha to purge – like Stalin did – almost all the commanders of major echelons, including a former chief of general staff and minister of defence. Consequently, this led to weak discipline and a lack of initiative. Since the level of military personnel life was no better than in civilian life, and the soldiers were mainly conscripted, this brought the military alongside our people during the communist collapse in 1991–92. Our military was in this state when Albania became a democratic country. Then, a pacific spirit was engendered among all our people who were exhausted by living for such a long period in what seemed like a 'big prison', and with the idea of war and animosity with the entire capitalist and revisionist world.

However, at the beginning, the military reform appeared to be a success for the new democratic regime. It was a general conviction for the necessity of this reform. Due to the lack of experience of new leadership, and how this national mission was perceived

by them, the military reform had two faces. One was for foreigners, another for military personnel, which had to endure unfair personnel policy. The official propaganda introduced military reform as a success. In reality there were some achievements, related to the openness and contacts of our Army with the military of our neighbours, and NATO members. Nevertheless, in my opinion, this was the result of having established a common political system with the Western democracies and the friendly hand given to us by the USA and other Western European countries.

Anyway, this led to many military agreements and serial joint military exercises with the USA and other NATO members during 1994–96. Consequently, our national security was increased. Albania has never been so close to its Western allies before, nor have our people felt more secure in its security. Participation in the PfP programme was another distinct achievement, which allowed Albania not only to strengthen its ties with the USA and its European Western allies but also to increase the level of training in the army as well as readiness, logistic support, interoperability and standard performance, compatible with NATO members.

The ruling idea introduced by political leadership became full participation in NATO. Almost all military personnel including our people were inspired by the idea of becoming a full member of NATO. However, this action was undertaken as a political party affair, rather than as a national task. This idea was never explained in the public arena with complete requirements and standards to be provided and achieved by our military personnel. Furthermore there never was a real democracy, and the importance was never explained of having a true democracy, instead of a facade democracy, as a primary condition for participation in NATO as a full member.

In order to justify its personnel policy then, the minister of defence undertook some so-called tests, but was not considered for future promotion. In contrast 'the Party's generals' took charge and received new stars, regardless of their professional performance, experience and their personality. The young captains and majors became brigade and division commanders. After 3–6 months, they were promoted as lieutenant colonels or colonels, and at the beginning of 1995 a majority of them became brigadier generals. Furthermore, there was no personnel board to assign middle and low ranks.

In general, political opinion went against the military officers, which was unfair considering the support the military gave our population, during the communist collapse. Each of us welcomed the way in which high-level commanders were relieved from duty during 1992, since it was a great change in the political system and they had been 'Generals of the Communist Party' too. Naturally, the majority of military personnel would get early retirement, due to the downsizing of military strength. Nevertheless, it was unacceptable to strip staff officers and brigade commanders of their ranks. In this way, the military artificially lost the backbone of its expertise and efficiency. Equally important, treatment was unfair: pensions were reduced, which were supposed to be given to those who had retired from the public service, after they had exhausted their young lives in the military trenches dealing with thousands of alerts.

I would like to emphasise that never did any former communist leaders at the national or local level have any children serving as professional military personnel. The majority of us came from the working or peasant class. There were others tools in the hands of communist regime to maintain their dictatorship. Then, under the slogan 'in democracy there are civilian institutions that exert the power over the military', there was a certain amount of abuse in nominating civilians in many military assignments, or in putting them in uniform without military education. Many of them were sent off to be educated in foreign countries, instead of sending professional officers and of course, they were named in the Ministry of Defence. Neither did they do anything to introduce the real concerns of soldiers and officers to the legal institutions, nor those of any division commander. Even the Chief of General Staff did not have the right in practice to introduce any officer eligible for high ranks or to protect them in case of misevaluation from the party partisans. This was the monopoly of the party in power and the minister of defence.

We, as officers, have had painful experience with the former Communist Party. Only 15 years before, in a so-called reform, over 25 generals and many others were purged on the pretext that they had not accepted the leadership role of the Communist Party over the military. What was different now was the name of the party. Of course, the officers were not given the death penalty, but instead found themselves out of a job, without a pension or any other social security support. Although they were given a form of social assistance at the beginning, this was interrupted.

Even today, there is not yet a budget for full or part pensions to military personnel regardless of all the discussions about this idea. Likewise, the real wage in military was too low compared with different civilian officials who were receiving a hidden wage based on different calculable system. Consequently, many young officers lost their desire to serve in the army. In spite of a 66% National Defence Force reduction, which means the same data for officers, the Army ran out of personnel after 1994. Therefore, unsuccessfully restricted policies were used in the treatment of officer requirements for retirement, even though they went partly without a pension. Added to this state of affairs there were rumours of corruption, which may be true, at high levels of government, including the minister of defence, and others subordinate to him.

This was before the riots of February to April 1997, an uprising which led to a new election, with the help of the Organisation of Security and Co-operation of Europe (OSCE). Why was our army so challenged by the riot situation of that year? Is there any issue for Western allies to take responsibility for their failures in assisting the reformation of the Albanian military? Is this a question of military reform or a question of improper response to the domestic turbulence by the political leadership?

Certainly, it did not come in three days, but lasted a period before our army fell apart. The roots of the misfortune there were in how the reform of our entire political system was conducted and in how the government abused human rights. The new political leadership did not try to strengthen the institutions of young democracy. On the contrary, every effort was made to create a new type of authoritarian leader. The charisma and idolatry were pumped up in public opinion. However, our people just had smashed away the idols of communism, and were hoping to create a new and democratic culture.

Of course, everybody had a bad feeling for the new trends of corruption in the government officials. The looting process of ballots during the general election in June 1996 by the party of the ex-president caused many people to lose trust that democracy was a fair system. The free vote of people in practice became a plain piece of paper, which could be monitored and used by whoever could and wanted to project power. Here the international community became responsible. They should not have accepted the result of the new elections, which were not free, but they did with the exception of the USA.

Six months later, the 'Pyramid Scheme' failed and the majority of people not only did not 'quickly get rich', but also lost their saving accounts. So the people woke up, recognising that they had lost not only 'the freedom' which was so important for their life, but also their opportunity for a better life. At this stage, each careful analyst may have concluded that it was close to the moment of breaking the 'Clausewitz paradoxical trinity'. Now, not only the people were separated from the government, but also the military too. Smart and tough decisions had to be made. Political misconduct and economic reasons were the cause of the turmoil; consequently, the response measures would need to be worked out with political tools, avoiding using state violence directly over the members of hungry strikes.

The military have to be used to protect national property; official buildings and people's life from gangs, feuds and irresponsible persons. Instead of that, the decision was made to use not only police forces in shooting protesters, but also military forces received orders to prepare military operations in restoring order in southern urban areas whose people were blamed for 'communist riots against democracy'. When almost every average person knew the real causes of disturbances, it was no longer possible to indoctrinate with 'the devil of communism' this mass population and especially soldiers and officers. Not only had their parents and relatives lost their live savings in so-called 'pyramid schemes', but it was impossible for them to fight against their brothers and sisters merely because they were demanding the Government to resign.

Although, the government used state media and its slogans of propaganda, misinforming the country of possible aggression by Serbia and Greece, the majority of the military leadership did not obey orders blindly to conduct military operations against the southern population. Therefore the ex-president overruled the General Staff and chain of command of military units and took direct command of nominating other loyal, non-military people, such as the Commander of Armed Forces, a former head of State Intelligence Service, to conduct these operations outside the structures of Army General Staff. In this way the legal institutions of state were ignored and he involved himself directly in giving such strange orders as using lethal chemical weapons or bombing crowds of people in different southern cities with aircraft.

The disaster became more dangerous and painful when the former president called up the northern population as co-patriots to come and fight for him, giving them free access to the military depots and units for weapons. This almost led to civil war; however, the majority of the people did not support this statement. In short, this pattern of conducting political crisis led to the complete destruction of the Army and around 2000 people killed, and 9000 wounded. In addition, one million weapons were looted from military depots, which still constitute a national security threat to Albania.

Therefore, one can conclude that the destruction of the military in Albania, after the riots of February and March 1997 came from the misconduct of the political crisis in Albania by the whole spectrum of political leadership. The lack of real and fair reform in the military, particularly in personnel issues and social security protection, only helped that crisis to deteriorate faster and the different commanders to lose control over their units. This was understandable, since these young commanders lacked the experience and strong personality to lead their soldiers in difficult situations and to oppose any unlawful attitude and anti-constitutional order.

The Albanian experience in reforming its military forces shows not only the importance of a fair democratisation process in the whole society but also how important it is that the military not be determined by the personnel policy of any political party. Similar importance should be given to the education process of both the political and military elite, in order to establish the correct approach to democratic values, having a broad sense of professionalism and political expertise in the fields of national interests and security sectors as well. Therefore it is important for the general opinion, mainly the national elite, civilian or military, to have the right answer to the question that is often asked: are there any limitations to the control over security or the military that should be exercised by the political authorities of the state? Do politicians have any true understanding of the notion of 'national cohesion and inclusion', or do they look no further than their nose, their village, their province or their relatives?

Theoretical framework: setting boundaries of mutual responsibilities in the security sector – an approach towards professionalism and healthy civil-military relations

In our working group already it is accepted that in the SEE we face both the first generation of MCR, based on the Huntington thesis, broadly known as civil-military relations based on institutions, as well as the second generation brought up by the change in the nature of modern state and its relations with society in the West and the transformation of war.<sup>10</sup> Therefore there is a need to set up the theoretical framework among us about managing the defence and security sector in the democratic society.

Starting with the above question, it is closely related with objective civilian control, which maximises military professionalism. Based on the Huntington definition, objective civilian control consists of the 'distribution of political power between military and civilian group, which is most conducive to the emergence of professional attitudes and behaviour among the members of the officer corps.'<sup>11</sup> It is an outcome of interaction among interlocked dependent variables of professionalism, power, ideology and culture of society. If this interaction loses its objective interference, this is the best recipe for the failure of the whole political system. Historically, military strength is considered the gauge for national power.<sup>12</sup>

Therefore, in discussing our question, Huntington's theory of civil-military relations and other essays on this subject, such as the view articulated by Morris Janowitz and his supporters,<sup>13</sup> will be the main point of references in three aspects. First, it will recognise the borders of military sphere of influence and the limits of elected civilians' interference on it. Secondly, the purification of the military from politics and the increased level of military judgement and its code of honour. Thirdly, what is the impact of rational power's equilibrium and military security in performing objective civilian control?

The analysis of many experiences including Albania leads to the conclusion that the best approach to objective civilian control is a rational political action interlocked with professional military judgement and the full commitment of civil society in the security sector.

---

<sup>10</sup> Martin von Creveld, *The Transformation of War*, pp. 000–00.

<sup>11</sup> Samuel P. Huntington (1998) *The Soldier and the State: The Theory and Politics of Civil-Military Relations*, The Belknap Press of Howard University Press, p. 83.

<sup>12</sup> David Jablonsky (1997) 'National power', *Parameters*, US Army War College, Spring, p. 42.

<sup>13</sup> Dr Costas Danopoulos (2002) 'Civil-military relations theory in the postcommunist world', San Jose State University, San Jose California, USA, and Dr Daniel Zirker, Montana State University, Billings, USA, DCAF 38, October, p. 3.



Regarding the military sphere of influence and limits of interference by the hierarchy of governmental authorities, it needs to be emphasised at the beginning that the vertical control is exercised to the extent that it puts the military on a subordinate level.<sup>14</sup>

The politicians have the last word, because we assume that instilled in Western political culture is the famous saying of Clausewitz that war is not only an act of policy, but also:

A true political instrument, a continuation of political intercourse, carried on by other means ... The political object is the goal, war is the means of reaching it, and means can never be considered in isolation from their purpose.<sup>15</sup>

As David Chuter, author of *Defence Transformation*, explains, the expression 'political instrument' needs to be understood as 'an instrument of state policy', excluding the activity carried on by politicians to get power and win votes.<sup>16</sup> Consequently, civilians should not push military corps to their political parties' agenda. Partisanship activity and militancy attitude must be avoided among military officer corps. Otherwise this feature will destroy not only the military from within, but also the entire political system will be fragmented, which may lead to unpredictable consequences.

In addition, it needs to be stressed that the policy is more related to questions of why and how to use military force, and what political constraints to put on them in achieving the goals of national interests. Consequently we come to the question of what is the best combination of means, ways and ends. Being the core of every strategic concept, they drive the operational and tactical uses of military forces. As a result, there is an overlap between 'military operation and policy objectives'.<sup>17</sup> Even though this overlap exists, the possible solution of a clear-cut division between politicians and military does exist. This can be best achieved only if 'each actor confines themselves to their own area of expertise. The military should get the job done in a way which is consistent with the policy objectives, and the civilians should allow them to do so.'<sup>18</sup>

---

<sup>14</sup> Huntington, op. cit., p. 87.

<sup>15</sup> Clausewitz, op. cit., p. 99.

<sup>16</sup> David Chuter (1997) *Defence Transformation: A Short Guide to the Issues*. King's College Press, p. 25.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid., p. 65.

A fresh example is the limitations which the politicians put on the military during operations in Kosova. It was a need for the military to direct their strikes on Belgrade, where the will to resist came from. However the politicians put constraints on the military not to shoot there, because of the possible consequences of weakening Western public support and NATO cohesion. On the other hand, the insisted demands of French President Chirac to have prior knowledge and approval of high value targets (HVTs) and high pay off targets (HPOTs) is an example of subjective civilian control over the military. Similarly, McNamara showed the same attitude during the Vietnam War, trying to decide which military units should be sent back and forth in the front line and when, or what India's defence ministers did during the Chinese–Indian conflict of 1962.<sup>19</sup>

So, in order to have objective civilian control, they should not dictate the military aspects of operational plans. The realities of modern democracies show that civilians are capable of understanding and running defence organisations. Civilians can be empowered through training programmes so that they do their work properly, and dealing with financial or policy issues does not require any military training. In the Western democracies where there is civilian control over the military, the art of modern warfare has been executed effectively. The function of liaising with other state can be effectively carried out by the civilian authorities. To avoid duplication, both the military and civilians should have their functions streamlined. This process has drawn the main attention of our recent successful reform in military. The process of absorbing the Defence Policy Directorate by the Albanian General Staff after the approval of Military Review in March 2000 left the Minister of Defence as a national leader with limited capacity to manage the affairs of the Department.<sup>20</sup>

This state of affairs made relations between the Minister of Defence and Chief of Defence Staff unclear, the command and control system at the higher levels not defined properly based on democratic principles of civilians control – leading thus to unpredictable trends in CMR. The current reform made some effort to correct some of the consequences; however, a lot still remains unresolved. Furthermore, the Constitution

---

<sup>19</sup> Ibid., pp. 65–6.

<sup>20</sup> Albanian 'Defence Review' approved by Albanian Parliament in March 2000, which reduced the MOD to deal only with some personnel and budgetary issues, without having the proper structures to deal with defence policy and security issues. This caused a lot of confusion among military personnel and civilians dealing with defence matters. This problem was corrected partly by the recent Albanian Military reform, assisted by USA DOD and their private company, SAIC.

document requires the wartime Armed Force General Commander to deal directly with the President, thus making him vulnerable to involvement in politics. It is a danger that the organisational structure, military professionalism is likely to be compromised. Instead of serving the democratic government as a military professional, he may be in a position to manipulate the whole system to get what he wants, raising the question: who guards the guards? Defence management in a democracy requires civilian/political control of the military. Therefore, Huntington is right when he links 'civilian control to the minimisation of military power, which would allow the civilian authorities effectively to make both military and civilians cooperate with each other in terms of the military "the tool of the state"'.<sup>21</sup> This is the main reason why this problem is put on the agenda of ongoing military reform in Albania.

With respect to the purification of the military from politics and the increased level of military judgement and its code of honour, it must be emphasised that this aspect of civil-military relations takes place as a daily routine. Being so, it is related not only to the mutual expertise among civilians and military leaders, but also with their personality and informal relations and confidence being created during their common job. The traditional military obedience to their chain of command makes it tough, due to conflicts with moral issues, social trends, military judgement and subjective demands by politicians while the contingencies occur. It is, for that reason, the hardest aspect of objective civilian control to be achieved.

Huntington defines the second aspect of objective civilian control over the military as 'a single concrete standard ... politically neutral and which all social groups can recognise'.<sup>22</sup> In this way we receive different messages, which need to be performed simultaneously by elected politicians and their military advisors. Obviously, there is interference among professional judgements, limits of military obedience, code of honour, code of conduct, the personal responsibility and 'can do it' attitude. Giving the right answers to these professional and moral categories can achieve an objective balance in performing the national interests and goals effectively, using military force when needed. Acting under the stress of national and moral responsibilities, and their attitude towards obedience based on chain of command; it is hard for military advisors in

---

<sup>21</sup> Huntington, op. cit., p. 83.

<sup>22</sup> Ibid., p. 84.

every institution to show their professional judgements openly. This becomes harder when political leaders do not provide the space for free professional judgements. In this way we come to the limits of obedience, which is closely related to the legality of civilian action, professional and moral strength as well as of military advisors. If professional advice is ever well appreciated, this will occur when it is given without reservation or fear of bad consequences for the person who gives it. Historical evidence shows that whenever the professionals did not give the proper advice to their political leaders, the end has been disastrous. The German army, despite its excellence during the Second World War, lost because the military leaders only gave Hitler the advice he wanted to hear. The same phenomenon happened to the American military during the Vietnam War, acting within the attitude 'Can do it.'<sup>23</sup>

In addition, the military chief needs to perform his advisory role being open-minded, simultaneously maintaining his loyalty and avoiding insubordination. It is the responsibility of military chiefs to show to the politicians all courses of actions for a certain mission, their potentiality for victory or failure and their positive and negative consequences in the short and long term. 'Likewise, the leadership should never demand from the military something which it is clear they cannot perform.'<sup>24</sup> The toadying attitude endangers the situation, and brings more negative consequences than positive. Historical evidence has shown that a 'yes attitude' of military advisors has led the nation- states very easily towards war, as was the case in Albania prior to the uprising in 1997 or in the Malvinas' example, while the possibilities for other course of actions have existed.

If the politicians do not accept the professional and moral expertise of their military advisor, of course the confidence has been broken. This means the military advisor should use his last weapon, resignation, based on the principle of 'military honour'. On the other hand, if the government is acting legitimately, the military chief should be sacked for insubordination or because of the broken confidence between him, the Commander in Chief and the Secretary of Defence.<sup>25</sup>

---

<sup>23</sup> Campbell, op cit., p. 358.

<sup>24</sup> Chutter, op. cit., p. 66.

<sup>25</sup> Ibid.

So, in order to have objective civilian control we need the military to be bold and smart in expressing their professional views. Furthermore civilians need to be willing to accept professional military judgements and 'a politically neutral officer corps'.<sup>26</sup>

Let us now consider the inner balance between rational power in the society and military security. Huntington notes that,

'Objective civilian control not only reduces the power of the military, to the lowest possible level vis-à-vis all civilian groups, it also maximises the likelihood of achieving military security.'<sup>27</sup> Two questions arise from this statement. First what is 'the lowest possible level' of power? Secondly, how can 'military security' be gauged?

With reference to the second question, civilian authorities need to be aware not only of reducing the power of military in political life, but also of providing for the military safe conditions from subjective and partisan personnel policies, rational welfare and optimal retirement. In this way the military can be sure that it will continue to manage its job and its human resources as a value-based organisation, being part of their people's life, concerns and aspiration. Otherwise the military hierarchy and civilian leadership will lose ties with their grass roots people. This is not a good prognosis for the military, and for the safety of democracy as well.

Regarding the lowest possible level of military's power, in Albania Huntington's thesis<sup>28</sup> is accepted rather than that of Janowitz (1971).<sup>29</sup> However our military education efforts are concerned to come out with the best attitude of the armed forces and the security sector in general towards our political system and civil society. A healthy equilibrium between military professionalism and civil society is achieved if a reasonable ratio does exist between the ideology of society, power and professionalism. The more professional the military is, the less power it needs. As it shown in Figure 1, the power is a gradient variable (arc-curve) of professionalism and ideology ( $\text{Gradient } \varphi = \text{tangent } \varphi = \sinus \varphi / \text{co sinus } \varphi$ ). What this function demonstrates is that professionalism simultaneously reduces the ideological factor and the curve of military power. In contrast, ideological

---

<sup>26</sup> Huntington, op. cit., p. 85.

<sup>27</sup> Ibid.

<sup>28</sup> Ibid., pp. 94–7.

<sup>29</sup> See Danopoulos and Zirker, op. cit.

involvement regresses the military backwards to incompetence and increases its power in society and vice-versa. By understanding how the mechanism works mathematically based on this sketch, the lowest possible level of military power can easily be defined, compared with other parts of the society. Furthermore, it may be defined clearly that the main negative contributing factor in these relations is the ideological and partisanship involvement of the military in political activities.

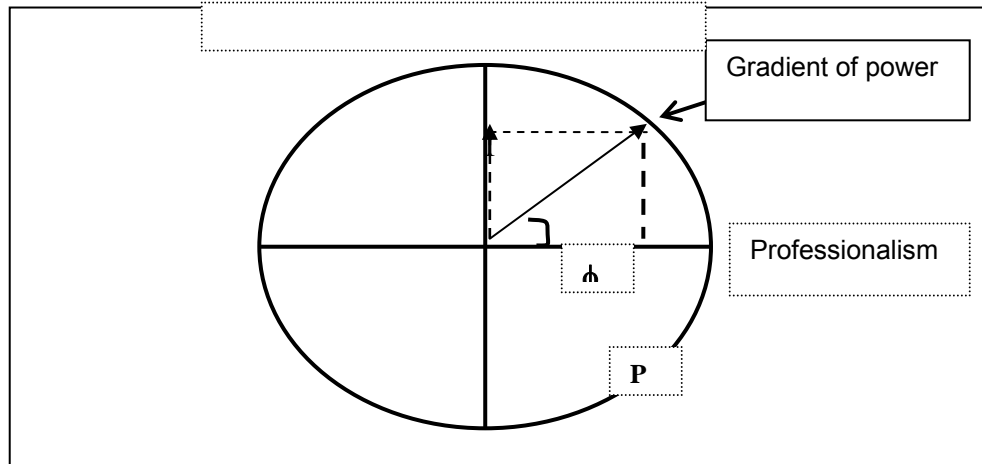


Figure 1 Graph of variable values between ideology, professionalism and power in civil-military relations

The power can be held or increased only at the expense of professional value, which will consequently eradicate national power. In other words, the commitment of the military in the political activity of ruling parties will double the threat from the military, due to the pay-off process in gaining power and losing its professional expertise. As David Jablonsky argues, based on the bad Iraqi performance during the Gulf War, the 'political interference, or the gradual infection of a nation or its military by incompetence, waste and corruption can weaken a nation's armed forces.'<sup>30</sup>

The sketch, too, shows theoretically that a '0' level power will lead to the maximum professionalism and '0' level of ideological effect, which inspires and moves the society ahead. We consider that a threat too, because in this way the military may be completely isolated from society. In a reverse process this state will produce objectively other contradictions among the military and its people. At the beginning the conflict will be

<sup>30</sup> Jablonsky, op. cit., p. 42.

transmitted by new members who join the military, due to their liberal attitude, which is the legacy of society. Next, liberal society as a whole, concerned more about its individual rights, will dislike the military as a conservative institution. Finally, being ignorant of the social attitude and ideology of its society, the military may easily act as a blind weapon in the hands of adventurous ruling parties.

In addition, having a big negative value, ideology and social culture of society will produce a negative power for the military. In response the outcome may threaten the society with coup d'état by the military or may lead to the self-destruction of military.

So, if the political authorities of the nation state did not find an appropriate equilibrium between power, the ideology of society, military professionalism and the legitimate relations between them, this would lead to the decline of social cohesion and national power. Consequently, the state and its population will be vulnerable towards foreign and domestic threats. This state spoils 'the remarkable trinity' of Clausewitz,<sup>31</sup> which constitutes war and chances for victory. If war seems to take place, they would become recipes for failure.

To conclude, it can be stated at this stage that there are limits on exercising the civilian's control over the military by political authorities. The best approach is that of political action being interlocked with military judgements. It can be achieved under the conditions of unbiased and mutual understanding of each other's job and roles in society. Acting within their sphere of responsibilities, avoiding unrealistic interference in each other's job is a basic principle for success. Increasing the level of military judgement and conditions for security and free expression of their thoughts will help both politicians and military to get along very well. Creating a rational equilibrium of power, ideology of social life and military professionalism within the country among grass roots people, military and governmental leaders will definitely consolidate civil-military relations and civilian control over the security sector. So legitimacy remains the key in these relations, what Max Weber states for the whole society: 'numerous stable relationships contain conflict but the conflict is masked; it is under the surface because

---

<sup>31</sup> Michael Howard (1989) *Clausewitz*, Oxford: Oxford University Press, p. 73.

of the role of legitimacy'.<sup>32</sup> Legitimacy would take off the brutal mentality of some politicians who think that everything looks like a nail, as long as they have only a hammer in their hands.

### **Assessing Current Conditions of Civil-Military Relations in the Republic of Albania**

Taking a close look at all opinions concerning civil-military relations in Albania, it seems that such an issue does not exist, even though it is discussed informally a lot. For the first time it was discussed in Albania publicly for the CMR last December during a Military Convent,<sup>33</sup> which was initiated and organised by the MOD, or more accurately, Pandeli Majko, then Minister of Defence. This event followed a hot debate in Parliament and the media as well as about some abuses in the Albanian State Information Service from 1997 to 2002. Consequently these two events created a better atmosphere among Albanians, which led to a better attitude of the security sector, as well as a better perception of the public towards their job and responsibilities, taking off the murky cover of the security sector in the public eyes.

Although these events facilitated the research situation, it is still difficult to find proper and formal resources for these debatable issues. It is easier to study the CMR of USA than that in Albania, due to scarce sources.<sup>34</sup> In addition this topic has already been taboo, so the public debate has been initiated only in the recent years. Having some knowledge from my job and individual contacts in this field, the efforts to elaborate on this issue will be empowered based on expertise given by the academic communities, which among themselves are divided into two major camps. Some of them foresee a threat from the weak civilian control over the military in SEE. Others consider civil-military relations as a common sense of practice and common goals, which produce a state of debate, but no threats to regional or national security.

---

<sup>32</sup> Max Weber, based on Joseph A. Scimecca (1993) 'Theory and alternative dispute resolution: a contradiction in terms?' In Dennis L.D and Sandole de Hugo van der Merwe (eds), *Conflict Resolution Theory and Practice, Integration and Application*. Manchester University Press, USA, pp. 215–17.

<sup>33</sup> Zija Bahja (2003) The Ways of Development of MCR in the interest of Military Reform, 'The Military Convent', 18 December 2002, a forthcoming book to be published by Albanian MOD.

<sup>34</sup> Adam Çopani (1994) *Civil- Military Relations in Albania*. Army Publishing House: the only publication in Albania which examined these relations, although more in historical terms.



Considering both views in answering our question, this essay will analyse four elements within the limits settled by the principle of sufficient argument. First, what is the state of loyalty of the military in serving their democratic system? Secondly, what does the decision-making process look like and what is its military role? Thirdly, what is the ability of the military to cope with the present challenges and missions in the post-Cold War period? Finally, how are the military and the generic security sector governed and how do they receive their resources to perform their obligations to Albanian society?

Methodically, views expressed in this section will flow through the historical prospect of civil-military relations, continuing with principles that constitute these relations. Moreover, the trends and characteristics of civil and military society in Albania, which multiply the state of debate, will be explored. The lack of performed legal support to the defence and security transformation currently continue to hinder reform. Finally, the state of professionalism and expertise between military and civil communities will be assessed.

At the end the paper it will be concluded that there is no threat to Albanian democracy to be overruled by the military, which comprises only a small portion of our national power, as well as the fact that tradition exists not to interfere with politics, the agenda of political parties. However there is a strong need for shaping them to match with the democratic patterns of managing the security sector. Therefore, the current debate, which has already commenced in Albania, will heal the conditions of civil-military relations already spoiled during the prolonged transition period in democracy, and 'never-ending reforms'. It will improve the civil-military relations in the future. However more needs to be done in smoothing the state of debate in civil-military relations through shared responsibilities, well-defined missions, strategies, visions and increased tolerance.

### **Ongoing Albanian military reform towards NATO membership goals**

In January 2001, the invitation of foreign assistance was approved by the Albanian government, mainly from NATO staffs, USA and Germany, as well as some academics and policy-making institutions to give their input regarding the structure of the new Albanian Armed Forces and Ministry of Defence. The resolution of the civilian control and Ministry of Defence structure was essential for the finalisation of the military transition to the Objective Force 2010 and the appropriate implementation planning.

Some principles were laid down at the beginning. Meanwhile in the Ministry of Defence eight workgroups started their work in eight related areas. They explored the concept of civilian control in terms of four principles, namely: the separation of military and civilian powers; legality; accountability; and transparency. The following were the formulations expounded by the workgroup:

1. *Separation of powers*: The essence of this division was that armed forces should refrain from involvement in politics. This was to ensure that the military participated in the development of defence policy without undermining or usurping the authority of civilian decision-makers, while civilian authority refrained from interference with the military chain of command.
2. *Legality*: Law determines the powers and functions of the armed forces. The military is expected to uphold the Constitution.
3. *Accountability*: The public and Parliament require an assurance that the military is performing its duties according to democratically agreed policy decisions. The minister and the government are themselves answerable to Parliament and the public for defence spending and for the formulation and execution of defence policy.
4. *Transparency*: Accountability requires a sufficient degree of transparency with regard to defence matters and the public trust and relations.

Nonetheless, four broad guidelines from the experience of democratic countries, mainly USA and Germany, were drawn:

1. A distinction was made between the formulation and execution of defence policy. As a general rule, civilians are responsible for the former and the military is responsible for the latter.
2. Military officers do participate in the development of policy but they do so under the formal direction of the civilian authority.

3. Civilians are always responsible for the political dimensions of defence policy.
4. The military voluntarily accepts its subordination to the civilian authority.

The workgroup established the following criteria in deciding whether a particular defence function should be a civilian or military responsibility of the Albanian armed forces:

1. The principles and values of the Constitution.
2. The broad guidelines referred to above.
3. Commonsense. After an in-depth study, the workgroup referred to defence experts from other countries, mainly USA SAIC and argued that this was all important and would apply differently from function to function. The key question was: 'Does the function logically fall under civilians or under defence headquarters?'

The roles of the Ministry of Defence were drawn as follows:<sup>35</sup>

1. The Council of Ministers through which the elected government issues the directive instructions to the military.
2. The Ministry of Defence formulates national defence policy.
3. The operational requirements of the armed forces are made known through the Ministry of Defence.
4. The headquarters through which government policy and decisions are translated into operational plans and orders for the arms of service.
5. The Ministry of Defence plans the defence programme and budget over the long term.

---

<sup>35</sup> USA-OSD (2001) *The Republic of Albania-Defence Assessment*, pp. 35–41, 138–41.

6. The administrative headquarters organising human resources, logistics and procurement requirements of the services.

The roles of the Secretary of MOD were as follows:

1. Principal advisor to the Minister regarding policy and administrative matters. The Defence Secretary is a source of advice and an independent counsel to the Minister and military colleagues while at the same time providing a civilian balance to military issues.
2. He is responsible for defence administrative duties including financial responsibilities by virtue of his appointment as the departmental accounting officer. As such he is responsible for:
  - (a) all expenditures of the Ministry of Defence from preparation of estimates through placing contracts to final accounting and audit;
  - (b) organising and carrying out business with other state departments and Parliament;
  - (c) management of the civilian staff.

### **Responsibilities of the Chief of Albanian General (Defence) Staff**

1. Commanding the Albanian armed forces.
2. Tendering military advice on strategy (military implications of defence policy), overall priorities in resource allocation, programmes, current commitments and operations.
3. The planning, direction, and control of all military operations including relevant operational directives.
4. Directing the work of defence staffs.

The Chiefs of the Armed Services have responsibility for the operational command, administration, support and training of their forces, composed of three environmental commands and two supporting commands namely, Logistic and TRADOC commands.

The Ministry of Defence is obliged to conform to the processes of public administration. The fundamental administration process is the annual planning, programming, budgeting and control cycle. The following broad process related to the approved Ministry of Defence design:

1. The appropriate secretariat staff is to formulate defence policy in collaboration with defence staff. The policy should include the envisaged defence ends and the limits within which the appropriate ways may be sought.
2. Joint military staff determines defence doctrine and strategies for the guidance of the services. Resource policies are translated into directives for action by the services.
3. The services determine appropriate doctrine and strategy and refer their military needs to the joint staff.
4. Joint military staff prioritise these needs and propose plans, programmes and budgets for the appropriate secretariat function.
5. The appropriate secretariat function assembles the defence policy, plans, programmes and budgets for the minister in collaboration with military staff.
6. Performance control takes place by feedback and audit.
7. Although the Ministry of Defence functions at policy and control level, for economic reasons, certain centralised services may be provided. The locus of control for the formulation of key defence decisions may be derived from this broad process. In terms of policy, the Secretary would be responsible for defence policy in general and specific policy on such matters as legislative reform, internal deployment, foreign relations and the arms trade. Close liaison with the

Ministry of Foreign Affairs was required on certain of these issues. The responsibility of finances entailed all financial accounts of the Secretariat and the Defence Force, allocating funds according to the existing defence budget and for drawing up the new defence budget.

During autumn 2001 a strategic management team was appointed to formulate detailed plans, with clear objectives and time frames, and to establish the above functions. The team consulted with the relevant functional experts within the Defence Force and SAIC Company of USA and also based change management strategies through an attitudinal survey and the information flow led by a steering group. The main functions to be addressed were:

1. Ministry of Defence design and structure;
2. staffing;
3. process design/redesign and integration;
4. cultural, mentality change, compatible with NATO concepts and operational procedures.

### **Loyalty of Military in Albania to their Political and Social System**

It is important to emphasise that there is a not unprecedented historic tradition which has put the military in Albania against its political leadership or system. The roots of this tradition can be found in the extreme external threats faced by Albania in its prolonged Ottoman occupation, as well as during the Cold War. The military has never attempted to take charge of political matters of Albania, neither during the communist regime, nor in the democracy. Nobody trusted Hoxha's accusations concerning the military leadership's plots against his regime to justify the purges on them, nor has history shown any conspiracy. The same thing happened during the communist collapse, where the military chose not to interfere in the political choices of Albanian people. At other occasions disagreements have come about regarding ends, rules and procedures in dealing with certain crises, missions and the scope of reform, mainly in regard to its legal support and personnel policy.

Both the military and politicians have considered carefully each other's views about how to deal with issues of military employment and transformation. Moreover, historical evidence shows that the military has restored its integrity and has increased its expertise, the quality of doctrine and training, whereas civilians have made no advance in their expertise and professionalism. Especially during the NATO intervention in the Kosova crisis, when Albania offered asylum to around 700,000 displaced people, the role of the military has been indispensable. The same could be said for the military role during natural disasters or other national disorders.

However, the same opinion does not apply to other institutions of the security sector. These conditions have led the majority of foreign experts to see the military in Albania as the working institution that is most on the right track, driven towards democratic values. Of course relations are not exactly smooth, since military officers' corps and political body are two different sets, belonging to different communities. As George Homans defines relations among communities: 'Beyond the group boundary, the variables need not be mutually dependent, rather the external system set the boundary conditions, or parameters of internal system.'<sup>36</sup>

The historical analysis shows that 'when groups came under pressure from outside they become obsessed with purifying internal categories, such as distinction between individual entity'.<sup>37</sup> These are reasons why the military, in order to avoid the apathy syndrome, is so preoccupied in finding the right rules of engagements, the accomplishment of a legal basis for military reform and personnel policy, procedures of promotion and ranking, social security support for the mandatory retirement schemes to accomplish the downsizing of armed forces and other security agencies avoiding unnecessary social tensions, in performing different missions given by politicians.

So, following the logic based on regime theory used by Bland, as long as the crisis in civil-military relations appear to be about rules and procedures in the decision-making process and not about principles and norms, there is no 'threat to the civil authority'.<sup>38</sup>

---

<sup>36</sup> George C. Homans (1992) *The Human Group*. New Brunswick and London: Transaction Publishers, p. 000.

<sup>37</sup> Wendy Griswold (1994) *Cultures and Societies in a Changing World*. Pine Forge Press.

<sup>38</sup> Bland, op. cit., pp. 16–18.

## **The military's role in the decision-making process**

Regarding the military's role in the decision-making process, it needs to be emphasised that the role of military has been increased. As Clausewitz insisted, the political leader has to have the last word. However, to perform his duty in military affairs, he needs to receive military assistance. In the Albanian case the legal framework is still unperformed by defence law. The approved bill for strategic authorities in defence matters still leave unclear the role of the armed forces commander appointed in wartime, the role and position of Chief of Defence Forces, and their relations among each others, as well as their subordination to the government, particularly to the Minister of Defence in wartime. In addition in this law, by making the Chief of Defence the direct commander for three armed forces services and other support commands, there is reason for tensions and misconceptions in dealing with reforms, transformation and the implementation process, and separation of powers and labours within the structure of the MOD and Defence Staff. The worst thing is that the importance of this aspect is not yet understood and discussed publicly.

This aspect will endanger civil-military relations in three ways: first it will create confusion in the system of command and control at the military strategic level, giving possibilities for military leadership to exceed their unclear authority; secondly it will cause the minister of defence to be unhappy and interfere in the operational command and control level; and thirdly it will give rise to the ideas that MOD is only a logistic support body to the Armed Forces, consequently it does not need to have the upper hand in defence policy matters and a mixed and interrelated structure with that structure of Defence Staff, based on the principles of communication containers. Instead it is considered sufficient to have a single subordination point of contact, who is the person assigned as Chief of Defence Staff, instead of having many points of communications and subordination, such as the structure of UK MOD, which includes that of defence staff in a logical way of working closely with and abreast of civilians and military in all defence matters.

It is for that reason, although we are undergoing a big transformation of the Albanian Armed Forces, with great support and expertise given by USA MOD and their SAIC company, that a specialist body dealing with defence and standardisation policy working directly in the Minister of Defence staff is not foreseen, and thus it remains without true



expertise.<sup>39</sup> However it is important to emphasise that, based on the Albanian legal system, the decision to go to war and military employment in emergency situations belongs to the civil authorities. The role of Chief of General Staff (CHOD) is only to advise them in the proper use of military force. His status is increased as a statutory adviser to the President, Council of Ministers and National Security Council (NSC). He is a member of the NSC and he does have the right of vote in it; however, the decision for military engagements belongs to the President, as CinC, to the Parliament, or to the Council of Ministers for emergency situations only.

So, an objective observer of civil-military relations in Albania may agree that in Albania a complete legal framework of civil-military relations is not in place, and therefore there is a strong need for further assistance and development of such a system and of civil society as well.<sup>40</sup> The issue may be the generalisation made by Rebecca Schiff in the USA environment:

the degree of agreement between civilians (both political elite and the citizenry) and the military about a variety of issues ranging from recruitment to policy. The military will be less likely to intervene in domestic politics if this agreement is obtained.<sup>41</sup>

However the level of expertise is a big issue. Bob Woodward, in his book *The Commanders*, cites a case where the expertise of Powell was decisive if the USA was to intervene or not in the Philippines against a popular uprising there. Saying that not only the mission was undefined, but also that the USA are interested in the Philippines and not in President Acquino, the decision was made not to intervene. So instead of being afraid of the open advice of military leadership, we need to encourage them to get out of their traditional blind obedience to old-fashioned politicians, like the Milosevic regime,

---

<sup>39</sup> Note: if the new structure of Albania MOD is studied, the two separate bodies, MOD civilian apparatus and General Staff, will easily be discovered. Defence policy matters are the direct responsibility of the Minister of Defence; although hidden somewhere under the renamed Directorate of Foreign Affairs. It seems that Albania will soon undergo the same failures and experiences as Hungary and the Czech Republic; however, this will be painful and a waste of time. For more details see Dr Ferenc Molnar (2002) Institute for Strategic and Defense Studies, Hungary, 'Civil society and democratic civil-military relations: the case of Hungary', DCAF 101, October.

<sup>40</sup> Note: the author of this paper fully agrees with the analysis made by CEES in its 'Harmonies Papers' under the titles: 'What countries did to meet the NATO's membership criteria' (2001) or 'Albanian Army and Defence Regime' written by Halit Daci, 1999.

<sup>41</sup> Rebecca Schiff (1995) 'Civil-military relations reconsidered: a theory of concordance', *Armed Forces and Society* 22(1), Fall, pp. 7–24, based on Avant, op. cit., p. 380.

blindly preserving their political power, who do not care for rules of engagements and crimes against humanity based on the Law of War during external or internal conflicts.

### **Ability of military to cope with challenges and missions in post-Cold War period**

It appears that the military is currently facing more difficulties, tow of which defy civil-military relations. First, the general trends of society to be more liberalised and concentrated in individual rights rather than in public obligations. Secondly, the present state of instability in the world not only increased unpredictability of contingencies and endangers peace, but also stresses the need to be well prepared for peace missions and disaster management. A strong robust military is unfit in dealing with peacekeeping operations. The negotiator role, or bargaining, advisory and policing character of military functions becomes more decisive than the ability to use deadly force, for which the military is fitted and trained. Foster is right when he states that the military 'is an institution whose sense of mission leads it to encourage and reward aggressiveness, destructiveness, authoritarianism, and adversarialism'.<sup>42</sup>

Even though the importance of training for new challenging peace support missions is well accepted, the Albanian armed forces are not yet fully developed and trained for such new features of future conflicts. The same situation can be said to be even worse for the internal police forces, which in many cases in order to perform their duties exceed the use of force, instead turning it into violence.<sup>43</sup> Furthermore, since the trends are for these kinds of operations, it looks unwise to think and conduct training mainly in conventional ways. Also, the military as a conservative institution is perpetually facing the dominant liberalism of the Albanian society in the face of lacking external threats and the global movement of individual rights. The military cannot stay isolated in this society. The 'awash of incidents',<sup>44</sup> as Foster calls it in his harsh critique, are the consequences of these conditions and the specific job of the military.

---

<sup>42</sup> Foster, op. cit., p. 29.

<sup>43</sup> Note: the worst case happened on 6–7 January 2003 when the Internal police forces beat a citizen until he died; he had been detained because of an incident of family violence in the Korca region; subsequently five of the police NCOs were arrested for murder.

<sup>44</sup> Foster, op. cit., p. 23.

Also, it needs to be emphasised that Albanian public and political elite are not prepared to put more money into military expenditure and its modernisation, even though there are lots of ongoing discussions. So, both sides, military and political leadership and Albanian citizenry, need to be well aware and prepared to face the future challenges, in order to produce more security than they are consuming from the regional community, especially the EU and NATO. The missions, which will defy both of them, need to be conducted based on well-defined national interests, their attitude towards them and their willingness to achieve certain ends. So not only do politicians have to increase their expertise in regard to military missions, but also the military elite have to employ a proper approach towards society, and to the new challenges of future military engagements.

### **Final argument of resources and governance**

If there is any field where the conflict in civil-military relations is most tense it is in funding, promotion and postings. Although there is a great deal of debate, mainly about resources, as in many Western countries, civilians control the military's budget, can fire individual military leaders, and must approve senior-level promotions and assignments. Civilian control has been so tight that it has even prevented the military from gaining access to money or lobbying the Albanian Kuvend (Parliament).

Usually, there is no common procedure for inviting the Chief of General (Defence) Staff to discuss budgetary issues related to his services during parliamentary debate. This is strictly a ministerial job, although the Parliamentary Defence Commission may invite military staff officers to discuss budgetary and other priorities related to personnel, legal and reform issues. So there is no source of tension between the armed forces and the Albanian Parliament, despite budgetary insufficiencies in supporting military reform needs and level of life benefits and social security to military personnel.

However, this is strictly a domain of the executive branch of Albanian government, therefore civil-military relations are more focused on executive power politics rather than on representative institutions such as the Parliament and civil society. So as long as the military voice in getting budgeted is along the lines of how the legitimised democratic system works in Albania and how freely elected politicians will have sufficient expertise to run their governmental work based on well-known Western norms, procedures and

attitudes of democratic society, bureaucracy and the order of law, there will be a prospectus for better and healthy civil-military relation in the near future.

### **The challenges ahead**

The civilian supremacy is reached through a process consisting, first, of the removal of the military from power positions outside the defence area and, secondly, of the appointment and acknowledgement of civilian political superiors in the defence and military areas. As the military withdraws from non-defence-related policy areas starting with the new democratic system in 1992, civilian officials gain authoritative capacity in all policy areas, including defence.

The importance of the process of negotiating for the establishment of harmonious civil-military relation, shifting away from the executive power focused civil-military relation within the entire security sector in Albania, is well captured in the following words.

Democratization of civil-military relations needs to rely on processes of bargaining, dialogue, cooperation, and consensus-building that generally diminish military prerogatives and redefine the professionalism of the military's mission through a series of incremental steps.<sup>45</sup>

If not much attention is paid to the process of negotiation and relations instead of authority and power-based relations, the outcome might result again in a discord between those in uniform and civilians. Because of the imperatives for parliamentary and democratic control over the armed forces as derived from the Constitution, the Joint Military Reformation Team (Albania-USA/SAIC), the strategic planning process identified the development of civilian control, the liaison with Parliament and the related structure of the Ministry of Defence as a strategic issue.<sup>46</sup>

---

<sup>45</sup> Larry Diamond and Marc F. Plattner (eds) (1996) *Civil-Military Relations and Democracy*. Baltimore: The John Hopkins University Press, p. 000.

<sup>46</sup> USA-OSD, op. cit., pp. 34–8.

## Conclusion

All fundamental crisis indicators analysed by this essay show that there is no crisis in Albanian civil-military relations. Indeed we have an increased voice and role of military. But this is more due to the high expertise and moral values, which the military possesses compared with its civilian counterparts, expressed recently in the after actions annual review by the Prime Minister of Albania, Fatos Nano.<sup>47</sup>

Low international and domestic threats and the unclear international situation particularly favour the state of debate,<sup>48</sup> which challenge domestic and foreign policy. Albania is searching to build up a new commitment strategy towards NATO and EU membership, definitely throwing away its long-term isolation from the entire world during the nightmare of its 50-year-old communist regime. However security sector reform has not yet achieved the maturity to include the whole spectrum of actors dealing with security, despite Western expertise given to Albanian institutions.

So, interagency cooperation in the security sector in Albania has not yet been reached, although a healthy debate has started on the positive development of civil-military relations. The absence of right vision, lack of means to deal with contingencies in international environment and divergent ideas about these issues naturally lead to a state of debate. However this is a healthy debate which will improve these relations and the efficiency of military and civilians together. In achieving this goal it is important that the three components of civil-military relations – civil society, politicians and military – have shared responsibilities in these mutual relations, high expertise, well defined missions, enlightened strategies, visions and increased tolerance.

---

<sup>47</sup> Fatos Nano, the conclusive speech made by Albanian Prime Minister in the annual review of MOD, 22 January 2003.

<sup>48</sup> Desch, *op. cit.*, p. 395.

## Bibliography

Adam Çopani (1994) *Civil-Military Relations in Albania*. Tirana: Albanian Army Publishing House.

Gregory D. Foster (1997) 'Confronting the crisis in civil military relations', *Washington Quarterly*, Autumn: 15–33.

Charles J. Dunlap (1992–93) 'The origins of the American military coup of 2012', *Parameters*, US Army War College.

Edward N. Luttwak (1999) 'From Vietnam to Desert Fox: civil-military relations in modern democracies', *Survival* 41(1), Spring: 99–112.

Douglas Johnson and Steven Metz (1995) 'Civil-military relations in the United States: the state of the debate', *Washington Quarterly*, Winter: 197–213.

Michael C. Desch (1998) 'Soldiers, states, and structures: the end of Cold War and weakening US civilian control', *Armed Forces and Society* 24, Spring.

Kenneth J. Campbell (1998) 'Once burned, twice cautious: explaining the Weinberger-Powell doctrine', *Armed Forces and Society* 24, Spring.

Deborah Avant (1998) 'Conflicting indicators of "crisis" in American civil-military relations', *Armed Forces and Society* 24, Spring.

Douglas L. Bland (1999) 'A unified theory of civil-military relations', *Armed Forces and Society* 26, Fall: 7–26.

Sheila C. Toner (1996) *George Washington: America's First Strategic Leader*. Pennsylvania: US Army War College.

Samuel P. Huntington (1998) *The Soldier and the State: The Theory and Politics of Civil-Military Relations*. The Belknap Press of Harvard University Press.

David Chuter (1997) *Defence Transformation: A Short Guide to the Issues*. King's College Press.

George C. Homans (1992) *The Human Group*. New Brunswick and London: Transaction Publishers.

Wendy Griswold (1994) *Cultures and Societies in a Changing World*. Pine Forge Press.

Michael Howard (1989) *Clausewitz*. Oxford: Oxford University Press.

Tony Kausal, Gertrud Humily, Trevor Taylor and Peter Roller (1999) *A Comparison of the Defence Acquisition Systems of France, United Kingdom, Germany and the United States*. Defence Systems Management College Press, 4–16.

Rebecca Schiff (1995) 'Civil-military relations reconsidered: a theory of concordance', *Armed Forces and Society* 22(1), Fall: 7–24.

- Bob Woodward (1991) *The Commanders*. New York: Simon & Schuster.
- M.E. Ahari (1994) 'America's search for a post-Cold War grand strategy', *European Security*, Vol. 3 (autumn), Frank Cass, London, p. 438.
- Samuel P. Huntington (1998) *The Soldier and the State: The Theory and Politics of Civil-Military Relations*. The Belknap Press of Howard University Press.
- Carl Von Clausewitz (1976) *On War*, ed. & tr. Michael Howard and Peter Paret. Princeton, Princeton University Press.
- David Chuter (1997) *Defence Transformation: A Short Guide to the Issues*. King's College Press.
- Michael Howard (1989) *Clausewitz*. Oxford: Oxford University Press.
- David Jablonsky (1997) 'National power', *Parameters*, US Army War College, Spring: 34–54.
- Edward N. Luttwak (1999) 'From Vietnam to Desert Fox: civil-military relations in modern democracies', *Survival* 41(1), Spring: 99–112.
- Douglas Johnson and Steven Metz (1995) 'Civil-military relations in the United States: the state of the debate', *Washington Quarterly*, Winter: 197–213.
- Michael C. Desch (1998) 'Soldiers, states, and structures: the end of Cold War and weakening US civilian control', *Armed Forces and Society* 24, Spring.
- Kenneth J. Campbell (1998) 'Once burned, twice cautious: explaining the Weinberger-Powell doctrine', *Armed Forces and Society* 24, Spring.
- Deborah Avant (1998) 'Conflicting indicators of "crisis" in American civil-military relations', *Armed Forces and Society* 24, Spring.
- Douglas L. Bland (1999) 'A unified theory of civil-military relations', *Armed Forces and Society* 26, Fall: 7–26.

## CHAPTER FIVE

---

### PROBLEMS OF CIVIL-MILITARY AND INTER-AGENCY COOPERATION

*Velizar Shalamanov*

#### **Introduction**

Security Sector Reform (SSR) is an essential part of transformation of the totalitarian states to democratic ones. Security was the motive, tool and excuse for the Communist Parties to gain complete control of the state, economy and society. As a result the security sector – named armed forces – was extremely large, powerful and secret, under Communist Party control and separated from society, even using all the resources of the society, including young men for 2–3 years.

For the economic transition from state ownership to private ownership is a difficult process. For the security sector (armed forces) transition from Communist Party ownership to society ownership is rather more difficult. In addition it is not only ownership transfer, but missions, structure, equipment, culture and rules (ethos) as well as reintegration with the other sectors of the country.

One of the biggest problems is connected with disintegration of the sector, ‘privatisation’ of some elements of the security sector in the transition period directly or indirectly or keeping the wrong habits of party control of certain elements of the sector.

Most transparent both internally and internationally is the defence reform in the framework of PfP (IPP, PARP) and especially MAP. It is why lessons from defence reform can be implemented to other elements of the security sector with the final goal of reintegration of the sector on the basis of achieving the best mix of balanced reformed elements. SSR in addition to all internal agendas of different elements has the common challenge of civil-military relations (civil oversight and control) and coordination among different elements addressing the integral security matters.



The processes are so large, deep, complex and crucial to overall transformation of the country, the resistance to change is so hard and 'well funded' that the success of the SSR is only possible if clear vision, faith, will and capabilities are available to the political leadership.

In Bulgaria many positive and successful steps were taken in the last 12–13 years – especially the last 4–5 years, but in the same time SSR is far from being finished. It is at the most advanced stage in the area of defence (MoD), but still even there we have a lot of changes to accomplish as in all other elements of the security sector and most of all after that to address security sector integration (reintegration) problem. Something more, effective finalisation of the reform of the different elements of the security sector, is possible only bearing in mind the final goal of an integrated security sector adequate to the current understanding of integral security.

It is very important to use certain methodology in analysis of the SSR, especially focusing on issues of civil-military and inter-agency cooperation, especially for the needs of regional overview and comparison. This approach will give a chance for this type of SEE SSR yearbook effort to succeed and to facilitate the transfer of good practices and avoiding negative ones. The security sector and SSR respectively can be assessed on different levels as:

1. document level;
2. organisational level;
3. systems (capabilities) level;
4. resource management level;
5. and finally on an action level – real implementation of the capabilities in certain situations.

Before analysis of the security sector and its reform there is a need to answer questions about the threats and risks with which we are challenged – what are the problems? are they identified in official documents? and is there a divergence between official and public perceptions of threats and risks to security?

The security sector has to cope with the above threats, trying to prevent threat, neutralise them or if impossible restore normal life after the conflict/damages of threat. Threat has its source – human or natural. The security sector has to provide early warning, shaping the environment and preventive action, rapid response/reaction, full-scale operation if the threat is ‘fully deployed’, after action recovery of the environment as well as, parallel to all these actions, preparation and training for current and future threats.

When the threats are of a human nature (source) security sector has two main comparative advantages – the monopoly to develop/use force and public/ international support. To maintain these two advantages security sector policy has to be very active, especially in ‘non-proliferation and control regimes’ and ‘transparency, accountability and civil control of the security sector’. By the way the same advantages and measures to strengthen them are applicable for threats from natural sources.

It is difficult to cover all aspects of SSR in Bulgaria in such a short paper, so there is a list of other publications that are relevant to the topic at the end of the article. There are many newspaper articles as well as Parliament and government, MoD and Mol documents (even available electronically through Internet). In Bulgaria a NGO/academic sector ‘Coalition for SSR’ was established in 2002 to consolidate the work in the area through periodic progress reports to the Parliament so it is a living process.

It was clear that transformation is needed in the country and the formal start was in late 1989 when the Communist Party decided that it was time to take the lead in changes in order to maintain political control as long as possible and to transform it into economic power. Security sector was the object and to a great extent the subject of the transformation planned by the Communist Party and later by other political players.

There were many reasons (external and domestic) for the SSR in parallel with redefinition of the security needs. Real players in the SSR process had quite different interests and motives as well as the capabilities to do so. It influenced the process and outcomes. Some of the reasons and interests are publicly stated; others are hidden, so they can be assessed only indirectly by analysis of certain actions.

## **Reasons for security sector reform**

There is a set of *external reasons* that for Bulgaria consists of:

- changed security environment after dissolution of the Warsaw Pact, Soviet Union, Yugoslavia, establishing of NACC (EAPC), PfP (MAP), development of SEDM and currently invitation for accession talks with NATO / joint target date for EU membership;
- new security threats proved after 9/11 and influence from Caucasus, Middle East, Former Yugoslavia.

There is a set of *domestics reasons* which for Bulgaria consists of:

- deep political changes connected with democratisation of the country and need to transfer ownership of the security sector from Communist Party (and the same party grown military leadership) to democratically elected Parliament and Government as representatives of the society;
- fundamental economic changes connected with the market economy and respective economisation of the security sector;
- serious change in security perception in society more focused on non-military threats and concerns about funds spent for security in comparison with other public sectors;
- demographic issues (level of education, health, readiness to serve) and need for using security forces for peacetime missions in the country and outside the country in multinational operations.

As a result of the above reasons new definition of the security needs was extremely important, but it was not to happen until 1998/99 (national security concept/Military Doctrine) and even then definition was not comprehensive (full and uncontradictory).

At the same time the process of disintegration of the armed forces of the Warsaw Pact type (perceived as the security sector) was started with attempts to privatise some of the elements of the former State Security Committee by presidential institution, to hide others under the old conservative military leadership of the General Staff (including military intelligence and counterintelligence) and to disperse other former security sector structures among new established national services in the MoI.

Any new risk/threat was used to establish a service without sound coordination among them and a clear legal base. After the national security concept (NSC) and Military Doctrine many specific strategies (to fight organised crime, corruption etc.) were developed but without enough debate, transparency and accountability. A serious attempt at definition of security needs was taken through the Security Council of the Prime Minister, established under NSC. At a multiparty level the Presidential Consultative Council on National Security (established under a separate law according to the Constitution) is a tool for security needs consultations. Introduced in 2000 the practice of annual reports on national security (and on defence and armed forces) developed by the Security Council of the PM and presented by him to Parliament (as well as practice to present the report as a public lecture) is the most serious instrument of definition and debate on security needs, ends and means.

These reasons and the mechanism for security needs definition framed a process of security sector transformation by real political players and their public and hidden agendas.

## **Security Sector Definition**

### **Security Sector Integration Concept**

Defining the security sector requires answering questions about which institutions are assigned to address which risks and threats, and what legal and procedural provisions exist for their interaction and cooperation at the local, national, regional and international (identify institutions) level. Such a network of institutions and their cooperation has to be assessed according to the criteria: does it leave important problems untouched (e.g. corruption)?

In the new Constitution of 1991 the responsibility for security matters was distributed between Parliament, the President, government, judiciary, armed forces and citizens. There is no definition of the security sector as such and practically by default armed forces are considered as a security sector.

The previous communist era content of the armed forces was seriously changed by the consequent Laws on Defence and Armed Forces (LDAF), on Ministry of Interior (LMol), on establishment of state companies to replace transportation troops, construction troops and telecommunications troops, as well as Decrees of the President and Government to establish a National Intelligence Service, National Protection Service, State Agency Civil Protection, registration in the court of new defence companies separated from MoD and Mol, privatisation of defence companies that were in the Ministry of Economy (Industry), restructuring of many commissions and a committee on the military industrial complex and mobilisation readiness, arms trade control and others. In the past armed forces covered all security/defence-related services up to the Central Committee of the BCP and its Politburo, including the State Security Committee, Ministry of Interior Services, Ministry of Defence, troops and services in the Ministry of Regional Development and Construction, Ministry of Transport and Telecommunication, Ministry of Justice and even officers in the Ministry of Education (basic/initial military training) as well as in the defence industry, defence S&T/R&D establishment and Defence Support Organisation (training of future conscripts and training of volunteers).

Currently after the last changes in the legislation the armed forces consist only of the Bulgarian Army (General Staff, Land Forces, AF, Navy) and military services subordinated directly to the Minister (Military Information Service, Military Policy and Counterintelligence Service, Defence Staff College, Military Medical Institute). Provisions of the NSC to establish a System for National Security and to have laws on all different elements of this system (elements of the security sector) have not been fully implemented.

In this transformation of the armed forces (security sector) some elements were lost, others were intentionally closed (but they appeared as private structures – for example, political police in the form of media organisations and private investigation

organisations). With the downsizing and appearance of private security (guard) companies (including insurance companies) and arms trade companies, people from the former armed forces (security sector) with their experience and most of all information files and operative networks were 'privatised'. Some 'economic entities' (special companies) disappeared from the security sector and manifested as private enterprises. Different elements of the former armed forces after separation become capsulated and isolated, focusing on surviving and utilisation of inherited property instead of being an active part of the new community of the security sector. Some of them were demilitarised (mostly on paper) and civilians took the lead in order to establish initial forms of civil control (mostly at the ministerial, agency level).

Currently the need of the Law on National Security to define security as an integral service, the structure of the security sector, its management and civil control is largely recognised. It was stated by the Chairmen of both Commissions (on foreign policy defence and security and on internal security and public order) in Parliament that a multiparty working group with external experts will develop such a law to clarify the provisions of the Constitution in the area of national security and to define the environment for all other functional and institutional laws on different aspects of security and elements of the security sector. Such a law is expected in Spring 2003.

Currently only the National Intelligence Service, the National Protection Service and the State Agency for Civil Protection are not covered by special legislation, but all other elements of the sector and some important functional areas of security are not satisfactory regulated according to the experts.

The current status of the transformation of the security sector is that former Armed Forces are more or less disintegrated, some of the elements are separately reformed, certain areas are covered by more than one element and coverage of some other areas is questionable.

The systems approach with the Defence Reform Study/Defence Reform (NATO Integration) Plan, MoD Organisation Study, C4 Study and others, introduction of Defence Planning Directorate with PPBES as a tool, establishing of Programming and other councils, Chief Information Officer (CIO) and other management tools, is visible

only in the defence establishment. Implementation of the similar approach to other elements of the former Armed Forces and in the new elements of the future security sector of the country is essential. Such an approach can be successful if focused on the next step – integration of the security sector under a new 'business model' of a publicly owned security provider, an integral part of NATO/EU/OSCE/UN security system.

### **Security sector reform as a tool for security sector integration**

The security sector integration (SSI) concept is a key element for the next stage of the SSR. Such a concept is needed to bring together all different definitions of security, security environment, security sector, management of the security sector (including issues transparency, accountability, reporting and performance assessment, civil control and other attributes of the public ownership of the security sector). On the basis of the SSI concept, developed after deep security sector strategic review of second generation of the plans for defence reform, police reform (home affairs), civil protection reform, special services reform, diplomatic service reform, coordination and integration reform (the role of the Security Council and joint committees) should be prepared, discussed publicly and approved by Parliament. With such plans it would be possible for the National Programme for Security Sector Modernisation (SSM), Research and Development (R&D), Science and Technology (S&T), with implications for the national defence industry and through outsourcing and offset mechanisms to the national economy at large, to be approved by Parliament at least for the next ten years plus a forecast for the next ten years with the budget secured.

SSI concept, provided with the SSM programme is the main tool for the successful second generation of SSR and influence through it of the public policy and overall development of the country. SSI and SSM programmes are the basis for regional cooperation and Euroatlantic integration and would be used for Bulgarian contribution to the transformation process of NATO and EU.

The first stage of the SSR was focused on the dismantling of the totalitarian armed forces, part of the Warsaw Pact and dominated by the Communist Party and Soviet Union. These reforms, in the framework of democratisation of the country, cooperation with NATO and EU (WEU), an active role in OSCE and UN as well as regional initiatives

and processes, made the country eligible for NATO and EU membership (NATO accession talks invitation from Prague (November 2002) in 2007 – joint goal for EU membership from Copenhagen (December 2002).

The second phase of the SSR is a triple 'I' process: *integration* inside the ministries/agencies (integrated MoD, MoI, MFA, security services, civil protection etc.); *integration* on a national level (among MFA, MoD, MoI, security services, civil protection etc. with the Security Council and joint committees around); international level *integration* – both Euroatlantic and regional.

SSI concept is developed and supported in three areas: *administration* – work around NS law and re-engineering of a whole bunch of security-related normative documents on its base; *academic sector* – new integrated S&T/R&D community around the Centre of National Security and Defence Research in the Bulgarian Academy of Sciences, as well a new integrated education and training (E&T) around Security Sector Reform Coalition of academic and non-governmental organisations; *society and business* – public debate and awareness projects of the Security Sector Reform Coalition and business associations (to mention Employers Association (EA) and Business Executives for National Security (BENS) Association).

In addition to the content of the SSR the environment of these reforms is crucial. Because we are talking about the process – a long-term process with the need for deep involvement of all the elements of the society – success can be expected only if the environment is supportive and integrated around the content of the reform. Consensus building and management, deepening consensus over more and more details, are a great challenge to the political leadership of all parties and opinion-makers from NGOs, academic and business organisations. The SSR Coalition was established spontaneously around the SSI thinking initiated by the George C. Marshall Association.



## **Analysis of the SSR**

### **Key areas of inter-agency cooperation**

Inter-agency cooperation is developing around the concept which defines to whom security sector elements report, and who intervenes in the case of different types of security problems. It is important to have a balanced structure of the sector, because if there is any asymmetrical development of institutions and lack of these institutions democratic accountability cooperation will evaporate and effectiveness of the security sector actions will be diminished.

Building of structures around results (processes) is only the first step – coordination between different departments in ‘network centric’ administration is another challenge. Coordination cannot be successful if not regulated legally with clear responsibilities of all elements of the security sector vis à vis security needs of the state and distribution of power among elected, politically responsible civilians for decision-making and directing these security sector elements.

The former practice of internal classified instructions, signed by both ministers, is not so effective and if coordination is envisioned to be based only on the orders of uniformed professionals when the security sector is disintegrated and there is hidden competition among the services, this will be a recipe for failure in a critical situation.

In addition to the government which, according to the Constitution, is the main executive coordinating body, an element of the power of the other central coordinating body is the Security Council of the Prime Minister, established by a Decree of the Government under provisions of the National Security Concept. It was one of the biggest achievements of the government of Prime Minister Kostov in the area of security. Currently the council is not being used in an effective way, but many experts believe the National Security Law will introduce clear provisions for the Prime Minister and his Security Council in the area of coordination.

The Consultative Council on National Security under the President is playing a positive role in the area of political consultations on issues of security, but without the direct power to change the situation and to have an operational role.

Many inter-ministerial councils (on NATO integration, on the military industrial complex and mobilisation) are playing a good coordination role, but without a sound legislative base. A proposal of the NGO experts is to establish a clear set of commissions around the Security Council of the Prime Minister to play the constitutional role of government in coordination and management of the national security system.

In addition to this, through security sector strategic review and under the SSI concept the new National Security Law is envisioned to clarify the structure of the security sector. With such additional political public documents as the National Security Strategy, National Military Strategy as well as strategies in other areas of security such as internal security and public order, protection of population and infrastructure, intelligence and counterintelligence, protection of Bulgarian citizens and property abroad, it is hoped to be able to define the ends and means of the security policy, performed under rules of security related legislation.

There are some technical arrangements in progress such as the Air Sovereignty Operation Centre (for both military and civilians to control airspace), the Navy Sovereignty Operation Centre (for both military and civilians to control sea-space), the National (and even regional) Emergency Response Centre (for both military and civilians to control emergency operations as well as a network of situation centres in different ministries and local authority bodies), the National Military Command Centre (NMCC – for national level coordination of all security sector ops related to defence), and future National Intelligence/Counterintelligence centres are envisioned. These projects are improving the level of coordination. One very good practical example is the Joint Transport/Logistics Centre, established to support KFOR transit in Bulgaria.

A good basis for coordination is the process of establishment of a national body for the coordination of R&D, S&T (CNSDR-BAS) and SSR Coalition in the NGO/academic sector to coordinate studies and informal educational programmes in the E&T institutions. Participation in RTO, NC3A, NIAG and other NATO (in future EU) security related structures is considered as a tool for better coordination if these structures can embrace SSI concept and multi-nationality more fully than at present.

The PfP Consortium of Defence Academies and Security Study Institutes and PIMS are used as an effective way to coordinate E&T and study efforts both internationally and internally for the country.

Coordination is still considered by NGO experts as the main challenge and the solution is for more attention to be given to this issue by Parliament and government.

### **Key areas of civil-military relations**

In the past MoD and MoI were regarded as 'states within a state' but step by step they are being transformed into 'normal' ministries, integrated into the government administration with a special element inside – armed forces and national services (police, gendarme, security, counterintelligence and others) – which are built, trained, sustained and conduct different type of operations under strict civilian control and with the participation (without deployment for operations) of many civil agencies and industry.

This process, considered as 'civilianisation' of the MoD/MoI, is connected with rethinking of the role of military/professional servicemen(women) and definition of the role of civilians as well as building of balances in decision-making and resource management area by means of transparency.

A real start of transparency culture development in security sector was made with the public debate on Military Doctrine; the Defence Reform Plan 2004 and Membership Action Plan 2004; the White Paper on Defence and annual reports on national security, defence and the armed forces; the websites of the MoD and MoI; and involvement of NGOs. Academic sector and business, as well as our foreign partners, gave impressive results. Key roles for transparency lie with educated and responsible civilians in the security sector from the top political level down to the middle/low level of administration.

The role of civilians in national security structures is twofold: in the area of policy definition (pure civilian responsibility) and policy implementation (joint work with uniformed professionals to provide an optimal mix of expertise and guarantee effectiveness and transparency).

There are no universal solutions, but certainly there are two groups of factors, balance between which can lead to an adequate level of transparency – one of the main role of civilians in the security sector. The first group (administration, civil society, and business) is a key for many other aspects of democracy, but the second one is more specific (legislation, educated people, and information technologies). As we have a long way to go in reforms the issue of transparency will be on our agenda for long time. It is impossible to change in one day the system of closed security sector culture of only uniformed professionals loyal to the Communist Party to a system that works for society, which is accountable to society through elected civilians, supported by civil servants. Transparency is the most important tool and it can be achieved only through participation of more civilians in the security structures and with division of responsibilities for policy-making and implementation. This division clearly means mostly public political decisions, that are implemented by administration (civil-military) and results are again public with the highest possible level of transparency in the area of budgeting, procurement, personnel policy and even operations.

This approach is a big challenge mostly for civilians. They have to enter a specific area which needs special education and training. For civil servants good career opportunities are the motivation if stability can be achieved for the administration structures (it is important that there should be an effort to improve opportunities through the definition of scope of position in the larger security sector to include MFA, MoD, MoI, civil protection, security services, government, parliamentarian and presidential staff, and local authorities for professionals). For experts in policy development area, close to the elected civilians, stability can be achieved through NGOs, the academic sector and business, as well as development of a solid capacity for political parties internally. Without a certain sense of stability for civilians, comparable to the stability of the uniformed professionals, it will be very difficult to build trust and joint teams. And of course this requires transparency, education and new technologies to support change and provide continuity and stability.

A measure of success for the role of civilians in the national security system is the satisfaction of the society in the security sector and public support for the sector on the one hand and the shape of civil-military relations inside the security sector on the other hand.

Certainly, a serious challenge to the role of civilians in the security sector is the process of democratic rotation of political parties in power and in opposition. Stabilisation of civil servants in administration and think-tank bodies for policy-making/shaping is currently an important task after achieving the first change – introducing civilians to decision-making and implementation of elements of national security system legislatively and practically as well as preparation of the first group of knowledgeable civilians. A solution to the last challenging issue will prove that the system is self-sustainable.

In the above context a major issue is civil-military relations. Currently the normal base for them are the Constitution, the Law on Defence and Armed Forces, the Law on Ministry of Interior, certain aspects of the Law on Administration and National Security Concept, and Military Doctrine. Still there is no consolidated legal base and such a step is envisioned with the development of the National Security Law.

Civil-military relations in the transition period are the most complex criterion of the reform, because they are connected with the development of democracy, the resource management system, transparency of military activity and accountability for maintained military capabilities as well as their implementation in different operations.

The ‘magic formula’ of democratic control of armed forces that provides transparency, cooperation and public support, as well as modern study methods, IT, new type of education, training and research, is to prove that this transition is dependent on the maturity of civil-military relations.

Bulgaria has passed the most difficult test of the ‘first generation’ reforms and has embarked on tasks that would lead to probably not perfect but certainly more mature civil-military relations and democratic control over the whole security sector. The ‘second generation’ reforms in that field are connected with the effective operation of institutions and procedures, the acquisition of shared norms and values of civilians and the military, i.e. the reforms are mostly of an attitudinal character.

Both theoreticians and practitioners of civil-military relations and security sector reform in Bulgaria are of the understanding that any further dealing with these issues are no

longer a matter of philosophic acceptance of the principles of democratic control over the military and security institutions in general, but rather a question of management and effectiveness in that area. Finding the most appropriate style and mechanism of effectively delegating authority and responsibility, needed for the implementation of policy goals and of efficient decision-making by civilians and security sector servicemen, constitutes the essence of the concept of 'good governance' of civil-military relations and security sector reform. The experience of the last 10–13 years in Bulgaria proved that tensions in the sphere of civil-military relations loomed not only because of opposition by the military or the security institutions to the dominance of the political masters, but due to the inadequate knowledge by the politicians of how to use their power in the most appropriate way.

It has become most obvious to everybody that the proper management of the delegation of authority and responsibility – issues that are almost exclusively in the domain of the civilian political leaders – is the real issue at stake that needs to be treated to improve the quality of democratic control over the military and the security sector in general.

This is why the concept of 'good governance' of the security sector has turned, probably not very willingly for some politicians, into a crucial issue of the country's system of democratic management. In our understanding it includes the following elements: first, the establishment of an effective national-security policy decision-making and implementation process and its respective bureaucratic structures and institutions, including defence, intelligence, counterintelligence, gendarmes, border guards, police and troops for fighting organised criminality; secondly, parliamentary overseeing of the security sector, including the armed forces and defence policy; thirdly, the contribution to democratic governance of the security sector by civil society through its expert institutions and individuals.

The parallel process of returning more decision-making power in resource and structural matters and initiative in even the political area of normative regulation of the security sector by uniformed professionals started in the MoD with Minister Noev and was clearly visible with relations between Minister Svinarov and Chief of General Staff General Kolev (with former Chief of General Staff Gen. Mihov, with the same rank on active duty in MoD, serving as secretary to the President and other former Chief of General Staff

and Directors of National Intelligence members of the Parliament) and is a serious step back in civil-military relations. There is a similar situation in MoI with relations between Minister Petkanov and Chief Secretary Gen. Borisov.

This is evident in the official statement of the Chief of General Staff that the Minister of Defence is subject only to the civil control of the President, Parliament and Government respectfully, and their authority is to be responsible for the status of the armed forces and to provide money for the General Staff, but not to interfere with the internal decisions of building and management of the Armed Forces, which is the 'professional' responsibility of the military, including resource management and even procurement. Having in MoD and MoI a second centre of power, non-transparent and unaccountable publicly and politically is eroding civil-military relations and the basis for effective civil control according to democratic standards.

The real test for civil-military relations and civilian control is the level of implementation of the PPBES in the security sector and role of the civilians – including administration and Parliament in this system. The role of civilians in the professional security sector education system is another important test and currently subordination of the Defence Staff College to the Minister is a powerful tool if used properly. Direct subordination of the security services to politically responsible civilians is something that has been achieved in the MoD, but not in the case of the MoI and, in certain respects, in the President's office.

### **Assessment of the current state of the SSR**

The question 'Is security sector reform successful?' can be answered in the best way after analysis of the real actions of the sector in resolving real security problems. There are different opinions, but really objectively the progress in defence reform is most transparent and visible because of the international dimension connected with the NATO integration process (PfP, PARP, MAP and the current kind of NATO integration programme after invitation). A real integrated action plan for an integrated security sector is now needed and there are currently discussions about Strategic Defence Review and New National Security Law.

## **Security sector in action**

SSR should not only to respond to the new realities by downsizing, transfer of ownership, restructuring and reintegration of the security sector, but it should mainly have realistic capabilities of performing an active security policy. This policy was developed through the national security concept, Military Doctrine and many decisions of Parliament and government based on the formula of 'security through cooperation and integration, active actions to shape the security environment and respond to current threats with available capabilities as effective use of resources to build new capabilities, adequate to the future threats and responsibilities'. So action of the security sector is an important part and measure of the SSR.

## **Security through Cooperation and Integration**

This element of the actions of the security sector is evident through regional cooperation in SEE (SEEDM, SEEGROUP, Stability Pact, 2+2 cooperation) and Black Sea (BlackSeaFor) as well as through progress in NATO and EU integration. The active role of Bulgaria as temporary member of the Security Council of the UN and its upcoming chairmanship of OSCE is an important dimension of this action aspect of the SSR. Shaping the environment and preparing for the future is performed through these cooperation and integration processes, but with reliance on internal resources and on the comparative advantages of the Bulgarian security sector.

A big challenge for the country is future NATO membership and the role Bulgaria will play in the Alliance, including through the PfP Programme in SEE, Caucasus and Central Asia as well as in the Mediterranean and Middle East.

## **Crisis Management**

The Bulgarian security sector was confronted with crisis situations in the early 90s related to the Bulgarian Parliament and Building of the Central Committee of the Communist Party that were managed successfully. Its behaviour during the Gulf Crisis was adequate and favourable to Bulgaria. The last crisis in Parliament in early 1997 was the great examination over the maturity of the internal security forces. The political, military and internal security dimensions of the security sector were all tested not only during the Kosovo crisis, but also when there were fires and earthquakes in 1999, as



well as after critical situations in Serbia and Macedonia in 2000/2001. Currently the MFA was very successful in supporting Bulgarian citizens in trouble abroad.

There are many documents – decrees of the President and government to regulate crisis management, but the only available comprehensive document was approved by the Security Council of the Prime Minister in the 1999 Concept of Crisis Management. Since 1999 many attempts were made to prepare and pass in Parliament a Law on Crisis Management without success.

Nevertheless according to the existing concept and old decrees with internal instructions, teams and arrangements for crisis management are established in MFA, Mol, MoD, State Agency 'Civil Protection' (and the Permanent Commission on the Protection of the Population from Disasters and Catastrophes, chaired by a member of the Government), other ministries and local authority bodies.

The Bulgarian leadership in SEE under SEEDM (CMEP) and Stability Pact (DPPI) is very positive about introducing a Regional Council on Emergency Management, Regional Centre for Emergency Management and an information network and pool of teams and resources.

Another attractive example is the experience of the National Service Gendarmerie, which is the specific force in Mol between the military force and police force, adapted to Bulgarian traditions and current/future needs of crisis management in a NATO/EU operations context.

### **Peacekeeping**

Practical experience was gained through UNTAC in the 1992–93 mission with infantry battalion and military observers, after which the national concept for participation in PKO was elaborated in 1994, but not approved at governmental and parliamentary level. Bulgaria has experience with military observers and staff in Tajikistan, Angola, Eritrea and other missions. A special course in the Defence Staff College was established to train officers and sections of the General Staff to manage the process.

Currently Bulgaria participates in SFOR, KFOR, ISAF not only with military units, but police contingent (KFOR) as well. We competed for deploying an infantry battalion in Cyprus. Bulgarian citizens work in OSCE missions and UN peacekeeping structures. Under PfP/MAP as Partnership Goal there is a reasonable Bulgarian contribution declared for NATO-led PKO (total strength of 1650 persons) and a PKO package is declared for EU-led operations.

Logistic support for PKO (including medical) is well known to our partners in KFOR. Bulgaria provided support to both ops in the Gulf (1990/91) and in Afghanistan (2001/02).

Currently further steps are taken to define Bulgarian specialisation, enlarge Bulgarian contribution from both MoD and MoI as well as from State Agency 'Civil Protection'. The Bulgarian contribution to NATO Rapid Response Forces is discussed publicly as well as improvement of our participation in SEEBRIG, BLACKSEAFOR and building other combined units in the region.

### **Periodisation and content of the defence reform**

The transition from armed forces, that used to be part of the Warsaw Pact military machine, designed and controlled by Moscow, to a new type of armed forces capable of responding adequately to the new reality, is a serious challenge to the post-communist militaries. This new type of armed forces has to be governed by the principles of democratic civilian control and be part of a larger international security system. In addition to national defence, they have to perform a number of new tasks related to early warning, crisis prevention and management through military operations other than war (MOOTW) performed by combined joint task forces (CJTF).

The transition of post-communist armed forces is a process, running parallel to the transition to democracy, market economy and the rule of law in the respective countries.

In some aspects, the military transition is better to be considered in the larger context of the reform of the security sector, including reform of secret services, internal security and civil protection. On the one hand, this area is considered as a sector that is well

organised and easy to control, but on the other hand, the establishment of democratic control is difficult for a number of reasons. Practically speaking, key elements of the process include political guidance and civilian control, introduction of modern management and information technologies (including PPBS-type of planning) and intensive education and training combined with a smart personnel policy. The attempts to assign the responsibility of transition to purely military organisations (for example the General Staff of the respective military force) were mostly unsuccessful.

There are many lessons learned, and they can be arranged in three levels:

1. redefinition of security and defence: from block confrontation to security and defence through cooperation and integration;
2. redefinition of the role of the civilians and military in the state – to provide security and defence and to support development of the country and its cooperation, the integration in the democratic, market-oriented community of prosperous states;
3. and on the basis of the previous two – to define the scope and depth of defence reform to support the national objectives.

It is convenient, that this experience is well documented in a series of official security and defence-related documents and, more importantly, in accounts of many studies performed by international teams, in itself a dimension of transparency. Study results and methodologies were often directly included in the education and training processes.

And yet, this process is a 'two-way street' issue. There are some initiatives from Western countries, started as common to all militaries in transition, but later adjusted to each country on the basis of its particular experience, the latter being the most important factor for success. Therefore, the intention is to analyse not the Western, but our part of the transition efforts and to stress the fact that they are a national responsibility, based on national resources, including human ones.

In the period up to the end of 1998 the changes that were made were initially mostly cosmetic: a camouflage approach was taken to the armed forces by the General Staff,

limited by a shrinking budget (but available resources in the logistics bases), decreasing number of conscripts and term of service of conscripts, lack of competence and interest from civilians in Parliament, government and society. The armed forces were becoming hollow structures with a totally distorted officer pyramid, lack of competent NCOs, untrained conscripts, low readiness of equipment. Even Plan 2010 from 1998 after the clear political decision to join NATO was for Warsaw Pact/Cold War type armed forces with maybe ten times less resources than needed for maintaining the structure and envisioned equipment.

At the end of 1998 it became clear that reform was needed not simply of the armed forces but also of the defence establishment for a rather different type of defence and security at large. The following is a description of the main elements of this defence reform known in Bulgaria as Plan 2004 Reform. At the last moment because of 'tactical' reasons and with the excuse of the classification of the armed forces part of the Plan 2004, it was split into two parts: public (for the defence establishment at large) and classified (for the armed forces themselves). Because of the will of civilian leadership in the MoD and the personal involvement of Prime Minister Kostov and parliamentarians, most of the parameters even of the classified part were made public through debate on a White Paper on defence and annual reports on national security as well as some international transparency initiatives in the region initiated by MoD.

These lessons of the period after 1998 included:

1. the crucial role of political guidance, will and control;
2. requirement to delegate decision-making authority and control, and maintain a high level of transparency and involvement of civil-society and business;
3. the key role of programming in linking results to resources within an adequate time frame;
4. the essential role of the new information technologies – communications, computers and decision support tools, as well as R&D in all defence reform related areas;

5. the critical role of education, training and personnel policy – to select and motivate the right people;
6. the importance of the ownership of the processes by the right level of people;
7. the decisive role of progress reports to control the process and gain support and motivation.

### **Defence Establishment Reform**

There was no defence law during the Communist period. In the transition period there was a reluctance to accomplish real change in this area. In comparison with the period of the beginning of the third Bulgarian state of 1878 when practically every year was an improvement of the defence/armed forces legislation, as a main element of new state building for the transition period the first Defence Law was approved in 1995. As a matter of fact this law was to strengthen legally the role of the General Staff and to institutionalise the position of the Chief of the General Staff.

In this period up to April 1999 (approval of the first Bulgarian Military Doctrine) there was a lack of consistent policy formulation at the parliamentary level, or sound planning on this basis. There were no realistic programmes for restructuring, downsizing or modernisation, and the budget was 'impossible'. In the programmes of the political parties there were no clear provisions for defence reform. For the first time in the political arena NATO membership was seriously promoted to a political priority during the election campaign of President Stoyanov in late 1996 (the statement of the MP Passy, currently Foreign Minister, in the Parliament in 1990 did not have the political significance to provoke defence reform).

In this period armies were formally transformed into corps and divisions (most of them) in brigades, regiments in brigades or battalions. Two AD divisions were transformed into AS corps and tactical aviation corps was established to replace mixed aviation corps. Practically, with this changes some air regiments were transformed into air bases with brigade rank, the General Staff was seriously enlarged (to about ten divisions and nine separate departments) with more than four deputy chiefs at a certain period. At the

outset there were a limited number of combat-ready companies, ships or air crafts, not to mention battalions or brigades.

In late 1998 it was clear that without a serious change in the MoD, the personal involvement of the Prime Minister and sound parliamentary and presidential support as well as close cooperation with foreign experts 'the rusty wheel of the defence reform would not move'. Starting in November 1998 a defence reform team was formed to perform a defence reform study (with the participation of Gen. Kievenaar [US] study group and Gen. MacKenzie [UK] principal advisor to the Minister, Prime Minister and President – both later decorated by the President). The study was based on modelling with Defence Resource Management Model (DRMM) over more than 100 variants of the armed forces and defence establishment developed by different alternative teams. Results were processed by seven working groups and the final result was a new Military Doctrine and Guidance for the Defence Reform Plan/Membership Action Plan 2004.

In the process of the Defence Reform Plan/Membership Action Plan development to October 1999 a set of legal and organisational changes were made by amendments in the laws and decrees of the government and President.

As a result, in addition to the reform/membership plans, the Bulgarian defence establishment was transformed through:

- establishing of Defence Planning Directorate in MoD on the basis of Defence Reform team;
- establishing of Programming, Integration and later Modernisation Councils in MoD as civil military consultative structures led by deputy minister and deputy chief of General Staff;
- system for planning, programming and budgeting was established under Programming Council supported by Defence Planning Directorate;
- military education system was transformed as Defence Staff College was subordinated to the Minister by decision of the Parliament with new structure

(National Security and Defence Faculty, Command Staff Faculty, Interoperability Faculty, Advanced Defence Research Institute, Military History Centre and Museum) and four service academies were transformed into one National Military University under General Staff, supported by training bases of the services;

- separate Euroatlantic Directorate was formed (with Situation Centre) to manage integration process and support the Integration Council;
- four Executive Agencies were established for infrastructure management, military clubs and information activity management, for recreation base management and for testing and measurement support of the procurement;
- system for social adaptation (resettlement) was established with four regional centres and a set of framework agreements to cooperate with NGO, business and other institutions;
- all economic activities (including farms, repair and maintenance, construction, clothes and shoes production, population defence training and others) were organised in trade companies outside MoD and some of them opened for privatisation;
- outsourcing was established as a principle in Military Doctrine and practice in MoD activity;
- new model of officer, NCO and professional soldiers career was established with a manual approved with the decree of the government;
- for RMA issues special studies were initiated in the area of C4ISR, AD, PKO and a specialised Interoperability Faculty was established in 1999; a Modernisation Study was negotiated with the US for 2001 and a large programme of foreign military consultants was approved by the Defence Council, later implemented with the support of the US, UK, France, Germany, Netherlands, Italy, Greece;

- an institution of the Chief Information Officer (CIO) was established to manage information technologies implementation in the defence establishment;
- special effort was made in the framework of defence planning and integration process to develop a universal task list and list of defence capabilities as well as 'pillars of defence' for structuring the armed forces around these pillars in production of needed capabilities to form mission capabilities packages;
- an attempt was made to transfer PPBS and other management practices (CIO) to other elements of the security sector through inter-ministerial bodies.

### **Armed Forces Reform**

As result of the overall defence establishment reform armed forces received clear missions. Many elements such as strategic intelligence, counterintelligence, military police, military hospitals, Defence Staff College were transferred to the Minister.

All joint activities were united in central commands as Logistics Command, CIS Command and National Military University (which can be extended to E&T Command). Even SOF were consolidated into joint command, but later under pressure of generals this command was transferred to Land Forces.

Land Forces were consolidated into one Operational Forces Corps and two regional reserve commands (East and West).

The Air Force was consolidated into one AD and one TA command at the division level. The Navy has been gradually consolidated into two main naval bases – Varna and Burgas for the North and South zones and with NSOC it can be further consolidated.

There is a good understanding of further cooperation with neighbours – NATO allies to strengthen cooperation in AD, navies, emergency management, and peacekeeping forces.

With such a restructuring of peacetime forces to the level of 45,000 and wartime strength of 100,000 a serious reduction of the arsenals has been made as well as of the logistical



infrastructure. Still there is a need for deeper understanding of the role of outsourcing for Logistics and CIS Commands.

The specialisation process is twofold – one direction is to choose areas in what we already have present in international operations – engineers, NBS troops, logistics and at the same time to look for high intensity combat troops as SOF and gendarme type units with combat and transport helicopters support.. Medical teams and emergency management teams are other areas of interest for the Bulgarian contribution. CIMIC officers and special intelligence services are considered as possible interest for our allies.

A serious issue for armed forces reform is the selection of military and dual use infrastructure to support forces – Bulgarian and NATO on our territory.

According to the last amendments of the Military Doctrine the Bulgarian armed forces should be fully professionalised not later than 2010, and thinking is going on as to how to accomplish this earlier. A serious programme has not yet been prepared and this is an issue together with the new system of reservists and ambitious ideas for a National Guard of professionals and volunteers outside the armed forces (part of regional administration).

Currently the armed forces are about 60,000 (in 2002 year about 7000 were released and in 2003 not less than the same figure will have left the service).

Still there is a lack of good organisation for base closure and excess equipment utilisation. Status of the equipment in TOE of the units is not at an adequate level of readiness and with limited resources for training reduces the level of preparation of units. The short term of service for conscripts – 6–9 months – is not enough for training of combat/technical specialties.

There are good training ranges that are already used not only by Bulgarian forces, but under contract by French, Italian, UK and US troops. All field and CP and CAX exercises of the SEEBRIG were on these training ranges. There is a unique testing range for all

type of munitions (in the mountains in the centre of the country) and a special training range for live firing of SA missiles (on the Black Sea coast).

There is extensive experience and lessons learnt from armed forces transformation and the Interoperability Faculty in Defence Staff College is specially tasked to analyse not only national but international experience in order to improve training.

There is a well understood need to finalise what was planned in 1999 and rationalisation of all that has been accomplished in the light of the integration process in NATO and the EU. In this sense it is crucial that a strategic defence review be proposed and a new round of force structure review be conducted by a joint civil-military team, in the larger context of security sector integration and new security environment after the dramatic changes in 2001–02.

The real challenge now is to include in the strategic review not only MoD, but the whole security sector (MoD, Mol, State Agency Civil Protection, elements of MoJ, MoF, MFA and other ministries and agencies).

### **Environment of security sector reform – civil-military relations and coordination aspects**

What we can mention as a common remark is that in Bulgaria there is very active participation from all respective elements of the environment and security sector elements themselves. We will especially mention shortly a profile of participation of the Parliament, President, government, academic sector, NGO, media, business and international dimension. Elements of the security sector – the Bulgarian Armed Forces (and their General Staff), national services in Mol, Civil Protection Agency, national services for intelligence and VIP protection (under the President) – as well as some elements in MFA, Ministry of Transportation and Telecommunication, Ministry of Regional Development and Construction, Ministry of Justice, Ministry of Finance and Judiciary are very active and it raises the problem of civilian control of the above-mentioned subjects of this control (civil-military relations) and coordination among all these elements under the leadership of elected representatives of society and control of other civil society representatives.

Up to 1997/98 there was no public conceptual document on the security sector, but instead some important normative documents such as the Constitution (1991), Law on Defence and Armed Forces (1995) and Law on Ministry of Interior. Starting with the approval by the Parliament National Security Concept (1998) and Military Doctrine (1999) a substantial public debate on SSR was started and the environment of these reforms has matured.

The following is Bulgarian understanding of the SSR environment and examples of its dynamics.

### **Parliament**

There is an ultimate need for Parliament, with certain declarations, approval of a set of normative and political documents, to set up a clear vision about security and defence (security environment, security sector, its management and control).

These documents have to be public, largely discussed and public support be achieved. Informed decisions and public support can only be based on multivariant analysis of the possible alternatives.

To be successful in the transition there is a need for balance between civilians and the military in the defence establishment and the involvement of the Prime Minister, President, members of the Parliament and society through other representative organisations on everyday basis.

Parliamentarian commissions (foreign policy, defence and security; internal security and public order) are essential, because they give the opportunity to discuss and consult on security and defence matters on a multiparty basis. Consensus building at a political level is extremely important in this area.

### **President**

The main tools of the president are: his Constitutional authority to represent the state in international relations; his Constitutional position as Supreme Commander-in-Chief of the Armed Forces; his Chairmanship of the Consultative Council of National Security

(established under separate law according to the Constitution); his authority to sign all laws approved by Parliament before their publication in the state newspaper for introduction in action. Additionally the President has under his authority according to the decree the national intelligence service and national VIP protection service, and can establish consultative (advisory) bodies (both as part of the presidential administration or on a volunteer basis) as he did in having four secretaries for foreign policy, national security, defence and armed forces with their staff as well as public council on Euroatlantic integration. He participates with his representative in the meetings of the Security Council of the Prime Minister, can address the Parliament (in plenary sessions) and society (through national media).

Historically the first President Petar Mladenov failed to fulfil one of his responsibilities to maintain a crisis situation and resigned because of that; the second President Jelyu Jeleu was very supportive to Euroatlantic integration and even during socialist government motivated Bulgarian participation in PfP Programme. President Stoyanov was the first to place NATO integration as a key element of his election campaign in 1996, and during transition the government assigned by him (according to the Constitution) Bulgaria applied for NATO membership, established an Interministerial Committee on NATO Integration with the first NATO Integration Programme. Stoyanov was very successful in managing the crisis in early 1997 when transition from a socialist government through free elections to a second UDF government was accomplished. Another positive example was leadership during the Kosovo Crisis, but vis à vis defence reform and intelligence reform lack of mutual understanding with the Prime Minister Kostov and 'generals games' caused the postponement of some important steps.

The current President (former leader of Bulgarian Socialist Party – former communists) maintains a good balance, which he has stated very positively with a public lecture on foreign policy priorities, but is not 'productive' enough as the previous one in initiatives and vision. During the upcoming next phase of SSR, relations with the General Staff and intelligence services will be a big test for the President.

## **Government**

The Council of Ministers has the primary responsibility in the area of National Security. For the first time Prime Minister Philip Dimitrov (UDF) introduced a civilian minister of

defence and a real civilian minister of interior. An attempt at defence and security sector reform was made, but there were many other priorities for the country and the period in office of about one year was not enough. The next two defence ministers were not really civilians and reforms were cosmetic ones with the full dominance of the General Staff and a lack of civilian defence expertise in administration.

Prime ministers were not interested in defence and SSR at all. A crucial point in SSR was the election of the UDF Government of Prime Minister Kostov and Defence Minister Ananiev in the context of good cooperation with the Parliament, President, clear Euroatlantic integration priority and improved civilian capacity as well as effective international cooperation. A step back was made with the appointment of Ambassador Noev (former deputy minister in the most criticised Bulgarian government of Prime Minister Berov and transition government minister of defence before elections won by BSP, head of Bulgarian NATO mission during the term of government of socialist Prime Minister Videnov).

The current government capacity in SSR is limited because of a lack of vision and experience, restored dominance of the military and 'professionals' in the MoD and MoI, lack of involvement of the Prime Minister Saxcoburgotsky and a new cycle of the 'generals game' with the socialist President Parvanov. It is important to mention that there are good intentions in the MoD and MoI, but some scandals – e.g. missiles destruction, MiG-29 modernisation, force structure review, defence law, TEREM arms deals, changes in key deputy ministers and directors, phone-tapping of politicians and journalists, advancing of organised crime and grey economy bosses and others – are not giving positive expectations. A high level of reliance on NATO guidance and a passive attitude to the national responsibilities of developing the Bulgarian security sector to the highest possible standards for the benefit of society and effective NATO membership (EU, OSCE, UN membership and regional substantial contribution) is another concern for the experts of the SSR coalition expressed in many public events and reports.

Even in this situation because of the active foreign policy performed by the Prime Minister, Foreign Minister Passy and the positive role of the Chairman of the Foreign Policy, Defence and Security Commission Ilchev (as well as internal security and public

order commission chairman Donchev) and mainly because of the strong base established by the team of Prime Minister Kostov (Foreign Minister Mihailova and Defence Minister Ananiev), supported by the President Stoyanov in 1999, Bulgaria was invited for accession talks with NATO in Prague (November 2002).

The way to overcome some of the embedded shortcomings of the current situation in governance of the security sector is to strengthen the role of joint committees and to increase cooperation with the academic/NGO sector and business on the basis of transparency, accountability and clear responsibility.

*Inter-ministerial coordination bodies* – Because security sector and even defence alone are the responsibility of the Prime Minister and Government as a whole coordination among government agencies is essential. The Security Council of the Prime Minister and Inter-ministerial Committee on NATO integration are playing an important role in defence management if established as the result of oriented bodies under clear regulation and strong administrative support.

*Civil-military councils and committees* – This is an important tool to strengthen mutual understanding and confidence as well as to share expertise to mutual benefit. Examples are Programming, Integration and Modernisation Council in Bulgarian MoD. There are proposals to have some joint committees in these areas for the security sector as a whole. In addition different types of political-military steering committees established, for example, on a bilateral basis or in the framework of SEEDM as well as participation in NATO, EU, OSCE, UN working bodies will improve the government environment.

A current challenge in the area of administration is the establishment of the Integrated Ministry of Defence and Integrated Ministry of Interior.

## **Business**

There are two steps in the economic aspects of defence reform – the first is to separate from the MoD, Mol and other ministries all activities and institutions that are not military but economic ones. The second is to strengthen the practice of outsourcing of all non-military activities on a competition base. Under this policy separation from the Ministry of Defence of:

- construction, production, repair (overhaul) and maintenance units – transformed in trade companies;
  - civil protection units – transformed in Civil Protection State Agency;
  - all farms – rearing pigs, cows, chickens, sheep etc. – transformed in trade companies,
- was accomplished in 1998-2001.

There were transportation troops (as well as a small number of communications troops) in the Ministry of Transportation and Communications transformed into a state company as well as construction troops in the Ministry of Regional Development and Construction also transformed into a state company.

The practice of outsourcing services is introduced in the area of logistic support and especially catering, facilities support etc. It is one of the important steps in strengthening public–private partnership in defence matters if forming business associations to cooperate with state institutions in the area of national security and defence. A good example from Bulgaria is the activation of business executives for the National Security Association, provoked by the study of *Economic Benefits from Bulgarian Membership in NATO* presented during the Vilnius Group Summit in Sofia, October 2001. There is another, even older but narrower example with the Sofia and Varna chapters of the Armed Forces Communications and Electronics Association – AFCEA Int. which created in coordination with other NGOs an excellent environment for C4ISR projects. As a result a joint effort between academia, NGOs, industry and administration generated the Bulgarian Action Plan of Building Modern C4IASR Infrastructure for the Security Sector – Bulgarian Security Sector Information Network.

The role of business in *social adaptation* is increasing in cooperation with NGOs and academic institutions, supported by international organisations as well. This is a special case because of the importance of the problem and high priority given to this issue in the Military Doctrine. Again we can provide a good example for solution of the problem on a normative, organisational and cooperation level. There are set of agreements signed between the MoD, NGO, Employers Association, International institutions such as the Stability Pact/World Bank and on a bilateral international level that create an

environment for pursuing successful solutions. The MoD established a special network of social adaptation centres to facilitate the process. Initiatives of retired officers and NCO associations are welcome to cooperate with this network.

### **Academic Sector**

Currently with the reduction of R&D capacity of the MoD and the defence industry there is a natural way to involve by outsourcing the academic sector in technical areas (supporting acquisition, modernisation and utilisation plans) and with different studies (including Strategic Defence Review, White Paper efforts and others). Issues of education and training of security area specialists and dual use areas require more humanitarian and technical academic institutions to be involved. Framework agreements and joint committees established between MoD and many academic institutions and between academic institutions and defence industry companies are good examples for Bulgaria. The Bulgarian Academy of Sciences (BAS) as a leading academic institution established the Centre for National Security and Defence Research (CNSDR-BAS) in order to coordinate these efforts in cooperation with the Parliament, President's office, government, security sector ministries and agencies, industry and other academic institutions (universities).

### **Media**

There are some specialised media – newspaper of the MoD, MoI, military journals, and currently there are efforts to establish a type of military TV etc. In addition there are special sectors in the national media (radio and TV) and specialised journalists in practically all printed and electronic media. In addition to the professional journalists there is an increasing number of publications and other contributions made by academic sector and NGO representatives. Normally SSR related events are present in the news. Very active and professional in these area is Mediapool.bg web news agency. In the executive agency 'Military Clubs and Information' in the MoD there is a good analysis of all printed media coverage on defence issues, which if made public will improve the environment.

In the last year of expecting NATO invitation some good attempts were made to produce movies for SSR and mostly defence reform.



Journalists are regularly invited to press conferences, exercises, demonstrations and other events of the security sector. According to the Administration Law every minister/chairman of the Agency has a speaker and press (PR) office and website, and annual reports are prepared.

Most of the media are private (although there are Bulgarian national radio and national TV stations that are considered public media); there are some party newspapers and well developed regional press and cable. The feeling in society is that the main newspapers and some of the electronic media are free but not democratic with the monopolistic presence of certain private economic and political interests and manipulative articles/commentaries.

Still there is not enough coverage of SSR in international media and exchange of news between countries in the region.

Great potential in improving situation is envisaged through NGO/academic projects to present monthly and in cases of need through express publications printed and electronic versions of *Security Watch* and *Security Sector Reform Focus* editions under the project of the SSR Coalition.

### **Civil Society/NGO**

There is a lot of experience already gained in NGO-MoD cooperation in the area of organising public discussion and debate on defence policy, defence reform, modernisation as well as practical participation of NGO in the resettlement of released military and information campaigns. Very interesting is the role of unions of retired military, veterans, alumni associations, youth organisations. A good example is the step taken in the MoD and MFA to coordinate all these relations by a special cell established in PR directorates. With approval of the Charter for Cooperation between Public Power and NGOs by Bulgarian Parliament scheduled for 2002/2003 there will be even more space for the NGO role.

Currently there are *two main projects* in progress developed by the SSR Coalition of NGOs: Readiness Report for Joining NATO (which will be transformed into a capabilities contribution report) and NATO Integration Programme (NIP, which will be used to

develop a set of action plans on different aspects of the integration process). Many round tables were organised on different issues of security and defence policy, modernisation, role of C4ISR projects, participation in international ops etc.

The Readiness Report for Joining NATO is based on *NATO Membership Readiness Indicator* developed for the meeting of the Vilnius-10 Presidents 05.10.2001 in Sofia. After that regular reports were ordered by the Parliament and open hearings were organised with the participation of members of Parliament, government, civil society and the media. The NIP project is ordered by the Government, supported by the Open Society Foundation – Sofia. SSR Coalition sent a Memorandum to the President, Prime Minister, Parliamentarian Commissions Chairmen and both ministers (MoD and MFA) to organise a hearing for the ratification and integration process. A special meeting of the National Security Consultative Council of the President is scheduled as well.

A parallel project on the transparency of the defence policy, budgeting and procurement, together with another project about the challenges after Prague, will be started to support public awareness on SSR and NATO integration issues.

The *case to mention* here is that of the development of the Modernisation Plan 2015. This Plan was based on a joint Bulgarian–US Study, supported with some joint Bulgarian–UK, Bulgarian–NATO, Bulgarian–French, Bulgarian–German studies, but at the same time there was a contract between MoD and CNSDR-BAS to provide science and technology support to the Plan. Currently in further detailing of the Plan a set of projects (about 30) are being performed by CNSDR-BAS for the MoD with special attention to the five priority modernisation projects as well as strategy for the development of TEREM SHC.

Of course responsibility is to the MoD, Government and Parliament, but through CNSDR-BAS other academic institutions – Bulgarian universities, not only BAS institutes and laboratories – were involved. In the framework of the agreement between BAS and TEREM SHC, step by step involvement of the academic community and NGO is taken seriously by the industry as well. Including in this list international defence projects in which BAS is involved, a real network is has been established in support of modernisation on an international basis.

## **International Dimension**

There are different aspects of the international dimension. What is important to mention is that this element of the environment is secondary to internal elements. If there is not enough internal power and dynamics in the environment, international influence cannot generate positive results. It means that these factors have to build internal capacity and to shape the environment through these internal elements which have to be powerful enough to generate progress with local ownership. Parallel work and coordination between administration, business, NGO (academic) is essential. The following are some specific areas.

*Role of studies* – Well planned and prepared studies are powerful tools to build integrated teams (civilian and military, national representatives with foreign experts) in key priority areas and to prepare deep analyses and strategies/plans. A good example is the Defence Reform Study (for Bulgaria with Gen. Kievenaar and Gen. McKenzie), C4 Study, AD Study, Modernisation Study, Study on Organisation of MoD/Democratic Control of Armed Forces etc. These studies for Bulgaria were used for example to develop Military Doctrine, to form the Defence Planning Directorate, Armament Policy Directorate, to establish CIO institution and to start many other initiatives including the development of the Reform Plan 2004, establishing the National Military University, Advanced Defence Research Institute, Situation Centre, Transparency Building Centre etc.

*Role of foreign consultants and outreach programmes* – In many cases if well integrated in national structures and bodies these elements can facilitate implementation of good practices, team building and team training as well as enrich transparency and accountability. At the same time it can provoke generation of more resources for priority areas. Excellent example is the work of three British, German, French, Italian and Greek consultants in Bulgarian MoD as well US MLT (plus PfP coordinating and FMF coordinating officer – US embassy employed persons). Coordination among them on the basis of Interoperability faculty and Defence Planning Directorate gave very good results. At the same time for countries that will be invited to join NATO in Prague the next challenge is to provide such a consultant to other PfP nations and step by step to relay more on domestic expertise for internal reforms.

*Role of international organisations (incl. regional cooperation and integration)* – involvement in international activity through the UN, OSCE, NATO, EU, Stability Pact and other organisations and treaties as well as intensive regional cooperation leading to the establishment of working groups and other bodies for planning and coordination that strengthens civil-military relations, cooperation with other ministries and generates a lot of administrative capacity based on experience of the international organisations. There is a special role played by international NGO – for example, the Geneva Centre for Democratic Control of Armed Forces, CESS and many others which facilitate organisation and implementation of initiatives in the area of defence management.

## **Conclusion**

SSR in Bulgaria has achieved its first goal – to start well-planned restructuring and downsizing under publicly approved documents, to generate a set of real combat-ready units for national defence, participation in PKO and to receive an invitation to join NATO. The second phase is to finalise all that was postponed because of the military leadership and the conservative part of population with the words ‘we know what and how to do it, but let them invite us first’ and to proceed with an integrated security sector strategic review that will bring us to NATO Integration Programme harmonised with national particularities and NATO transformation process. The SSR Handbook, covering different areas and mechanisms of the SSR, plus a definition of the roles of different players in the environment, will facilitate development of the SSR Action Plan on a larger scale – nationally, regionally and in the NATO/PfP context. SSR without a clear plan and set of long-term programmes will never happen in an effective way.

An SSR assessment methodology that can produce a SSR Progress Report is the other tool for reform management. Without permanent assessment and periodic progress reporting SSR will not take place at all.

SSR is for society and if society is not involved SSR will never be adequate for society’s needs. There are two main competitive advantages of the security sector vis à vis organised crime, terrorism and other security threats – (a) the monopoly to develop and use force and (b) public and international support. The first one is questionable with modern technologies and control regimes, the second is no less a challenge to the

leadership of the security sector. Civil society is one of the key elements in strengthening the two advantages of the security sector if involved in Action Plan development and assessment/progress reporting process.

To harmonise the interests of the society, business, security sector professionals with the capabilities of administration and academic sector is the challenge to good governance models implemented in Bulgaria. Accomplished in the period 1998-2002 and the key year of 1999 is source of many positive lessons, but it is not enough, even NATO/NATO allies' advice is not enough – again most important is national vision, will, faith and capabilities for planning, programming, budgeting, acquisition, training and employing of force in modern security environment.

The national dimension is not enough in the SSR review – soon Bulgaria will be a NATO member with six other countries, but there will still be at least four MAP countries and many PfP countries (as well as Mediterranean Dialogue countries) that will pursue some kind of common SSR approach.

Bulgaria and Romania will be in a unique position to be NATO members (initial 18 months in ratification procedure), working very close with EU in the negotiation process, being very close allies with the US in their Large Middle East Strategy. Especially for the countries in the Black Sea, Caucasus, Central Asia area the model of Bulgaria, considered in the past the closest satellite of the former SU, will be very useful. We can add that in these countries the Russian language is a great advantage for the teams supporting SSR. Of course the main effort is connected with Ukraine – centre of the GUAM group, which requires the experience of the SEDM process. A very good cascading practice can be established in SEE to Black Sea Region and further to Caucasus and Central Asia.

All this is leading to the concept where, in addition to government programmes for SSR through NATO/PfP and national MFA/MoD, the role of NGOS can be of great value if well organised and oriented to 'knowledge management' and 'knowledge transfer' through regional projects based on successful national models.

Gaining experience in the area of SSR and especially well-established cooperation between political class, administration, NGO/academic sector (forming SSR coalition), business and international institutions as PfP Consortium of Defence Academies and Security Study Institutes, GCDCAF, CESS and others bring us to the idea of developing the concept for the European Centre for Security Integration Studies (Ecsis) as a joint venture between Government (MoD, MFA, MoI, CP SA) and SSR NGO Coalition, supported by PfP Consortium and GC DCAF with the main focus of training in the SSR area and IT support for SSR. A centre is envisaged as an element of PfP Regional Training Centre network, closely related to SSR WG and IT project of the PfP Consortium (PIMS) and located in the facilities of the current SEEBRIG HQ in Plovdiv, when the HQ will move to Constantza (May 2003).

The next step is for this Centre to be developed as a NATO/PfP institution specialising in SSR training locally and with travelling teams as well as through the ADL network based on PIMS to countries of PfP and the Mediterranean Dialog.

It means that all lessons learned in the area of SSR for the transition countries will be collected, analysed and studied in training courses both in English and Russian so that they can be available to any country interested in this experience through an international institution on a very practical level.

## References

1. Velizar Shalamanov (1996) 'Information environment for defence resources management', International seminar Proceedings, Management of the Defence Resources and Association with the European Security System, University of National and World Economy – Sofia, pp. 177–88 (in Bulgarian).
2. Velizar Shalamanov (1997) 'Organisation of advanced defence research & development in the circumstances of information war', *Military Journal* 4, Sofia, pp. 90–8 (in Bulgarian).
3. T. Tagarev, Velizar Shalamanov and K. Vutov (1997) 'National Defence University – an illusion or an adequate decision', *Military Journal* 6, Sofia, pp. 37–47 (in Bulgarian).
4. Velizar Shalamanov and Todor Tagarev (1998) *Reengineering the Defence Planning in Bulgaria*, Research Report 8 (Sofia: Institute for International and Security Studies, December 1998), 28 pp. Available at <http://www.isn.ethz.ch/isis>
5. Velizar Shalamanov (1999) 'Priorities of Bulgarian defence policy and planning', *Security Policy no. 2* (1999): 3–21
6. *Military Doctrine of the Republic of Bulgaria*, Approved by the XXXVIII National Assembly of the Republic of Bulgaria on 8 April 1999 (Sofia: Military Publishing House, 1999). Amended in February 2002. Full text in English is available at <http://www.md.government.bg>
7. Bulgarian MoD/US DoD team, Bulgarian Defence Reform Study, 1998–99.
8. Bulgarian MoD team, Bulgaria's Way – A Book for the Partners, MoD, 1999.
9. Velizar Shalamanov (1999), 'MoD reform and membership action plan', *Military Journal* 106(5): 8–17 (in Bulgarian).
10. Bulgarian MoD team, Defence and Armed Forces of Bulgaria, Public Discussion (in Bulgarian) MoD, 2000
11. 'Defence planning and membership action plan initiative: lessons learned after Kosovo', Proceedings of the First International MAP Conference, Sofia, 11–13 June 2000.
12. Report on the Status of National Security (Sofia: People's Assembly, 2000 in Bulgarian).
13. Report on the Status of Defence and Armed Forces, Draft Version (Sofia: Ministry of Defence, 2000 in Bulgarian).

14. Velizar Shalamanov (2000) 'Priorities of defence policy', *Military Journal* 107(3): 8–18 (in Bulgarian).
15. Velizar Shalamanov (2000) 'Lessons of transition in Bulgarian security and defence', *Information & Security: An International Journal* 5: 9–19.
16. Velizar Shalamanov (2001) 'Defence policy, planning and security in the process of defence reengineering', *Military Journal* 108(1): 8–13 (in Bulgarian).
17. Bulgarian MoD/UK MoD team, Review of the Organisation and Management Structure of the Bulgarian MoD and General Staff, 2000–01.
18. Velizar Shalamanov (2001) 'Defence policy and military consultancy', *Defence Diplomacy in CEE: Challenges to Comparative Public Policy, Future Governance Papers*, ISSN 1473-6098.
19. Bulgarian MoD team, Cornerstones of Bulgarian Security and Defence Policy, MoD, 2001.
20. 'Lessons learned and the enhancement of the membership action plan', *Proceedings of the Second International MAP Conference*, Sofia, 28–9 May 2001.
21. Velizar Shalamanov (2001) 'The role of the C4ISR projects in modernisation of the security sector in Bulgaria and SEE region', *Information & Security: An International Journal* 6.
22. Ralitzia Mateeva, Todor Tagarev and Tilcho Ivanov (2001) *Economic Benefits from Bulgarian Membership in NATO*, ed. Velizar Shalamanov (Sofia: George C. Marshall-Bulgaria with the Centre for Liberal Strategies, October), 69 pp.
23. *Defence Industry and Academic Sector in National Security System Modernisation*, Round Table Discussion with Report #3, ed. Velizar Shalamanov (Sofia: George C. Marshall-Bulgaria with the Atlantic Club in Bulgaria, 30 October 2001).
24. Velizar Shalamanov, Lyubomir Ivanov and Petya Dimitrova (2001) *NATO Membership Readiness Indicator* (Sofia: George C. Marshall-Bulgaria with the Atlantic Club in Bulgaria, September), 36 pp.
25. Bulgaria's Readiness for NATO Membership – Assessment of the Non-Governmental Sector, Report #1, Sofia, February 2002, Report #2, Sofia, May 2002 and Report #3, Sofia, October 2002.
26. O. Minchev, V. Ratchev and M. Lessenski (2001) *Bulgaria for NATO – 2002*, Institute of Regional and International Studies, December.



27. Velizar Shalamanov and Ralitzia Mateeva (2002) Readiness Assessment and the Economic Benefits of NATO Enlargement, PfP Consortium WG on Future of NATO presentation, March, Bucharest.
28. Velizar Shalamanov C4ISR infrastructure – armed forces and industry modernization tool, EAPC seminar on defence industries in SEE – Sofia, 25–26 March.
29. Velizar Shalamanov (2002) Activity of the Atlantic Club and NGO sector on the modernisation of the national security system in Bulgaria, NATO Workshop/BUL–5. 'Implementation of NATO standards in agreed areas of PfP cooperation', Sofia, 23–24 April.
30. Velizar Shalamanov (2002) 'The role of civilians in national security structures – Bulgarian experience'. Seminar: *Civilians in National Security Policy and National Security Structures*, Budapest, 25–28 April.
31. *White Paper on Defence and Armed Forces*, MOD Version (Sofia: Ministry of Defence, March 2002).
32. V. Shalamanov, T. Tagarev, S. Avramov and V. Stoyanov (2002) Bulgarian Action Plan to Advanced C4ISR Infrastructure, George C. Marshall Association, May, 118 pp.
33. V. Shalamanov, B. Tashev and S. Conkov (2002) 'Model of defence management of Republic of Bulgaria in the 21<sup>st</sup> century', Research Report – Open Society Foundation/George C. Marshall Association, Sofia, 25 pp.
34. P. Pantev, V. Ratchev and T. Tagarev (1995) *Problems of Civil-Military Relations in Bulgaria – Approaches to Improve Civil Control of Armed Forces*, ISIS, Sofia.
35. Jeffrey Simon (1998) 'Bulgaria and NATO: 7 lost years,' *Strategic Forum* 142. Published in Bulgarian in *Information & Security. An International Journal* 1(2), Fall, Winter: 93–104.
36. Transparency in defence policy, military budgeting and procurement, ed. T. Tagarev, Joint publication – DCAF/George Marshall, Sofia, 2002, 198 pp.

## CHAPTER SIX

---

### CIVIL-MILITARY AND INTERAGENCY COOPERATION IN THE SECURITY SECTOR IN THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

*Vladimir Gjoreski*

#### **Introduction: Perception of danger – security agenda**

- 1 *Which are the dangers and risks imperative for democracy? Which are the problems and are they published in official documents? Are there differences between official documents and the perception in the public of the dangers and risks towards security?*

If we examine the state of affairs in the Republic of Macedonia (RoM) as expressed in the perceptions and evaluations of the international community, the writings of professionals and academics, official reports and publications by the authorities, as well as the comments of the media and non-governmental sector (NGO), it can be said that RoM is still in a state of instability, even though dangers regarding its sovereignty and integrity may be exaggerated. That means that the security situation is not fully stable and even though it is moving towards consolidation and stabilisation, dangers are present which can destabilise it. Some are short term and some long term. The dangers and tensions in the region and neighbourhood of RoM are still obvious, so at the moment special primacy cannot be given to which dangers (outside or inside) are more destabilising in the long term. Surely, the great presence of danger with any international sign should be taken into consideration. Yet this conditional division exists first to indicate the inside dangers that might be pushed or enhanced from the outside, where external dangers along with their internationalism (smuggling, corruption, organised crime etc.) obtain domestic characteristics and outside dangers accordingly become inside dangers. This is so, especially if it is known that this region holds the largest concentration of some of the largest international unlawful acts (drug and weapons smuggling, people trafficking etc.)

The danger, which could have threatened the sovereignty and territorial integrity of RoM, was the ethnic armed conflict which is now over, although a long road remains for the stability of the security situation. Good constitutional solutions have been brought up, but they have still to be implemented as legislative acts and put into practice. All these actions and solutions are publicised in a government action plan for the implementation of legal and other projects of this type, which will serve to complete the integration of the Albanian minority into Macedonian society and into the institutions of the system.

Not considered as any less important, other dangers exist but it cannot be said that they bring the sovereignty and territorial integrity of the country into question. However they are exceptionally destabilising and seriously influence inner security, democratic and civil development, the construction of a lawful government, the rule of law, market society progress, social justice and the protection of the environment. The dangers include trafficking in arms, drugs and people; corruption; terrorism; organised crime; and most recently hard forms of crime like extortion, kidnapping, murders etc. For illustration during only the last two months there were 30 murders in RoM. Also for RoM, the handling of a great number of illegal weapons (the same goes for the region) is a potential danger, so RoM is trying to resolve this problem at a regional level. At the moment, with the cooperation of all political parties and with the active participation of the international community, a process is under way for the passing of a law for the collection of illegal weapons.

Unfortunately we have to say first that RoM until now has not yet come up with a strategy for national security as a publicised document and a document where it's transparently indicating the threat and danger. The first reason for this was not having the legislation for bringing up the document, until the bringing of the new Defence Law (year 2002) where responsibility was given to Parliament to bring a concept for national security and defence. Yet other documents included these elements as their own sections (security surrounding, security policy, dangers etc.), but mostly because there wasn't any lawful place to put them.

Publications in which these elements are included are the Strategy for Defence for RoM (1998) and the White Book of the Defence of RoM (1998). Thus in Article 3 of the

Strategy for Defence it says 'during this period other origins of endangerment of national and global peace and security occurred': expansion of militant nationalism, the wider expansion of the idea of creating so-called ethnically clean countries, ethnic and religious conflicts, religious fundamentalism, the uncontrolled spread and use of agents of massive destruction, international terrorism, weapons smuggling, drugs etc. It carries on: 'the end of the century has confronted us with one more massive and more organised menace which is terrorism that doesn't choose victims and where innocent people suffer ...' The question is now raised, even though it's identified, as to why the government wasn't mindful of it in the coming future bearing in mind the crisis that RoM experienced. This is due mostly to the fact that after these assessments no implementations were carried out on these documents, and the security sector for following and assessment of the dangers was not reorganised. This is mostly due to the fact that it was written in the Strategy for Defence, and not in the Strategy for National Security which, along with the inactivity of the then government to understand and implement all this, left a dead trail.

So far nothing has been announced in other publications, except as an act of daily and ongoing information. Time after time reports of the security situation from governmental representatives, army and other sectors, proved insufficient in preventing the crisis that RoM underwent.

### **Definitions for the security sector-concept for the integrated security sector**

2. *Which institutions are obliged to say what are the dangers and risks? Which lawful and procedural rights exist in solving the problems and what is the interaction and cooperation on local, national, regional and widespread level?*
3. *Will the existing solutions-network of institutions and their cooperation miss out or lose sight of some problems (corruption, trafficking with weapons, drugs etc.)?*

Only the Ministry of Defence has the direct lawful obligation for the evaluation of the endangerment in accordance with the Defence Law. But the framework of this obligation

is tight because the Ministry of Defence has an obligation to carry out an evaluation on the endangerment of RoM from an aspect of endangerment of the sovereignty and territorial integrity of the country, and not from other dangers that we mentioned are numerous and very important. From another point of view the Ministry of Defence is nowhere obliged to publish this evaluation to the public transparently, so it can be concluded that its use is restricted. Along with this the Ministry of Defence carries out counterintelligence and intelligence for its needs. The latter follows, collects, analyses and takes the initiative in preventing actions directed against the defence of the country. So everything here is put in the function of the defence of the country as well.

Through regulations and laws, awareness and obligations can be drawn out of individual institutions in relation to identifying the dangers and or their following, analysing and taking matters into hand for their elimination. Besides the Ministry of Defence, which has already been elaborated in the defence, other institutions with their own place and role are:

- the Parliament of RoM
- the President of RoM
- the Government of RoM
- the Security Council of the president of RoM
- Ministry of Interior Affairs
- Intelligence Agency
- other organs of the government

The Parliament is the bearer of the legislative government, so, together with passing laws, the Parliament establishes national security and defence policy, but as we noted earlier, this policy has still not been implemented. In relation to defence as a tighter part of security, Parliament established conclusions and resolutions in connection with realising the system of defence, plans for development and defence, and the equipment and battle readiness of the army of RoM. It is interesting to note that until now Parliament has not received nor brought up a document for these responsibilities in relation to defence. Also, Parliament brings up defence, interior affairs and intelligence agency budgets.

The President of the republic, according to the constitution, represents the republic and is at the same time the high commander of the army of RoM. As a high commander the President:

- regulates the organisation and formation of the army;
- initiates documents for use by the army and orders their use;
- creates a Strategy for Defence
- oversees rules, decisions, orders, decrees, and other acts, which relate to the training, internal order and discipline, armed battle, mobilisation etc., connected with the preparation of the army and its present working.

The President of the Republic, also, on the advice of the Minister of Defence, appoints, promotes, and releases generals, including the chief of general staff of the army.

In relation to widespread security matters, the President of the Republic, according to the constitution, is the chief of the Security Council of RoM, whose structure is also composed of the prime minister, president of Parliament, Ministers of Defence, Internal and Foreign Affairs, along with three other members whom the President of RoM names. Without going into any further detail we will mention only that according to this the Council has no strong, coordinated and most of all commanding part in relation to the enquiries which it is reviewing, because offering thoughts and suggestions doesn't carry with it actions, nor is it regulated anywhere that such thoughts and suggestions are compulsory for the other organs of power in the government.

The government of RoM has obligations in the Defence sector, but until this time most of them are worked out in lawful rulings in the Defence sector instead of the other sectors of security, even though it has an influence there. The government manages in the fields of defence, internal and foreign affairs, finances etc., so according to this, in terms of organisation it holds all assumption for carrying out its function of executive power.

The government oversees decrees, instructions and other regulations relating to security and defence. In the implementation of its functions the government:

- arranges questions and brings decrees with lawful regulation in a state of emergency and state of war if Parliament cannot meet;
- proposes (to Parliament) a regulation for the amount of resources needed by the internal security and defence;
- determines the programme of long-term activities in the area of internal security and defence;
- gives the opinion on defence strategy; as well as
- orders the use of the police in state of war as a support to the Army. In peacetime the police is ruled by the Government, particularly by the Minister of Interior.

Part of the obligations in the security system, particularly in the defence sector, are being executed by the Ministry of Defence. In addition, we will mention only the most crucial and those important to the representation level of the situation. In that context, the Ministry of Defence:

- organises, prepares and develops the defence system, including the army;
- prepares defence strategy and other planning documents, and also plans and proposes the organisational and formational structure of the army;
- evaluates the threats to the territorial integrity and sovereignty of RoM from possible military and other kinds of danger and for that purpose it collects, documents and analyses intelligence data important for the defence;
- organises and executes the Armies' personnel management, intelligence and counter-intelligence, multiyear planning, programming and budgeting system, surveillance and information, civil protection etc.

As to the Ministry of Interior, among other responsibilities the important ones are:

- realisation of the state and public security system;
- prevention of forceful destruction of the constitutionally established democratic institutions;
- maintenance of public peace and order;
- protection from espionage, terrorism or other activities directed as a threat to destroy the democratic institutions by force;

The Intelligence Agency, according to the regulations, is responsible for the following activities:

- collection of data and information important for the security and defence of RoM and economical, political and other state interests;
- analysing and researching data and information and updating the President of RoM, Government of RoM and the other state institutions on issues from their area of responsibility.

Through the responsibilities of the Agency, two things may be seen: (1) although not fully developed, for the first time security is legally mentioned not only as a security and defence issue, but also as an economical, political and other type of issue; (2) the legal obligation of whoever receives the data may be seen, and although not much may be done afterwards with this information, this is a small step forward.

In the security system, according to regulations, the state authorities developed for inspection, survey and control have their place, but basically their area of engagement is only that for which they are being formed, which has an indirect influence on the security sector. These areas are the customs, financial inspections, public attorneys office etc. For the judicial institutions it is mentioned that they should be impartial and working according to legislation, but in the literature they are treated as an important part for the security of its own independence, at least in the Law.

Regarding procedures and regulations for the resolving of security related problems in RoM, at this stage we can say that this resolving is made on the basis of the responsibility of the appropriate authority, and regulated by law. The most common bearer of the activities is the Government which, through its ministries (Internal, Defence, Health, Education etc.) detects problems and suggests measures for their resolution. If there is a problem that concerns more ministries, then it is discussed at a governmental level. More of the ministries have their network at a local level. It is interesting that if there is a problem at a local level concerning more ministries (Defence, Health, Internal) there are no procedures to coordinate at that level. This is being done so that each authority has to get permission by the appropriate ministry in hierarchical



order, and after that they can cooperate. If there is a need to use the army, then this issue should be brought up in front of the President.

Some of the issues at a national level which rise above the executive authority's areas of responsibility and capabilities can be institutionally looked over by the Security Council of the President of RoM and/or the Government of RoM to initiate suggestions to Parliament. Unfortunately this means that there is not always a legal procedure, and it has to be done on the basis of personal judgment, evaluation or wish.

With regard to initiatives for requesting cooperation and assistance from the international community for the resolution of these problems, the appropriate authority has not been appointed. The suggestion can be submitted by the President of the Parliament, the Government, and the President of RoM and/or single ministers. Because there is no legal procedure, the final outcome from this idea is dependent on the personal skills and authority of the individual.

The biggest problem in practice so far occurs when the danger is of the kind that makes it necessary to engage all the authorities, especially the army and police, because one person does not issue the order for their use. Also in conditions of emergencies and natural disasters (fires, floods, diseases) there are situations where it is not clear which are the procedures for the engagement of inter-ministerial agencies with different responsibilities and obligations.

At the regional level, RoM with its neighbours, either through PfP or through bilateral agreements, regional and other initiatives, is most advanced in cooperation concerning the exchange of information and peace support efforts in the region. Most of the bilateral agreements are in the area of defence, economy and border security. Issues that are being treated as dangerous and where there is a common will for cooperation are the prevention of illegal weapons, drug and people trafficking and, lately, the terrorist channels and organisations. There is less cooperation in the exchange of information and solutions for the stopping of corruption, organised crime etc. In both of these agreements, although there is a clear will for cooperation, there is lack of procedures, information instruments, and regulations for multinational actions. RoM has also developed cooperation with UNMIK and KFOR in Kosovo, but regionally the

commitments always remain as declarations and mostly with no practical and operational solutions.

At the global level, RoM as a PfP member has all the information, cooperation and international community engagement instruments available, particularly the engagement of NATO. Apart from the usual ones there are no specially developed mechanisms and institutions to combat threats on security. The positive effects from this have been shown by practical experience which has pointed out new issues that are not being legally developed but are most useful and effective. During the crisis, in order to overcome problems with coordination with the institutions, as well as with the international community in RoM, the Government established a coordination body and Crisis Management Centre.

The coordination body (not currently functioning) comprised different ministers, Presidents' representatives and the Intelligence Agency, so that it could identify and suggest inter-ministerial solution of problems. At that time under the responsibility of this body there was a proposal for the use of an anti-terrorism unit, comprising a military and police unit, with two institutions (the Government for the police and the President for the Army) competent to employ it.

The Crisis Management Centre still exists as a subordinate body to the Government, and both then and now it was and is responsible for the centralised collection of information from all institutions (domestic and foreign) and exchanging it with the international community. Everybody and everything at the same place has proved to be very effective in terms of time and speed of problem detection.

But it is interesting that importance has not been given today to this institution (mostly because there is an opinion that this is an institution only for crisis times), so the principle of separate examination of the problems remains. Inter-ministerial achievement has been made only in regard to stopping the corruption where a commission with precise and clear responsibilities has been established by law. The implementation of this law is ongoing. Newly elected officials have declared their possessions, but almost half of them have not done it yet. In a public speech, the Prime Minister has promised

that all officials who have not declared their possessions will be removed from their position. This is a small step, but a very significant contribution to democracy in RoM.

In relation to drug, weapon and people trafficking, the understanding that this should be resolved by the police and that it should be stopped at the border has not improved. Also the interdisciplinary approach, that would include citizens, the NGO sector and the media to assist in informing the public and preventing these problems, is being forgotten about.

Analysis of the reforms of the security sector – key areas: civil, military and inter-ministerial cooperation

4. *How is this cooperation developed, who is subordinate to whom and who interferes if there are problems?*
5. *Is there an asymmetrical (uncontrolled) development of some institutions and are these institutions being developed democratically?*
6. *Is the problem of civil-military and inter-ministerial cooperation typical for your country? How would you describe it and what remains to be done to resolve this problem?*

Basically, each institution is vertically organised to follow its sub-areas of the security sector. The main institutions from the security sector have the following organisation.

The Intelligence Agency is directly subordinate to the President of RoM, although the Government has the right to request the situation of the agency and other initiatives related to its work. In practice this has not been done so far.

The Ministry of Defence and Ministry of the Interior are part of the Government, while the President, as Supreme Commander, has influence at the Ministry of Defence. Although there are improved legal solutions that clarify the areas of responsibility in the Army, in practice problems still appear. Often there is a conflict of interests; particularly for key issues from the army restructuring according to the ANP, between the President and the

Ministry of Defence, i.e. the Government. The Government has the responsibility to complete the ANP towards NATO, but when it is about the number and size of the army, as well as equipping it, the President – with his influence in appointing and releasing generals, particularly the Chief of GS – is indirectly influential on decisions. This often slows down the starting of processes, but it does not stop them.

In a more specific sense, civil-military relations inside the Ministry of Defence have not overcome the question: who are more important – civilians or military personnel? In the last few years there has been significant progress, but when it is about the key areas such as preparation of plans and projects for development of defence strategy, personnel management etc., the officers consider that it is their area of responsibility, and the civilians vice versa. In the end a compromise is always found, but that is not real defence management

It even depends on personal regulations by governments regarding who will be the minister and who will be his associates. For example, the former government placed generals as undersecretaries for defence politics and other typically civilian jobs. On the other hand the education of the civil sector for defence and military matters was neglected, as well as the education of the military personnel as to what is the place and role of the Ministry of Defence and their place, role and obligations in the role of a modern, democratic society. This can be illustrated with the fact that until now in this country no plan or programme has been made for education; neither has this been carried out. All educated sectors (civil and senior) are those who were educated in NATO member countries and other friendly countries through the PfP cooperation.

A special segment in civilian military cooperation that should be developed is the transparency of the Ministry of Defence and army in their contacts with the media and parliament. This should be resolved by introducing a transparent system for planning, programming and budgeting of the defence (which is a legal requirement of the new Defence Law), but with a bigger role played by members of Parliament, media, and NGOs through their requiring to know what is happening in the Ministry of Defence and the army. The first confirmation of this will be when, this year, the government proposes to Parliament a transparent evaluation of the dangers and concepts of national security

and defence, which before that will be widely open to debate to all institutions, associations, political parties etc.

In relation to higher responsibility and evaluation, these three main security institutions have an obligation towards Parliament, which has its own corresponding commission. Regular requirements for notifications usually take place once a year, and from time to time (mostly if there is a media exposed problem), the commission of the Parliament receives information from their request. But certain differences should be pointed out here because this is a so-called regular evaluation report that has nothing to do with permanent coordination, information exchange, danger evaluation and certain measures taken against them. This field, like many of the structured parliaments today (which are slower in decision-making and working), can barely be followed because the dangers are more sudden and need a fast reaction, especially if the parliament doesn't possess any powers.

The Security Council may not be a body to be reported to because it's not regulated anywhere. It mostly happens after the Council's initiative to bring up a question, but yet that is not enough for a fair, efficient and real running of the process.

During the last two years, the police had a small, asymmetric, but still controlled level of development. This was due to the crisis, especially because there were polemics about who was responsible for reactions inside the country and how and when the army could be used for that. According to everything, the police had priority during the crisis, so its demands (partly unreasonable, especially in its demands for heavy armour) for more personnel and equipment, often by inertia, and not by planning, were fulfilled. After the change of power, the new government started regulating the reduction of police personnel, the release of unneeded weapons, but with the stress of the development of a competent antiterrorist unit, and making sure that the capacities of the army units were not doubled. Also, the police accepted permanent cooperation with the international community (mostly OSCE and EU) who are actively engaged in the modernisation of a police force which will be a service to the people according to European standards.

The biggest problem in civil-military and interagency cooperation lies in the tradition of the organisation of the government and in the still not implemented modern system for

management of organs of power. For example, the Macedonian tradition is that the army and its generals know what they are saying and they should be trusted more than civilians in relation to defensive and military inquiries. This has its own roots from the former socialistic system when officers ran the Ministry of Defence. The uprooting of this traditional way of thinking and the introduction of a modern interagency management in the government are a slow process, especially when the attitude and prejudice of the people are hardest to change. The solution to the problem can be brought about by mutual cooperation between the whole community and organs of power and the systematic and permanent education of personnel in the organs of power and a media campaign on the whole level of community with the end purpose of understanding that matters of security are an integral part of all inquiries which concern the community. So discussions can be made on matters of social policy, healthcare, education and so on; discussions on the security situation, its work and its institutions should be made at the highest community level.

Bringing the most important documents into the sphere of national security, a wider procedure needs to be introduced. In that procedure more heads of politics of national security should be included.

**Evaluation of the current situation of the reforms in the security sector:  
action plan for the reform of the security sector**

7. *Is the reform satisfying? Is it only partial? Which part is satisfying? The most advanced.*
8. *Vision for a possible future development action plan for the reform of the security sector.*

If emphasis is put on the global development of all subsystems which participate in the creating and escorting of the policy of national security and their functioning in parallel with the same in the democratic world, it can be said that the reforms have only just begun. In relation to the implementation and construction of rules and procedures for modern and complex running and creating of security, not much has been progressed.

For now every subsystem is trying inside itself to reform along with the European standards. An idea has begun for the implementation of all subsystems into a strong, legal and procedurally defined interagency cooperation of all subsystems into one whole and complex unity.

The most progressive are the reforms in the Ministry of Defence and the army which is a logical result, bearing in mind the PfP process in RoM has already started. Except for the last 2–3 years, when through the ANP cycle in relation to the cooperation with NATO, wider reforms in defence were needed, the period until then was more focused only towards the defence. The defence and army also have the most developed bilateral and international cooperation that also enables better continuity of flow of information and knowledge of their absorption and implementation in the defence system. One of the powerful instruments is the PARP process, which simply forces you to go ahead with the implementation of NATO standards, so even if the system of defence wanted to stop by itself it could not. It can slow the processes with an incorrect political running of the implementations and reforms but it can not stop them. The last ANP of RoM is well advanced in its reforms, in which it has been realised for the first time that the army and ministry have a bad distribution of personnel (too many officers and civilians in relation to other personnel), for which a great reduction of this excess is foreseen in the next four years.

The police and intelligence agency face difficult steps that must now quickly follow reforms to other subsystems (especially in the defence) and parallel to that participate in the creation of one complete enclosed security system which will answer the requirements of challenges and dangers in this century.

It should first be said that the concept of national security for us is still considered only as a problem for internal security and defence, and not that it encompasses in itself all matters of given context or perspective that can impact on the security of the country and its people.

It should be understood that if progress is required the policy of national security is not just a mechanical sum of a few isolated policies, but a distinct quality that in itself unites aspects of all policies which are run, and which reflect or can reflect (directly or

indirectly) the country's security, inner stability, and its international position in its widespread meaning.

The running of the policy for national security comprehends the existence of a divided system of value moulded into all common dangers examined by key political actors regarding the country, and key inquiries related to its existence and prosperity. Also the quantity of knowledge must be permanently raised for national security, for the process of creating the policy and the positioning of dependence between the different factors in the context of creating and executing that policy.

There is no special reform action plan for the security sector of RoM, but elements exist for other documents like ANP. It is stated that a transparent evaluation must be performed on the dangers of security of RoM as an integral part of the conception of national security and defence, which should be adopted by the parliament at the end of March. From that concept is also foreseen the basic strategy for national security which will be carried out by the government of RoM, and of which special strategies will originate, mostly for the defence (which by proposal of the government is legislated by the parliament of RoM), for economic development, foreign policy, for the protection of the environment, anti-corruption and other strategies.

Despite this it's necessary to create an action plan, which through phases will provide internal restrictions of the institutions as well as inner department connections. In that sense special emphasis should be given to the lawful and procedural establishment of the centre (institution) for crisis management as an interagency cell where the collecting of information will be held, cooperation will be executed and through these institutions RoM will connect with the neighbours, region and wider region. We cannot preserve the peace by ourselves. We are a part of the world, so it would be most efficient for RoM first to connect its institutions inside and to create relations to provide real information and evaluation, which they can share with the world. This reason is because of what we mentioned – that the dangers towards RoM are of an international character (terrorism, drug and weapons trafficking etc.) where widespread regional and European cooperation is needed.



Yet during the first phase it's important to begin an analysis of experiences (of which RoM has enough) of crisis and its causes, for its dangers and how it should be reacted upon in an organised and functional sense and to create unique methodological rules and procedures for following, cooperation and responsibility, should dangers occur. With the help of experiences from other countries it's quicker to cover the road of creation of an efficient, wholesome and transparent security system.

### **Conclusion: reform of the security sector – report on the progress**

9. *Mechanisms for the evaluation of the progress of implementation of the reform action plan in the security sector and the role of different participants.*
10. *Perspectives for the reform development of the security sector in the hands of the PfP and consortium of the defence academy and the institutions of the security studies.*

A first mechanism for the evaluation of the progress and implementation of the reforms should be adopted on a unique methodology and procedure for following the situation, its progress and the problems incurred. In that sense every responsible state organ, most of all the government, should offer to the public, Parliament and President, an open programme with the dynamics of the reforms, tasks, actions, deadlines and bearers, how everyone can be involved in the process and to follow transparently whether there are any differences between the proclaimed and reality.

Hitherto questions of security by tradition were connected with the participation of a tight number of persons and institutions. The government should offer solutions as to how this should be outweighed, how the international community should participate in the discussions and deliberations of these matters. A special plan should be carried out for the participation of the media so the voice and evaluation of the public can be heard, but also from the non-governmental sector so the opinion of the other part of society can be heard. This is because the government is not a society but only an expression of the will of its people organised in different associations such as civil, political, religious, cultural,

social etc. These citizens choose their state representatives, and surely want to know whether they are living in a secure society or in an unsure atmosphere.

It shouldn't be forgotten that all this should be presented before the institutions of the international community and their representatives so as to receive suggestions of the progress, to correct certain mistakes and to allow the international community to participate in all processes. Bearing this in mind, RoM, like many other nations, are not individuals but part of the international community, and especially if the citizens clearly and unambiguously want to be a part of NATO and EU in the future.

The mere participation of RoM in PfP has contributed greatly to the reforms of the security sector, but as we emphasised mostly in defence reforms. During the time when it came to be judged that defence is only a part of security, the focus was turned towards other parts of society. For example NATO realised very late that if only the defence and army are reformed with no corresponding reforms on the police, contradictions could occur (and did occur) in the progressive reform of that subsystem in relation to the police. At the end if defence goes too far ahead and the police stay behind, processes inside the country happen that obviously mean that partiality in this manner can have a negative effect on the country. For example, the police being for long time – and not just in the last two years – of no interest to the international community, particularly NATO and EU, has caused consequences that, with attention being devoted to the army so that it will not develop in the wrong direction away from European standards, the police have been forgotten. Until recently, there was not one PfP or EU (now the Stability Pact) instrument which would systematically and permanently follow the process of police transformation and develop instruments and mechanisms for cooperation, information exchange, norms and standards and their implementation so that the police would become part of modern society. In this direction, PfP should, rapidly and in a more organised way, bring action plans and instruments to follow the restructuring and implementation of knowledge on the part of the police.

Another area where PfP instruments should be more actively involved and new forms of cooperation should be developed, even institutions if necessary, is in crisis management. It should be understood that two-thirds of the threats in Europe and in the world have the same nature and so it is very important to build institutions and

procedures (crisis management and centres) with one purpose – constant, efficient and full exchange of information, and the undertaking of measures in any part of the continent. This should be considered especially from the aspect of growing terrorism and the threat to the entire world, the globalisation and vulnerability of the societies from its contributions and the possibility of uncontrolled possession of weapons of mass destruction (WMD).

All the other institutions such as the Consortium of Defence Academies and the Institute for Security Studies should be developed in several directions. First, they should be looked upon as a possibility where many countries and experts could discuss mutual problems impartially from their governments' politics and to propose ways of organisation and cooperation. Secondly, on the basis of mutual forces, a monitoring centre should be built to follow the restructuring situation of the security sector, and to point out the possible dangers which, for different reasons, are not being taken seriously. With this approach, the permanency and long-term follow-up of these activities will be provided, and not only partial and occasional treatment of these problems. With this continuity, a timely reaction towards countries and international organisations in the conditions in the region, particularly SEE, is provided. As RoM is a country with a recent crisis, and successful resolution of it (without bloodshed and war), I suggest that it is ideal to develop such a monitoring centre, especially in that this region of Europe is a black spot for many dangers.

All other forms of cooperation between institutions, regarding education and the exchange of information, should be directed towards the European institutions so that they may gain support of every kind, and particularly that investments in the defence sector have invisible effects in the short term, but are efficient in many ways in terms of stability and progress in the region. The funds given for certain economical projects are visible but directed to one area, but funds given for projects in the area of the security are most efficient because the spectrum of their influence is directed to the whole country, the region and Europe.

## CHAPTER SEVEN

---

### SECURITY SECTOR IN ROMANIA

*Claudiu Degeratu*

#### **Introduction**

Along with the domestic institutional reform, the international environment has been an important factor in consolidating democratic civilian control of the military, this being a condition for all the Central and Eastern European countries' membership of NATO and EU. Foreign aid and cooperation activities have developed a friendly environment to pursue military reform and to support democratic control of the military.

For Romania, to ensure the strengthening of the civilian control over the military became a priority in the overall military reform which has been launched in the early 1990s, it being considered that this and a positive evolution of the civil-military relations are essential for the coherence of the national security and defence policy. To reach this objective, the process has begun with the establishment of a system of legal and institutional procedures that ensures civilian control over the armed forces built in successive and interdependent stages.

As a first stage, at the beginning of the 1990s, Romania established the legal framework for the implementation of civil democratic control and began to reorganise the military institution to comply with democratic requirements. The adoption of the Constitution (December 1991), which stated clearly the democratic principles of governance, citizens' rights and liberties, the governing institutions and the relations between them, has been central among the measures taken to create the legal framework for developing democracy, including within the military.

The second stage has ensured the appropriate implementation of legal provisions. Thus, the first civilian high-ranking official was appointed in March 1993 and the first civilian Minister of Defence in 1994, this position being held by a civilian ever since. Today, civilians occupy all the functions of State Secretary in the MoD. At the same time, great

efforts were made towards increasing civilian expertise on related issues through higher education as a prerequisite for civilians holding positions within the Ministry of National Defence. The educational process on defence and security-related issues was developed by training senior civilians and politicians, mass-media and civil society, together with high-ranked military, in specialised institutions, such as the National Defence College (set up in 1992) or NATO schools. It has been the first effective institutional framework for inter-agency cooperation in the security sector.

At the third stage, currently under development, more detailed provisions have been added and the process has turned to a deeper perspective on what civil democratic control means, aiming at the integration of military transformation in security sector reform under a coordinated civil democratic control over the entire spectrum of the security forces. Civil democratic control is currently focusing on resources, organisational management, professional expertise and the process of building a security community within the civil society.

### **Institutional framework of DCAF exerted by political society**

#### *President of Romania*

The President of Romania has important attributes in the defence field, which are strictly stipulated by the Constitution<sup>1</sup> where his attributes as commander of the armed forces of the country are underlined.

The President of Romania can exert real control over the armed forces. In compliance with Article 77 of the Constitution, the President promulgates the laws on the military institution adopted by Parliament; appoints the Prime Minister and the Cabinet; declares, by decree and with the previous approval by Parliament, the partial or general mobilisation of the armed forces in case of armed aggression against Romania; takes the necessary measures to repel the aggression; timely informs the Parliament; and sets up a state of siege or emergency.

---

<sup>1</sup> \*\*\*, Constitution, Bucharest, 1991.

### *Parliament of Romania*

As stipulated by Article 58, Paragraph (1) of the Constitution of Romania,<sup>2</sup> Parliament is the Romanian people's supreme representative body and the sole authority to make the laws of the country. As regards the present issue, Parliament's role is manifested in the legislative process. This refers to: the role of the military body; the budget, its size and structure; Romania's National Security Strategy; ratification of international military treaties and agreements; preparing the population, economy and territory for defence; the conditions of the state of siege or emergency; other legal documents that have an impact on armed forces activity; strategic requirements and priorities incumbent on the military institution at certain periods.

Parliament gives its vote of confidence for the Cabinet's Programme and List, which includes the Minister of National Defence. Other forms of parliamentary control are: accounts, reports, information, documentation, messages, programmes etc., which often refer to the armed forces and security sector.

Parliament's Defence, Public Order and National Safety Intelligence Services Commissions are mainly responsible for the thorough analysis of all draft laws, emergency ordinances and government ordinances, of all legislative propositions submitted to Parliament that refer to matters of interest to the security sector.<sup>3</sup> Parliament also exerts its control by means of questions and interpellations which, as stipulated by Article 111, Para (1) of the Constitution, must be answered by the 'Cabinet and each of its members'.

### *Government of Romania*

As executive power, the government has important attributes in the democratic control of

---

<sup>2</sup> Op. cit.

<sup>3</sup> Regulamentul Senatului and Regulamentul Camerei Deputajilor, Bucharest, Romanian Parliament, 2001, see also Rizvan Ionescu, 'Parliamentary Oversight: A Basic Outline', in Larry L. Watts (ed.), *Romanian Military Reform and NATO Integration*, Center for Romanian Studies, Iași, Oxford, Palm Beach, Portland, 2002, pp. 53–6.

the security sector, resulting from its role as stipulated by the Constitution. Its functions are: to ensure the internal/foreign policy and to exert the general management of the public administration. By exerting its right to have the legislative initiative, the government includes its own requirements related to the security sector in the draft projects of the norms. Such projects may also refer to armed forces activity not only within the borders of the country, but also abroad. Thus, the government approves or negotiates international treaties prior to their conclusion at department/state level.

The prime minister, who, in compliance with the provisions of the law, is also vice chairman of the Supreme Defence Council, plays a special part in the control exerted by the government.

#### *Supreme Defence Council*

The Supreme Defence Council analyses and proposes for Parliament's approval: the basic concept of Romania's defence; the structure of the national defence system; the declaration of the state of war; the halting of hostilities in time of war; the conclusion of a truce or the cessation of conflict.

The Council organises and coordinates activities regarding the country's defence and national safety, having enough means to influence decisively the armed forces' activities in the established judicial framework. Subsequently, the Council will approve: the general organisation of the armed forces and of other components belonging to the national defence system; the plan of national economy mobilisation for war; basic guidelines of international military relations and the mandate of the delegations participating in the negotiation and conclusion of treaties and agreements related to defence matters; the draft projects of international treaties and agreements on the national defence; reports submitted by leaders of the state administration structures with attributions in the field of national defence and security.

## *The Ministry of National Defence*

The Minister of National Defence is a civil personality, which fulfils both a political (member of Parliament) and a command task (coordinator of the MoD activity, whose consultative body in exerting its command task is the MoD College).

Table 1 MoD legislative initiatives during 1990–2001: laws, government decisions, government ordinances, emergency ordinances etc. by years<sup>4</sup>

Types of legislation	Year										
	'90	'91	'92	'94	'95	'96	'97	'98	'99	'00	'01
<b>Total legislative actions</b>	1	1	1	3	2	5	3	8	10	21	39
<b>Parliament decision drafts</b>											6
<b>Laws</b>	1	1		1	2	2	2	1	1	2	4
<b>Government ordinance drafts</b>								3		2	
<b>Government emergency ordinance drafts</b>									3	4	3
<b>Government decision drafts</b>			1	1		3	1	4	6	13	26

## *The legal authority*

In compliance with the provisions of Romanian Law, the military and civil personnel of

<sup>4</sup> Apud N. Petre and A. Macovei, *Civil Democratic Control of the Armed Forces* in C. Mostoflei (ed.), *Romania-NATO (1990-2002)*, The Academy for Advanced Military Studies Publishing House, Bucharest, 2002, p. 42.



the Romanian Armed Forces are as accountable to the law as all other citizens of the country for actions committed both during service hours and beyond. Through their legal filters, the courts control the activity of all members of the armed forces in case they infringe the law. In criminal cases, control of the law is exerted on the military by the military prosecutor's office and courts. In civil cases, control is exerted by the civil prosecutor's offices and courts that pass sentences on the military personnel involved.

#### *Other public authorities*

- *Constitutional Court* ensures the control of the laws from the point of view of their compliance to the Constitution – based on the provisions of the 1991 basic law; and decides upon exceptions brought to the courts in matters of non-constitutional aspects of the laws and ordinances. It may also make proposals to settle or solve aspects considered as non-constitutional in draft projects of legal documents referring to the defence field.
- *Accounts Court*, as an autonomous public authority that exercises the control of the state and public financial resources' making, management and use, has significant responsibilities in the democratic control of the armed forces. Its attributes in the fields of preventive control, subsequent control and specific activity are elements that control the financial aspects of the armed forces.
- *Ombudsman*. This institution is meant to protect physical persons against possible abuses by the authorities of the public administration, represented by ministries, departments, independent public authorities, prefects' offices, decentralised public services of ministries and other central bodies, local public administration etc., as well as civil servants or other representatives of these bodies. The control exerted by the Ombudsman results in a better knowledge and solution of the negative aspects of the armed forces activity and increases trust in the rights and freedoms of the Romanian Armed Forces' military and civil personnel.

## **The role of civil society in democratic control of the armed forces**

As a structural element of military–society relations, the indirect control of the armed forces exerted by civil society is a new issue in all post-Cold War European countries. The expertise of these years shows that this issue will continue to be dealt with not only because it is an ongoing process, but also because the control methods and procedures can be further improved and adjusted to new changes in society.

In Romania, like in all East European countries, civil society has emerged in the post 1989 period, in the form of: unions, leagues, fronts, employee/professional/agreement/religious associations, organisations, groups, foundations, interest/neighbour groups, NGOs etc.

The media, which include many elements of civil society, have increased both in number and level of impact on public opinion.<sup>5</sup>

In recent years, significant changes have occurred in civil society–military relations. While before 1989 the military body was a closed, non-transparent structure, today most problems that the armed forces are facing, except for the special ones, are known by society and discussed within NGOs, as the military decision-makers are willing to build the environment of trust necessary to prevail in military–civil relations.

In order to achieve communication, the military police and security structures have established and developed specialised public relations structures, whose task is to provide an interface.

Relations between the military institution and the union organisations within the armed forces and outside it have been set up and deepened. The union organisations are consulted in the drafting of norms referring to their activity. They also have the right to be informed about data required to negotiate collective work contracts, work protection conditions, and data referring to funds for improving the working conditions. The suggestions, requirements and claims of the unions established in the defence sector

---

<sup>5</sup> \*\*\*, Metro Media Report, 2002 in [www.metromedia.ro](http://www.metromedia.ro).

are dealt with in an organised framework, in compliance with the provisions of the Government Decision No 314/2001 on the social dialogue boards' establishment, organisation and functioning within ministries and prefects' offices. It stipulates that the activity has a consultative character and aims at: ensuring the relations that allow for permanent information on their needs and an easier solution of their requirements in the field under the MoD authority; consultations with the social partners on legislative or various initiatives; consultations with social partners on measures related to the restructuring of autonomous administration enterprises under various ministries' authority; other issues related to the activity of the ministry.

Another form of control of the military institution performed by civil society is done through NGOs (non-government organisations). They often inform the military structures' leadership on aspects that infringe on the law in routine activity; they request information on mentioned cases or on their positive solution. The NGOs may also promote amendments and/or legislative proposals on military and security matters.

A significant role in the indirect control of the armed forces police is played by the Church, especially by the military spiritual assistance service whose main task is to meet soldiers' rights to moral and religious support, as a basic right of any citizen to his own freedom.

Obviously, Romanian civil society as that of all the transition countries<sup>6</sup> is very young and has not much experience in the exercise of democratic methods and is not clearly defined, but we can assess that as the legal basis of this type of control is already established, a good practice will be achieved in this field too in a reasonable period of time.

### **The Romanian defence planning system**

The Romanian Armed Forces' PPBS reflects the classical approach to planning, programming and budgeting and has the endorsement and encouragement of NATO

---

<sup>6</sup> Ioan Mircea Pa[cu, 'Managing the "Big" Issues in Civil-Military Relations', in Larry Watts (ed.), op. cit., p. 25.

Staff<sup>7</sup> and could be considered a 'good practice' example for inter-agency cooperation. The principles of Romania's defence policy are derived from the National Security Strategy and are laid down in the White Paper on National Security and Defence by the Government and elaborated in further detail in the Romanian Military Strategy, issued by the Minister of Defence. Achieving the objectives of the main defence planning documents shall lead to a realistic correlation between goals and available resources.

The most important document issued to establish the political requirements regarding national security and defence is the *National Security Strategy (NSS)*.<sup>8</sup> The NSS has as its main purpose the substantiation of defence planning at national level. To accomplish its role, the NSS:

- defines national security interests and objectives;
- evaluates the international security environment;
- identifies domestic and international risks and threats;
- establishes guidelines for ensuring national security, and
- specifies the main tools and means of ensuring national security.

The validity period of the NSS equals the term of the presidential mandate. The timeframe is for the medium term (four years), with an extended perspective up to eight years.

By issuing the National Security Strategy, the President of Romania establishes in the field of national defence: the defence policy; the missions of the armed forces; the defence resources; and the ways to build up and use the forces in order to accomplish the proposed security goals.

The government issued the White Paper on Security and National Defence in order to enforce the provisions of the National Security Strategy, also using inputs provided by the government programme (which includes the national objectives of the government for its mandate). In order to achieve its goal, the White Paper of the government sets out: the main objectives and tasks of the public institutions involved in providing national

---

<sup>7</sup> For an extensive presentation see also {erban Lungu, Joint Defense Planning in Larry Watts (ed.), op. cit., pp. 107–19.

<sup>8</sup> \*\*\*, National Security Strategy, Bucharest, 2001, published in Monitorul Oficial, Partea I, nr.822, 20 December 2001.

security and defence; measures and actions to be taken by these institutions, in order to ensure national security and defence; the necessary resources (human, financial and material) to be provided annually, for the building up and training of the forces engaged in national security and defence.

The timeframe is four years for the medium term, with an extended perspective up to eight years. Being one of the key documents within the planning of the defence, the White Paper on Security and National Defence becomes operative concurrently with its endorsement by Parliament.

*Parliament*, by endorsing the White Paper, oversees the evolution of the military in accordance with the general security interests of society, determines how the resources should be used to provide security and oversees the defence for the country.

The *National Military Strategy*<sup>9</sup> (NMS), developed by the Ministry of National Defence, expresses the Romanian objectives and fundamental options to military policy, within the validity period of the National Security Strategy.

The NMS:

- evaluates the impact on defence of national security risks and threats both from a military viewpoint, and a civil perspective that involves the use of military resources;
- defines the quantity, structure and ways to allocate the resources necessary to the national defence;
- establishes force structure, missions, organisation, equipment, training level, operational level, logistics and infrastructure needs to be covered, as well as the force training plans and rules of engagement for military actions to be performed by the Romanian military; and
- stipulates the military measures to be concluded as regards co-operation, partnership and alliance commitments undertaken by Romania at the international level.

---

<sup>8</sup> \*\*\*, Military Strategy of Romania at [www.mapn.ro](http://www.mapn.ro), chapter Security Environment.

The National Military Strategy is approved by the government and is subject to renewal every four years.

The pinnacle of the planning process is the *Defence Planning Guidance (DPG)*, issued by the Minister of National Defence. DIPD is responsible for drafting documents based on inputs from the General Staff, the services and other structures involved in the defence planning area. DPG constitutes the legal and policy grounds for the MoD specialised structures, plans the force structure and capability, matches resources to objectives, and sets out policies and sectorial programmes.

The timeframe is four years for medium term, with an extended perspective on midterm. In order to achieve interoperability, in January 2002, the decision was adopted to employ a six-year planning cycle.

Activity in the defence field is established under a legislative framework, setting out the legal basis for all areas including national defence planning, which:

- establishes the rights and responsibilities of public authorities in the field of security and national defence;
- ensures co-ordination of security objectives and policy together with the resources that can be provided to achieve the objectives;
- defines the responsibilities, place and role of each ministry and public institution with specific responsibilities for the Romanian internal system of security;
- ensures compatibility between the Romanian defence planning system and those of NATO members.

*The Law of Public Finance*<sup>10</sup> establishes the procedures of building, management, use and control of the state financial resources, of the public institutions and organisations. These procedures are related to the timeframe, responsibilities and authorities involved in public finance administration.

---

<sup>9</sup> \*\*\*, The Law of Public Finance in Monitorul Oficial, Partea I, nr.597, March, 13 August 2002, pp. 1–16.

*The Budget Law*<sup>11</sup> has directed 13 ministries and executive agencies to develop an experimental budgeting programme, during fiscal year 2001; for 2002, all ministries and agencies were required to adopt the new system.

In order to match defence policy issued by the Department for Defence Policy and the force structure as designed by the General Staff, against the projection of available resources, the decision to implement a PPBES within the MoD and to have a single structure (DIPD) to run the process was adopted.

So far, most of the organisational structures needed for the proper operation of the system have been created. There have been established:

- the Defence Planning Council<sup>12</sup> – the foremost body within the MoD, that joins together the state secretaries, the chief of General Staff, the secretary general, being chaired by the minister. By its members, it creates the most representative picture of the integrated approach existing at MoD level;
- the Committee for the Co-ordination of the Armed Forces Reform and NATO Membership Action<sup>13</sup> – an inter-departmental body established to ensure the unitary, coherent and strong ruling of Romanian military reform as well as the NATO membership effort.

Also, the following documents have been issued:

- The National Military Strategy;
- The Defence Planning Guidance no. 02/2002–2005;
- Planning, Programming, Budgeting and Evaluation Regulations.

In the *planning phase*, national as well as military strategies and MoD interests are described; the main goals, objectives and priorities are established and the resource are settled up. This phase has as output the issuing of long-term strategies and plans.

---

<sup>10</sup> For the current year the decision will be implemented, see also The Budget Law/2003 at [www.gov.ro](http://www.gov.ro).

<sup>11</sup> See Control Structures, The Defence Planning Council at [www.mapn.ro](http://www.mapn.ro).

<sup>12</sup> Op. cit. at [www.mapn.ro](http://www.mapn.ro).

Within *the programming phase*, programmes and the necessary resources to carry out the goals and objectives are specified. This phase has as its output the issuing of defence programmes.

Based on DPG provisions and according to the procedures established through PPBS Regulations, programme managers elaborate the defence programme drafts, which are the subjects of analysis, integration and optimisation. After their approval by DPC, these programmes will constitute the inputs for the defence budget bid.

Within the *budgeting phase*, the first programmed year is specified in financial details. Certain steps in this process are followed each year starting with 1 May, when MoD forwards to the Ministry of Public Finance the draft proposed budget detailing expenditure and income for the next financial year, comparing it to expenditure incurred during the current year with accompanying explanatory notes covering any variations. This ends on 10 October, when the Government submits for Parliament approval the bids of the aforementioned budgets, accompanied by the Budgetary Law bids.

The primary evaluation accompanies the first three phases of the PPBS. The recurrent evaluation represents the final evaluation stage – integrated part of the PPBS – wherein the accuracy of the planning process is finally assessed.

The *multi-annual planning cycle* represents the quintessence of the PPBS, and the basic instrument to ensure the viability of the financial structures. There are three approaches to this cycle: short-term, mid-term and long-term.

Most likely shortfalls in the proceedings during one year can be corrected through the Defence Planning Guidance. The DPG is the document enabling the review of programmes' priority, the adjustment of appropriations, and the rearrangement of deadlines as necessary.

Here is displayed the approach of resources redistribution on a time-budget scale.<sup>14</sup>

---

<sup>13</sup> C. Mo[toflei, op. cit., p.50.



2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
	Long-term Plan 2002–07									
				Long-term Plan 2005–10						
Budget	Programmes 2002–07									
	Budget	Programmes 2003–08								
		Budget	Programmes 2004–09							

The resources are reallocated in the next six years using the present year resource allocation. At the same time the deadlines can be shifted to one of the future years.

In order to ensure a properly co-ordinated approach to achieve the most efficient balance between advancing national security goals and resource allocation, MoD promoted the importance of maintaining a dialogue with other government departments.

To this end, we have developed a network of connections with civil ministries (e.g. the Ministry of Finance, for Foreign Affairs, the Ministry of Development and Prognosis).

### **PPBS procedures**

The PPBS in operation with the Romanian Ministry of National Defence is patterned after Western models and reflects the classical approach to planning, programming and budgeting. In this process both the ‘top-down’ and ‘bottom-up’ approaches are employed, that is: centralised planning and programming development process, decentralised budget development (execution), competition for resources, and transparency.

At MoD level, the organisation established to manage this process is the Defence Integrated Planning Directorate (DIPD).

The key players are the program managers (the chiefs of single services staff, chiefs of logistics and signal commands, the Secretary General, the director general for defence intelligence, the director for Euro-Atlantic Integration and International Military Relations). The Chief of the General Staff issues mandatory regulations regarding manning levels, training levels, stocks and overall readiness. Also, the draft programmes for the services,

the logistics and signal commands are revised by the Chief of General Staff from the standpoint of meeting his regulations. Currently, the programme managers have considerable leverage (as well as responsibilities) in allocating resources in accordance with the strategic priorities. Most of the expenditures, which were centrally planned on behalf of the programme managers, have now been decentralised and programmed accordingly.

The system has incorporated planning for major procurements (which is operating in accordance with NATO standards since the second MAP cycle) and infrastructure development and, to a large extent, human resource dynamics. Also incorporated is the management of FMF assistance, which is subject to the same competition and adjudication process as the budget funds.

Narrowing the scope, one could say that, although the minister, as head of the institution, always had overall responsibility for the MoD budget, there has been an imbalance between the planning inputs of the General Staff and the ministerial level. The defence planning cycle had been budget-based with the GS formulating their resource requirement according to their perception of national defence and security needs. While the planning process was conducted under ministerial supervision, the impetus was driven from below rather than led from above. In order to solve this imbalance, during the second MAP cycle, a single structure was created under the State Secretary for Euro-Atlantic Integration and Defence Policy in order to integrate defence planning (the budget section/JS became the budget service with the DIPD).

Already in 2001, the operation of the system has brought momentous changes as far as matching objectives with resources is concerned. For instance, although the increase of the defence budget in 2001 was 5.1% in net terms, the increase in operation and maintenance expenditures was 44.5%. The significant increase in PGs implementation tempo (from 5 in 2000 to 20 in 2001) can be at least partly credited to the operation of PPBS.

The PPBS implementation enjoys considerable support from civilian authorities. It is considered that this process will increase transparency in employing public funds.

Co-operation with the Ministry of Public Finance has witnessed significant improvements, and a 'task-force' has been established to deal with issues related to defence budgeting (among others, a conversion matrix between NATO and Romanian cost categories has been jointly developed).

### **The role of civil society in security sector reform**

Civil society was involved to a larger extent than ever before in publicly analysing the implications of NATO enlargement, reform of the Alliance, the current security environment and Euro-Atlantic policy issues. Co-operation between governmental and non-governmental institutions on security issues has been exemplary.

Civil society-driven events related to NATO have increased in number and substance and more important in 2002, representatives of the civil society have for the first time been invited to meetings of the interdepartmental Commission for NATO integration.<sup>15</sup>

Romanian participation in the Euro-Atlantic Treaty Association (ATA) has been strengthened through the setting up of the 'Romanian Euro-Atlantic Council',<sup>16</sup> as a consortium of four non-governmental organisations (Manfred Wornier Euro-Atlantic Association, NATO House Association, George C. Marshall – Romania Association and EURISC Foundation). The objectives of the Euro-Atlantic Council Romania include facilitating better information on civil society and the Romanian public on the process of preparing for NATO membership, as well as consolidating public support for NATO-related government decisions.

NATO House, a Government funded project aimed at promoting Romania's NATO candidacy, has become fully operational. It has already organised numerous meetings, round-tables and conferences on NATO-related issues. NATO officials and dignitaries from NATO member-states held conferences at Romania's NATO House.

---

<sup>14</sup> The Interdepartmental Commission for NATO Integration is organised in accordance with the Governmental Decision nr.14/2000, see also chapter, 'Romania integration into NATO', at [www.mae.ro](http://www.mae.ro).

<sup>15</sup> See 'Facts and figures on Romania's bid for NATO membership' at [www.nato.int/pfp/romania/piromnato.htm](http://www.nato.int/pfp/romania/piromnato.htm).

## **Transparency issue in the legal reform process in 2002**

On 4 April 2002, the Romanian government adopted a comprehensive Agenda for Reform,<sup>17</sup> addressing critical elements of the reforms Romania is committed to undertake before and after the Prague Summit.

This set of blueprints focuses on some of the areas covered by the ANP cycle III, especially on issues of great interest concerning Romania's preparation for NATO membership.<sup>18</sup> It complements and highlights the relevant provisions of the ANP cycle III. On each subject, the blueprints consist of an assessment of the current stage, legislative, institutional and law enforcement measures.

The Agenda for Reform includes a broad initiative against corruption, measures for speeding-up economic reform and privatisation, reform of the military and intelligence services (including protection of classified information), protection of the rights of children and minorities, as well as actions against human trafficking.

The National Supreme Defence Council endorsed the document on 5 April 2002. On 10 April 2002, in a Declaration on the Government's policy for preparing Romania's accession to NATO, Prime Minister Adrian Nastase presented the Reform Agenda to Parliament.

### **Police legal framework**

The new Law on the Organisation and Functioning of the Romanian Police entered into force in May 2002.

---

<sup>16\*\*\*</sup>, Agenda for reform at [www.gov.ro](http://www.gov.ro). See also The Public Information Law at [www.gov.ro](http://www.gov.ro).

<sup>17</sup> Summary of AMP cycle III at [www.mae.ro](http://www.mae.ro).

The activity of Romanian police is defined as a specialised public service, acting to support fundamental rights and liberties, public and private property, as well as to prevent and detect offences, and maintaining public order.<sup>19</sup>

The Romanian legal framework has special provisions regarding organisational structure (central unit and territorial units), the duties of the Romanian police and of policemen, procedures used (including modern techniques, such as controlled deliveries, undercover agents or operations etc.) the logistics, conditions to use force and the regime of legitimate self-defence), international co-operation and participation in international missions (joint instruction, assistance, humanitarian activities).

In June 2002, the Law on the Policeman Statute was adopted. The law creates the legal framework to demilitarise the Romanian Police and the Border Police. The law came into force on 24 August 2002. According to this law, the policeman is defined as a public civil servant, with a special statute, facing particular risks, armed and usually wearing uniform, invested with the exercise of public authority during and in connection with the fulfilment of specific tasks established by law for the Romanian police. The policeman acts exclusively based on the law and in enforcing the law, observing impartiality, non-discrimination, proportionality and graduality principles. The law establishes the conditions of selection and promotion, as well as the rights, duties and restrictions, legal responsibility and professional reconversion etc.

### **Security and intelligence issues: recent developments**

Romania focuses on implementing national security regulations in the field of protection of classified information, according to NATO standards.<sup>20</sup> In this respect, it will further ensure the development of the necessary legislative and institutional framework and will implement protective security measures adjusted to the Euro-Atlantic pattern and criteria of exigency.

---

<sup>18</sup> Ioan Rus, The Euro-Atlantic Security and The Dimension of Public Order and Citizens's Safety in the Redefinition of the National Security in A. Nastase (ed.), Romania-NATO 2002, Bucharest, Regia Autonomă Monitorul Oficial, p.89, see also 'Ministry of Interior Role' at [www.mi.ro](http://www.mi.ro).

<sup>19</sup> 'Romanian Intelligence Service and NATO' at [www.sri.ro](http://www.sri.ro).

The protective security measures will be correlated with those of preventing and countering terrorist acts of any nature, in co-operation with NOS (NATO Office of Security) and relevant structures from NATO member and partner countries.<sup>21</sup>

The new Law on protection of classified information (Law no. 182/2002)<sup>22</sup> and the NSA (National Security Agency) standards on the protection of NATO classified information establish the legal basis for the system of classified information protection, meeting both NATO standards and the requirements of a democratic state.

The institutional framework that was established, i.e. the National Registry Office for Classified Information (NROCI),<sup>23</sup> the INFOSEC authorities and all the other infrastructures at national level, ensured the management of the National Registry System and access to NATO classified information through physical, personnel, document, industrial security and INFOSEC measures, to meet the exigencies of the Alliance.

Access to NATO classified information is granted on the basis of a NATO-compatible vetting procedure.

At present, around 3,000 persons (civilian and military) have a security clearance. The intention is to apply the vetting procedures, according to the Law 182/2002, to a sufficient number of persons who may participate in NATO meetings and handle NATO information. Access to the specially protected offices of the NATO Departments in the Ministry of Foreign Affairs and the Ministry of National Defence is only permitted to vetted personnel having special identity badges.

In the last years the information security culture in Romania has been promoted in two dimensions, one technical and specialised, which also considers the personnel who will

---

<sup>20</sup> 'Considerations concerning international terrorism', 24 October 2002, at [www.sri.ro](http://www.sri.ro).

<sup>21</sup> For an extensive presentation see also 'Protecția informațiilor clasificate', Practical Guidelines at [www.sri.ro](http://www.sri.ro).

<sup>23</sup> NROCI – is organised and functions as national security authority of Romania dealing with the protection of all classified information. It is a public institution subordinated to the Government of Romania. All the attributions of the National Security Authority (NSA), established within the Ministry of Foreign Affairs (Government Decision nr. 864/2000) will be assumed by the NROCI until 23 November 2002 (Government Decision no. 845/August 2002).

be appointed to structures of the Alliance; and the other more extensive, i.e. developing security education, with participation of the mass media and engaging large segments of the population. In this framework, public debates on the role of the intelligence services in democratic society had increased in number, in order to promote transparency and inform the public on this issue.

## **Conclusions**

It is obvious that there have been positive emergent trends in Romania in security sector reform, a fact which has been confirmed by the official invitation into NATO at the Prague Summit. The first engine of this reform has been civil-military relations programmes developed within military reform. This reform has been promoted through democratic control and political reforms within powers of the state.

The second conclusion should mention the increased capabilities of the policy-makers to cope with new security risks. There were two situations, the Kosovo crisis and the 11 September attacks, which proved that inter-agency cooperation in Romania is effective.

We also have to underline the crucial role played by the MAP framework for Romanian security sector reform. This is the most effective and integrative tool for good coordination of the security sector reform.

Most of the problems are related to: lack of better coordination bodies among different levels of reform; a need for more educational programmes in the field of the security sector, especially in the policy formulation field (the most successful programme has been developed by the Centre for NATO Studies which offers a Masters Degree programme for senior executives) and, last but not least, we may notice a lack of initiatives and programmes designed for/by civil society to address security sector reform issues.

## CHAPTER EIGHT

---

### CIVIL-MILITARY AND INTERAGENCY COOPERATION IN THE SECURITY SECTOR REFORM

*Archil Osidze and Ivlian Haindrava*

#### **Introduction: threat perception – security agenda**

##### *A brief background*

As in most former Soviet republics, the security system in Georgia was established on the pile of ruins formed after disintegration of the Soviet Union. Ministries of Defence in the Soviet republics were absent as such; General Staff, of course, was only one, located in Moscow. Thus, the military infrastructure held almost all new independent states 'out of play' (except for the Ukraine and, to some extent, Byelorussia). It turned out that the country had to start from nothing.

One more peculiarity should be pointed out: Georgia, like the majority of post-Soviet republics, was deprived of its share of Soviet military property. It was denied its portion of the Black Sea fleet, left without every single anti-aircraft defence and received a bare minimum of heavy weapons, artillery, small arms and ammunition, most of them being either morally or physically obsolete or absolutely unusable.

First attempts to form national security forces go back to the period of Zviad Gamsakhurdia's presidency (1990) when the National Guard was established. Due to the fact that military service in the ranks of the Soviet Army was not respected in Georgia, skilled officers, especially with adequate national self-consciousness, were few and far between in the country. In some way, the same could be said about the qualification and self-consciousness of the security system contingent. Thus, if a reference point of army-building in independent Georgia is considered to be the establishment of the National Guard, then it should be stated that a range of problems related to the availability of professionals in the army as well as to equipping and arming, at that time were hardly resolvable. Therefore, these gaps were quickly filled up by untrained paramilitary formations and criminal elements, which ultimately led to the



overthrow of the President of Georgia once a serious disagreement between the President and the Command of the said forces, arose.

In short, in the place where independent Georgia's army should occupy its proper room, barely controllable armed groups rooted deeply for a number of years, regarding whom the categories such as military discipline and training, subordination etc. could hardly be applied. The given state of affairs became most apparent during the confrontation in Abkhazia in 1992–93.

Shevardnadze, being well aware that such a state of affairs might potentially constitute a fatal threat both to the state and himself personally, after his return to Georgia as chairman of the State Council in 1992, and subsequent losing Abkhazia, started neutralisation of National Guard and other illegal armed units. Towards the end of 1995, he managed to resolve this problem significantly. Leaders of the above-mentioned units, together with most of their companions-in-arms, were arrested; the remnants of National Guards joined defence structures; the rest were demoralised and disbanded. After the failure of an assassination attempt on the President in August 1995, the chief of the Security Service, accused of the organisation of assault, was compelled to flee the country. One might expect that after the adoption of the Constitution of Georgia in 1995, providing the contours of the state system (including the security sector) and the parliamentary elections, held in autumn of the same year and allowing Shevardnadze to take the supreme legislative body under full control, the building of military and security system would finally get underway and take its due path. However, expectations were barely justified. The normal process of building a national army and security structures was blocked by several internal and external factors.

*The internal* factor was the lack of traditions of serving in the army for the welfare of the motherland resulting from a subjugated condition of Georgia throughout two centuries. With the loss of statehood, the Georgians rarely fought for their native land. Mostly, they were at war within the ranks of foreign countries' armies, and generally for alien goals and interests. Lack of experience and skills in state-building, including the field of military forces, adversely affected the capability of nations to challenge such tasks. Conflict in Abkhazia had just aggravated the very state. More than that, numerous vices inherited from the Soviet army, primarily aimed to humiliate, if not to say annihilate human dignity,

was the only property obtained by Georgia from the military sphere of the USSR. And finally, heavy economic, social and psychological conditions of the last years had an inevitable negative impact on the army. All these factors had somewhat accumulated in the army, where corruption, human rights abuses, unauthorised relations among military men, bad malnutrition, inflation of army ranks (especially among generals) and a low level of medical service, resulted in an increase of crime, desertion, evasion of military service, and an alarmingly high suicide rate.

Thus, due to the lack of balance between the strength of armed forces in terms of numbers and its financing, it is not quite clear how this vicious circle could be broken off.

The major *external* factor is Russia. How it 'has shared' USSR military property with Georgia has already been mentioned above. Russia's role in supporting conflicts in South Ossetia and Abkhazia and maintaining similar outcomes in its armed operations which persist to this day can be no secret to anybody. The upholding of a state of 'neither war, nor peace' in the conflict zones, could, to a great extent, be ascribed to Russia. As a result, Russian military presence in the territory of Georgia has actually increased by 1994–95. More than that, the four Russian bases quartering on the territory of Georgia since Soviet times, were augmented by Russian 'peacekeepers' based in the conflict zones of South Ossetia and Abkhazia. Besides, Georgian borders were then controlled by Russian border guards at their sole discretion. Russia deliberately provided (and still provides) not only political but also military support to alternative power structures on the territory of Georgia. Thus, Russia, having a powerful internal control-action constituent, still remains an 'external' threat factor to the security of the country.

By the end of 1995, against the background of Georgia's political rapprochement with the West, the situation began to change. Unfortunately, it should be ascertained that almost all positive shifts in Georgia were accompanied by negative events that blocked an advance of the Western vector towards state and military building.

The situation is extremely grave in customs agency, tax inspection and law enforcement bodies (Interior Ministry and Prosecutor's Office), i.e. the most corrupt bodies. As a natural consequence, state budget permanent default became a norm. For the last three years, despite the Western countries' support, the country did not manage to escape the

sequestration of the state budget. In the course of the last ten years, the state has failed to overcome energy crisis, having almost destroyed the country's economy. Unfortunately, organised crime flourishes in parallel with criminalisation of politics.

Due to its geopolitical location, Georgia has become a transit country between the West and the countries of Central Asia and Azerbaijan, rich with energy resources; hence there emerged accompanying threats – smuggling of weapons and drugs, especially from the regions uncontrolled by central bodies.

As a consequence of the Russian-Chechen war, another hotspot (Pankisi Gorge), in the immediate vicinity of the country's borders, occurred, being periodically used by Russia as a *casus belli* for aggressive actions in Georgia. Moreover, Russia, manipulating laws that had been effective ever since the USSR, grants citizenship to large mass of residents of the very regions who, due to political and territorial separatism, do not obey central bodies. Thus, Russia undermines the support of territorial integrity of Georgia, declared before the world community.

All the foregoing, together with a large quantity of persons displaced from the conflict zones and the extreme distress of the majority of the population of Georgia, create threats to democracy and security of the country.

All these problems are well comprehended both by official circles and society, but for the present there is no actual success in overcoming them (especially in the struggle against corruption).

Surprisingly, Georgia has no officially elaborated national security strategy as yet. Therefore, there is no clear-cut common opinion about state interests, goals of their attainment, priorities, estimation of risks and so on. Frequently, decisions in respect of this or that problem are taken without co-ordination between other agencies.

Another document, dealing with issues of national security, yet with a military bias, is the Military Doctrine, adopted by the Parliament of Georgia as long ago as 1997. The document highlights the main principles of armed forces building but, due to the rapidly

varying military and political sphere, lost urgency and requires updating in line with national security strategy.

#### Security sector definition and integration concept

For the new independent states, having no democratic tradition, the major goal is formation of security structures, financing, coordination of activities, and democratic control over them.

There is no precise definition regarding which departments are included in the system of security structures of Georgia, but the Law on the Structure and Activity of Executive Bodies defines a list of ministries and departments whose norms and regulations stipulate their belonging to security structures. These are:

1. Ministry of Defence
2. Interior Ministry
3. Ministry of Security
4. State Department of Border Guards
5. Intelligence Department
6. Special Service of State Protection

Military Doctrine passed by Parliament defines military forces of Georgia as follows:

1. Armed forces of Georgia
2. Border forces of the State Department of Border Guards
3. Interior Ministry troops
4. Other armed formations created according to norms established by legislation

In turn, the armed forces of Georgia consist of:

1. Land forces
2. Air forces
3. Naval forces

The Constitution of Georgia defines a list of persons and institutions responsible for administration and control over above listed ministries and departments.

According to the Constitution, the President of Georgia bears responsibility for the security and defensive capability of the country; he is the supreme commander-in-chief.

The Parliament of Georgia determines the main directions of the country's domestic and foreign policy via standing parliamentary committees, carries out legislative work, adopts state budget, ensures control over implementation of current tasks.

The Government of Georgia, as the executive authority, bears responsibility for the activities of state agencies operating in the field of security and defence. It is liable to provide these agencies with all necessary material resources and funds in accordance with the decisions of the parliament or the decrees of the President within the limits of its constitutional power.

The seventh chapter of Georgian Constitution defines general principles for the construction of state defence. Directly or indirectly, issues relating to defence and security are regulated by the following laws:

- On Defence of Georgia
- On Interior Ministry Troops of Georgia
- On State Border of Georgia
- On Intelligence Activity
- On State Security Service
- On Special Service of State Protection
- On National Security Council
- On Military Duty and Military Service
- On Non-military, Alternative Labour Activity
- On Status of Military Personnel
- On Martial law
- On State of Emergency
- On Mobilisation
- On Participation of Armed Forces of Georgia in Peacekeeping Operations

- On State Secret
- On Collections for Call-up Deferment
- On arms, military material and on export control on the production of double destination.

It should be noted that until 1995 there was no legislative base for security structures in Georgia. Even if the adopted laws had certain deficiencies, they nevertheless provided a legal base for the activity of the above-mentioned structures.

To a certain extent, many other laws, including Criminal and Criminal Procedural Codes, army regulations and so forth, relate to the security sector. Besides, Parliament annually approves the Law on Strength [in terms of quantity] of the armed forces of Georgia. Despite numerous amendments and additions systematically introduced into the majority of laws, regulating relations in the field of national security and defence, they still are far from being perfect. Sometimes, one can speak about a deviation from the law, rather than a direct infringement. For example:

Paragraph 1 of Article 99 of the Constitution reads as follows: 'For organisation of construction of armed forces and defence system of the country, to establish National Security Council under the control of the President of Georgia'. And indeed, such a Council has been established in line with the law adopted by the Parliament in the beginning of 1996, yet, throughout a number of years, it did not fulfil its basic duties or, rather, performed so many side functions, which in no way were stipulated in the Constitution and which caused substitution of primary functions with the side ones. The National Security Council became, as it were, 'a small cabinet', deeply occupied, let's say, with personnel issues which in no way related to the security sphere.

In 2000, with the aid of the Department of Justice of the USA, USAID and Soros's Foundation, a special group has been set up to elaborate an anti-corruption programme. Consequently, in 2001, an Anti-corruption Council, under the supervision of the President of Georgia, was established. The Council consisted of 12 members representing both executive power and civil society (journalists, representatives of NGO). In line with the worked-out programme, the Anti-corruption Council gathered material on the activity of various agencies, including those of security structures and

submitted recommendations to the President. The Council was also engaged in monitoring or carrying out Presidential decrees in this regard. Unfortunately, it soon turned out that the President and the leading political parties were unwilling to cooperate with the Council.

At this present moment the Council still formally exists, but due to financial cuts, no active actions are being conducted.

### **SSR in key areas of civil military and interagency cooperation**

For illustration of a real condition in the armed forces of Georgia, as a reference point the year of 1998 should be taken into consideration, i.e. the period when the Defence Minister's office was assumed by a person who had received military education in the West. By then, the ranks of the Georgian army counted 30,000 men and conscription was held according to the same rules as in the former Soviet Union. Due to miserable conditions in the army, mentioned above, the best way for problem-solving then seemed a reduction of the strength of army to 19,500 men. However, the growth of corruption and problems associated with the state budget aggravated the situation in the army even further.

The figures shown in the tables below are the best illustrations of the financial situation in the defence sector. It should be noted that, from year to year, the Parliament of Georgia originally approved higher parameters of absolute figures but, in view of deeply rooted tradition of budget sequestration, the actual figures each time appeared to be below the budgeted ones. Table 1 clearly demonstrates the volume of means expended by the state on defence needs. To complete the picture, we have also cited figures expended on maintenance of public order and security (Interior Ministry).

Table 1 Dynamics of expenditure of the state budget, 1997–2003 (\$ million)

	1997	1998	1999	2000	2001	2002	2003
Defence	51.9	40.3	17.9	14.6	xx.x	20.1	28.5
Public order and security	71.8	46.5	37.8	32.2	xx.x	47.4	51.2

Table 2 shows a share of the Ministry of Defence both in the state budget as a whole, and in the Gross National Product of the country.

Table 2 Dynamics of expenditure of the Ministry of Defence, 1997–2003 (\$ million)

	1997	1998	1999	2000	2001	2002	2003
Expenses	54.3	41.0	18.9	12.0	15.7	16.4	23.0
Share in the budget, in %	8.7	7.1	3.9	2.8	3.1	3.4	4.6
Share in gross national product, in %	1.5	1.2	0.7	0.4	0.5	0.5	0.6

It should be noted that the parameters shown in absolute figures, and those showing the Ministry's share in the State Budget and Gross National Product, look ridiculous, if not to say, sad. The defence budget of Georgia is the lowest among the budgets of CIS, let alone other European countries. Let's make a comparison: Armenia's share in Gross National Product is 4.4%, Azerbaijan's 2.7%, Russia's 4% (according to the data of 2001). It is remarkable that all these parameters tended to decrease in the period 1997–2000 inclusive, and only thereafter began to creep up slowly.

The cited figures clearly show why young people try to avoid military service by fair means or foul, even in conditions of general unemployment.

However, for the sake of justice it should be noted that these figures do not completely reflect actual provision and equipment of the Georgian army; grants received from foreign countries in the form of ships and speedboats, helicopters, vehicles and equipment for military personnel, together with training programmes etc., were not taken into account.

But on the whole, one should not expect in the near future any radical and quick reforms and reorganisation of professional army, requiring big capital investments. Without cardinal improvements and a rise in the economy, bridling of corruption and increase in budget incomes, Georgia will not be able to reach the level of Euro Atlantic standards in the security sector.



Interagency Commission, established in 1995 to implement the Partnership for Peace Programme (PfP), which Georgia has joined shortly before, stands out against a background. In the framework of this programme retraining the personnel of the Ministry of Defence and State Border Guard Department, and also training the employees of the Ministry of Foreign Affairs, Parliament and the State Chancellery, became possible. Thus, Georgia has acquired professionals oriented towards Western values of democracy.

### **Current state of SSR action plan**

In 2002, the Georgian Ministry of Defence published a so-called *White Book*. It was the first attempt to give an overview about the state of affairs in military sphere (however, many experts view the optimistic tone of this book with caution).

The table of contents gives clear-cut outlines of the very document.

#### PREFACE

Security sphere in Georgia

Modernisation of Georgian armed forces

Rates of modernisation

#### CHAPTER 1: DEFENCE POLICY

Role of Georgian armed forces

Military cooperation

#### CHAPTER 2: DEFENCE STRUCTURES

Ministry of Defence

General Staff

Land forces

Air forces

Navies

Special Forces

Coordination centre of peacekeeping forces

National Guards of Georgia

Internal and border guard forces

### CHAPTER 3: PERSONNEL POLICY

Conditions for military service

Military education system

Future development of military education system

Reserve of armed forces

Civil personnel

### CHAPTER 4: LOGISTIC SUPPORT

### CHAPTER 5: DEFENCE BUDGET

Basic goals and tasks in defence planning

Implementation of modern planning process

Difficulties in planning process

Defence budget 2002

There have been changes in the Ministry of Security – the new Minister, a civilian, has dismissed several corrupt generals. The law on reorganisation of the Ministry of Security into Security Service is in the process of elaboration.

As for the National Security Council, cooperation within security agencies was at the level of personal relations of the heads of departments, and in case of problems, the decision was taken by the chairman of National Security Council, relying on his own prestige, but once a new Secretary assumed the office (former ambassador of Georgia in the USA), the reorganisation of the very service has begun. Now, the number of Security Council members will be sharply reduced and they will be engaged only in solving of major problems and working out security strategy.

Relatively recently, the National Security Council has approved recommendations of the State Commission for integration of Georgia into the Euro-Atlantic area and submitted to the President for his approval.

The major strategic policy objective for ensuring long-term independence, security and prosperity of Georgia is to achieve full integration within the Euro-Atlantic community at the earliest possible time and, specifically, to gain entry to NATO and the EU at the earliest possible opportunity.

The actions listed below are to be carried out with urgency in order to put Georgia on a correct basis for achieving success in these objectives.

2003 will be a foundation year, which consolidates all the modernisation planning which has been undertaken in the past few years in the security sector. Although implementation action will start as soon as plans are approved by the President, 2004 will be the year in which implementation is to be embedded and the modernisation process becomes irreversible.

The National Security Council will be the coordinating and monitoring authority for carrying out these instructions.

### **Actions to be taken by lead agencies, cooperating with others as appropriate**

#### ***By the National Security Council***

- Complete a National Security Concept for Georgia, including a risk assessment.
- Complete a conceptual document on Crisis Management, to include outline plans for the adoption and modernisation of the National Security Council staff and organisation.
- Submit a review of progress by all agencies on actions required by this document, together with a work plan for 2004
- Monitor and coordinate the activities of the following agencies.

### ***By the Ministry of Foreign Affairs***

- Discuss preparation of an Annual National Integration Plan (ANIP) with selected partner countries.
- Hold political talks with NATO and the EU.
- Hold consultations in the NATO format 19+1.
- Hold an international conference in Tbilisi on the topic of NATO – Georgia cooperation.
- Produce an Annual Integration Plan for guiding and coordinating future integration activity.
- Hold bilateral talks on security issues with NATO member states.
- Work to develop cooperation within GUAM.
- Continue to resolve settlement by diplomatic means of the disputes in Abkhazia, Georgia and the Tskhinvali regions.
- Continue to work for the final withdrawal of Russian bases from the territory of Georgia.
- Participate in selected international conferences and seminars aimed at achieving the above objectives, and hold one such event in Tbilisi.
- Augment the capability of the Georgian mission in NATO.

### ***By the Ministry of Defence***

- Complete work on a National Military Strategy, based on the National Security Concept.
- Complete plans and take all measures necessary for the transformation of the Ministry of Defence into a civilian ministry exercising democratic control over the Georgian Armed Forces.
- Complete plans for the modernisation of the Georgian Armed Forces on NATO-compatible lines and present these in a revised White Book.
- Introduce legislation to confirm the Disciplinary Statute of the Georgian Armed Forces.
- Continue to implement structural reform, to include reorganisation of the land forces and special forces into a rapid reaction force.

- Introduce a department for coordinating Euro-Atlantic integration work in the MOD and the General Staff, and initiate consultations with partner nations in preparation for the MAP process.
- Introduce a General Inspection department in the MOD.
- Continue multilateral and bilateral cooperation programmes, with priority to the Georgian Train and Equip Programme (GTAP).
- Carry out obligations under the Planning and Review Process (PARP), the Partnership for Peace Programme (PfP) and the Individual Partnership Programme (IPP).
- Develop the ability of the Georgian Armed Forces to participate in international peacekeeping operations.
- Introduce instruction on Civil Control of the Armed Forces into the education curriculum of the Defence Academy in time for implementation in the academic year starting in September 2003.

***By the Interior Ministry***

- Complete a Development Plan for the transformation of the Interior Ministry into a civilian law enforcement and border control ministry.

***By the State Border Guards Department***

- Complete plans for the transformation of the Department into a civilian border control agency, suitable for integration in due course within a modernised Interior Ministry.

**By the Press Service of the President and MFA**

- Prepare an information policy and implementation plan to assist achievement of the integration objectives.

## ***Prosecutor's Office***

- Introduce measures for eliminating religious extremism in Georgia.

## **Action Plan for 2003 for the Implementation of Legal (Legislative) Activities for NATO Membership**

1. Approval of the Security Concept of Georgia. (To be prepared by the National Security Council – in case the President gives consent, it will be submitted to the Parliament for approval.)
2. (The White Book for Security and Defence will be prepared. It will include the documents of both the Defence Ministry and other law enforcement bodies: the National Security Council.)
3. Work on the new edition of the *White Book* of the Ministry of Defence will start. (To be prepared in the Defence Ministry and to be approved by order of the Minister.)
4. Approval of the new Law on Defence. It will determine the reformation of the Defence Ministry into a civil institution for elaborating and implementing of defence policy, and appointment of a civilian Defence Minister. (To be prepared by the Ministry of Defence; the President will submit it in Parliament for approval as the legislative initiative.)
5. (Draft Law on planning of the national defence will be prepared. To be prepared in the Ministry of Defence and the National Security Council; the President will submit it to Parliament for approval as the legislative initiative.)
6. Decree of the President of Georgia on the approval of statute on the Ministry of Defence of Georgia. Definition of the function and structure of the Defence Ministry as a civil structure implementing defence policy set by Parliament. (To be prepared in the Defence Ministry and approved by Presidential Decree.)
7. Decree of the President of Georgia on approval of the statute on the General Staff of the Armed Forces of Georgia. Definition of functions of General Staff of the Armed Forces as responsible for training and command in peace and as command of all military forces in war; executor of orders of the Minister of Defence. (To be prepared by the General Staff of the armed forces and approved by Presidential Decree.)

8. Approval of the Law of Georgia on Strength (quantity) of the armed forces of Georgia. As a result of optimisation of military forces to transform the armed forces into the only military force and definition of strength (optimal quantity) on the basis of the requirements of the country. Common indices sufficient for permanent readiness for action of the armed forces must be fixed as an average of 13,000 personnel. The establishment of a reserve of armed forces must start. (To be prepared in the Defence Ministry and considered in the National Security Council. It will be submitted to Parliament for approval.)
9. Reform of the National Security Council and its apparatus and expansion of its functions so as to make the Council responsible for the elaboration of national defence and security policy, and for the control and analysis of its implementation. If necessary, making amendments to the Law of Georgia on the National Security Council and statute on the administration of the National Security Council. (To be prepared by the National Security Council; amendments to the Law are submitted in Parliament by the President as the legislative initiative.)
10. Making amendments to the Law of Georgia on internal troops (or approval of the new Law on establishment of sub-unit with operative function as an entity between military and police functions, similar to either carabinieri, or gendarmerie with clear separation of military and police functions). (To be prepared by the Ministry of Interior; the President will submit to the Parliament for approval as the legislative initiative.)
11. Amendments to the Law of Georgia on the State Secret to provide availability of information significant from the viewpoint of the development of civil society. The amendments will stipulate criteria for classification and marking of information. (To be prepared in the State Security Ministry, while the President will submit it in Parliament as the legislative initiative).
12. New Decree of the President on Classification and Marking, which will define the tools of marking classified information and material-technical criteria of protection. (To be prepared by the Ministry of State Security and State Inspection for Protection of State Secrets. It will be approved by Presidential Decree.)
13. Decree of the President of Georgia on amendments to the list of information containing state secrets, which proceeding from the current legislation will list the specific information representing state secrets. (To be prepared by the Ministry of

State Security Georgia and State Inspection for Protection of State Secrets. It will be approved by Presidential Decree.)

14. Decree of the President of Georgia on amendments to the list of state officials who are authorised to issue permits on access to state secrets. It should clearly interpret and limit the range of those persons who are authorised to issue the permit. (To be prepared by the Ministry of State Security and State Inspection for Protection of State Secrets. It will be approved by Presidential Decree.)
15. Decree of the President on amendments to the statute about State Inspection for Protection of State Secrets which will ensure implementation of legal relations provided for in the current laws in the field. It will define the structural and functional correspondence required for carrying out legislative amendments. (To be prepared by State Inspection for Protection of State Secrets. The President should approve through a Decree.)
16. Amendments to the Law of Georgia about State Security of Georgia. The Law must reflect the transformation of the Ministry into a service and cancellation of its function to investigate economic crimes. (To be prepared by the Ministry of State Security. The President will submit it to Parliament for approval as the legislative initiative.)
17. Decree of the President of Georgia on approval of the statute on State Security Service, which will clearly interpret the authorities of the reformed ministry. (To be prepared by the Ministry of State Security. The President will approve it by Decree.)
18. Approval of the Law of Georgia on establishment of a General Inspection for Administrations of the Executive Power. Internal control will be the function of the Inspection. (To be prepared by the Ministry of Justice. The President will submit it to Parliament for approval as the legislative initiative.)
19. Approval of the Law of Georgia on Religion. (To be prepared by the Ministry of Justice. President will submit it in Parliament for approval as the legislative initiative.)

These laws will considerably speed up security system reform. However, it should be noted that according to our experience, many more problems occurred during the implementation of these laws than in the process of their approval.



## **International cooperation**

Since 1992, Georgia has created a contractual base for cooperation with more than 20 countries in the sphere of defence and security. Within the framework of bilateral cooperation, Georgian armed forces personnel were put through professional and language training in the USA, Germany, France, Great Britain, the Czech Republic, Hungary and Greece. Close contacts with neighbouring countries Turkey and Ukraine have become intensive.

The American 'Train and Equip' programme, put into effect less than a year ago, has had a wide public response. 64 million dollars are being spent to train and equip approximately 1700 Georgian soldiers and officers. The focus is placed on antiterrorist preparation, which is equally topical from the point of view of the situation in Pankissi gorge, adjoining Chechen Republic, and in terms of protection of the Baku–Tbilisi–Geyhan oil pipeline.

The 'Train and Equip' programme is of great significance for raising the level of interagency cooperation and for coordination of their work. The Centre of National Military Command and Crisis Management has already been established. Together with the representatives of the Ministry of Defence, the specialists of Interior Ministry, Department of Border Guards and Ministry of Security will participate in the work of the Centre.

Participation in the Programme 'NATO Partnership for Peace' enabled Georgia to maintain direct contacts with Euro Atlantic member states and to participate in numerous joint initiatives. In 2001, in the framework of the same programme, multinational trainings 'Cooperative Partner 2001' were held in the territory of Georgia.

Georgia is also a founder member of the Euro Atlantic Council for Partnership.

Since 1997, the group of ISAB (International Security Advisory Board) under the direction of General Sir Garry Johnson (Great Britain) actively cooperates with the government of Georgia. The group assists Georgia in security sector reforms and in elaborating the National Security Concept. The above-mentioned *White Book* has been created on the recommendation and with the assistance of the said group. It is

remarkable that the representatives of Baltic countries have augmented their participation in ISAB. Having gained ample experience in the field of Security Sector Reforms, they have much to tell Georgian colleagues on the ways and means of reform implementation.

Since 1999, a Georgian platoon, organically assigned to the Turkish battalion, has taken part in peacekeeping operations in Kosovo. According to recently provided information, in June of the current year, Georgian motorised rifle company, forming a part of German contingent, will participate in peacekeeping operations in Kosovo. To this end, 140 Georgian servicemen will be put through a four-week special military training programme at the school of Bundeswehr.

Georgia's participation in the BLACKSEAFOR programme on cooperation and interaction of fleets of the Black Sea basin states is also noteworthy.

Cooperation within GUAM periodically shows signs of life. Thus, for example, on 8 February 2003 the heads of border departments of Georgia, Ukraine, Azerbaijan and Moldova signed a joint statement and a protocol in Tbilisi on deepening cooperation in the field of information exchange, professional training, strengthening of frontiers and adjustment of legislative acts, regulating work of border agencies, with norms.

And finally, declaration of a willingness to be integrated into NATO opens up new opportunities for Georgia by way of participation in various multilateral and target programmes of the North Atlantic Alliance that are crucial for strengthening and progress of the democratic country.

### **The security sector and society**

Work on a National Security Concept has finally acquired a regular character. Relatively recently, an international seminar devoted to projects of a similar concept (or strategy) has been held in Tbilisi. The point at issue became two schematic modifications (or, rather sub-alternatives) of the National Security Concept, elaborated by the apparatus of National Security Council. Interestingly, a few days later, another version of the same concept was published as a literary (!) appendix to one of the Georgian newspapers. However, these are most likely to be deviations from the subject, private reflections on

the theme rather than actual talks over the concept. At the least, one more extensive work exists on this theme, giving rise to experts' scepticism. However, stirring up public awareness of such problems testifies that Georgia has finally matured in for having its own National Security Concept (Strategy). In fact, this document is of no less significance than the Constitution of the country. If the Constitution declares the sovereignty of people and general principles of statehood, the National Security Concept defines ways and means of achieving declared goals and ensuring interests in the context of current realities.

Shortly before the NATO Prague summit, representatives of leading Georgian NGOs and mass media signed a joint declaration appealing to the President of Georgia 'to clearly express the nation's will to be integrated into NATO'. This does not mean that the very declaration was decisive in regard to whether or not Georgia becomes a NATO member, but it was a very rare case for Georgians that public consensus was reached regarding at least one (though fundamental) matter such as the country's policy and strategy and it was clearly manifested. It is appropriate to mention here that advances towards NATO impose a set of obligations upon Georgia; therefore the signatories of declaration have stated that they will carry out monitoring of the activities of accountable departments in order to ensure effective fulfilment of the obligations assumed by Georgia.

## **Conclusion**

The political background against which the current state of affairs in the Security Sector should be reviewed (which also could be applied to Georgia's state, in general), is characterised by two major challenges: the continued presence of Russian military forces on the territory of Georgia, and the formalised aspiration of the nation to be integrated into NATO. Membership in the CIS, hitherto not bringing any dividends to Georgia, is an obvious obstacle in reaching major strategic goals.

Georgia has undertaken concrete steps towards overcoming obstacles (with the assistance of allies and partners). In 1999, Georgia withdrew from a Treaty of Collective Security. At the end of the same year, at the OSCE summit in Istanbul, Georgia signed a contract with Russia, on which basis Russia has undertaken to remove two of the four

military bases from the territory of Georgia by the middle of 2001, as per other two, parties have agreed to hold additional negotiations.

In view of the political situation developing in the world, Georgia has got a chance to take advantage of a window of opportunity and actually become a member of the Euro-Atlantic community. The foregoing has a fundamental importance not only for Georgia but for the Euro-Atlantic community as well from a geopolitical viewpoint. Current processes are comprehended not only by us, but also by forces having radically opposite views regarding the arrangement of Euro-Asian area in the twenty-first century. Therefore, democratic transformations in Georgia, especially in the security sector, will have serious opponents both beyond the country's borders and, unfortunately, within the state.

In six months, new parliamentary elections will be held in Georgia; two years later there will be presidential elections. It should be hoped that the citizens of Georgia, living in very complex internal and external conditions, will make the correct choice for democracy. Therefore, it is quite crucial to complete security sector reform as soon as possible; yet in attaining this goal, not only resources, skills and the assistance of allies and partners are needed, but also the proper will.

## CHAPTER NINE

---

### CIVIL-MILITARY AND INTERAGENCY COOPERATION IN THE SECURITY SECTOR IN MOLDOVA

*Nicolae Chirtoaca*

#### **Threat perception – security agenda**

As in most transitional countries of the Eastern Europe the intersection of democracy, market and security aspects of the Moldovan way towards the competitive economy and open society is extraordinarily fragile, endangered by changing external perils and internal incapacity to identify priorities and to meet the challenges of the complex nature of this modernisation process. As in many countries of the Carpat-Balkan region of Europe the lack of security is a major obstacle to development that can have devastating consequences for individuals, groups, states, and even regions of the continent. Therefore one of the main transitional challenges Moldova is still facing is Security Sector Reform (SSR). The very rapid geopolitical changes, proliferation of new risks and dangers, which heavily impact the whole postwar order and the value systems make this task more difficult, especially for the small states that recently appeared on the political map of Europe.

Like the majority of former Soviet republics, Moldova has inherited from the Soviet past a highly militarised economy, corruption, disorder, consolidated political power combined with almost total lack of political culture necessary for the normal functioning of the pluralistic society. The current governing political class is still deeply under the influence of the Soviet mentality and is focused almost entirely on a struggle for the power. The historical heritage that influences the behaviour of the political society, the psychological stereotypes formed inside the totalitarian regime, the perception of the exclusive role of the state by ordinary people all have a direct impact on the formation and functioning of the state power executive and legislative branches. But even in Moldova where the most conservative political forces came to power, and where legal democratic mechanisms are not able to make changes, democratic reforms already have an irreversible character.

The geographical location is also important for Moldovan national security. The country lies on the crossroads of three distinct geopolitical zones: South-Eastern Europe, Central Europe and the Euro-Asian Region. After the collapse of the former Soviet Union Moldova did not break the relationship with former Soviet republics mostly for economic reasons – external markets and dependence on the energy sources and raw materials. But membership in the Commonwealth of Independent States did not allow Moldova to solve the difficult problems related to the national security. The political and territorial separatism remains the main concern and the obstacle in the painful process of state building and in the way of reintegration of the Moldovan society. The military, economic and political support provided by Russia to the separatists of the so-called ‘Moldovan Transnistrian Republic’, who control the left Dniestr riverbank region of Moldova, the Russian military presence on this territory against the OSCE decisions, and lack of control over the Eastern border with neighbouring Ukraine remain the immediate security threats for the country.

The main official document that contains the principals and directions of state activities in the field of national security and defence is the Military Doctrine of the Republic of Moldova adopted by the parliament of the country on 6 June 1995. The Doctrine has not been changed since its approval by the supreme legislature more than seven years ago. This document mentions the democratic control over defence sphere as one of the main principal of the new kind of the civil-military relations, asserts the supremacy of the political control of the elected bodies of the public authorities over the military institutions and structures of the state and the Armed Forces as a whole.

According to the Doctrine the existing military dangers to the sovereignty, independence and territorial integrity are considered to be the following:

- territorial claims or pretensions of other countries;
- attempts to interfere in the internal affairs, or to destabilise the internal domestic situation in the country;
- presence of foreign troops on the territory of the state against the will of the people;
- subversive activity of separatist organisations, the attempts oriented to the armed violation of the territorial integrity of the country;

- creation of the illegal military forces on the national territory.

Another document that contains the definition of priorities concerning national security is the National Security Concept adopted officially by Parliament in 1995. According to this concept, the threat for the state security is understood as actions, conditions and the factors presenting danger to the state, society and citizens; and as such are considered to be the following:

- actions directed to a violent change of the constitutional order, to undermining or destruction of sovereignty and territorial integrity of the country;
- activity, directly or indirectly promoting expansion of military operations against the country or causing civil war;
- armed or other violent actions undermining the state foundations;
- espionage, transfer of data, containing state secrets to other states, illegal reception or storage of the data classified as state secrets, with the purpose of transferring it to other states or anti-constitutional structures;
- treachery expressed in assistance to other states in support of hostile activity against the Republic of Moldova;
- actions with the purpose of infringement of constitutional laws and freedom of citizens causing a threat to state security;
- preparation and committing acts of terrorism, and also endangering the life, health and inviolability of high officials, representatives of state power of foreign states during their stay in the Republic of Moldova;
- actions that contribute to the appearance of emergency situation on transportation system, communication, life-support and economy infrastructure;
- plunder and smuggling of weapons, ammunition, combat material, explosive, radioactive, poisoning, narcotic, toxic and other substances, their illegal manufacture, use, transportation and storage if the interests of state security is affected;
- creation of illegal organisations or groups presenting threat to state security, or participation in their activity.

On 26 July 2002 the Parliament of the Republic of Moldova approved the Concept of Military Reform. The officials have explained the necessity of this document in terms of a

need to solve a range of problems with which the armed forces are confronted during the most recent period. The establishment of a new efficient and flexible system of military security able to guarantee the defence of territory, sovereignty, independence, territorial unity and integrity of the state are considered the main objective of the reform. The necessity of the reformation of the army is explained by the following factors:

- imperfection of the present system of the military security of the state;
- the declared permanent neutrality status of the country and the necessity of the foreign policy adjustment to this principle;
- the present geopolitical situation and the new realities, risks and missions generated by changes in the international arena;
- the insufficiency of financial resources and the need to correlate the military security system of the state with the present possibilities and perspectives of economic development of the country;
- relatively low defence potential of the armed forces and reduced military capacities of the country.

In the Concept it is highlighted that the Republic of Moldova does not have enemies and therefore the probability of a major threat to the military security of the state is a minor one for the time being. The main sources of threats are considered to be regional instability and the emergence of a large diversity of non-military risks. For the first time cross-border risks such as organised crime, illegal drugs, weapon and strategic material smuggling and trafficking are listed in the official document. The Concept of the Military Reform contains the following hierarchy of main regional risks:

- the strategic imbalances in military potential in the region;
- the existence of a certain degree of military tension and conflicts that can spread; territorial separatism and the internal political, social and economic conditions that can have a negative impact on the military potential capable of diminishing the power and authority of public administration;
- the appearance of dysfunction in the financial, informational, energy, communication and telecommunication systems of the states;
- politico-military rivalries between newly formed states.



During the Soviet era Moldova did not have on its territory any important technological and industrial military capacities. Some of the production units and plants of the former military-industrial complex are not functioning any more or are undergoing radical restructuring on the basis of conversion. Consequently, Moldova cannot be a source of military goods transfer. All arms and munitions procurements are controlled by the state. A special government commission has been created to monitor such activity on the territory of the country. Moldova has joint all the international agreements regarding the non-proliferation of nuclear and conventional armaments. On the territories controlled by separatists' light artillery systems such as 'Grad' are produced as well as weapons (Kalashnikov machine guns etc.), mine launchers for the needs of local paramilitary units and exported to different 'hot spots' on a commercial basis.

The alienation of the public power from the population and the decline in society's spiritual-moral potential, imperfect legislation and inefficient state policy are the main factors that block the sporadic efforts of public power to reduce the negative impact of these phenomena on the societal life. There are real dangers to the *civilian security system* in Moldova:

- human rights abuses in the Eastern region of Moldova under the control of separatists;
- widespread corruption and the absence of efficient anti-corruption strategy and mechanisms;
- low tempo of the reformation of the justice system and of the law-enforcing and security agencies;
- high level of political parties' influence on the local mass media and as a result the manipulation of public opinion, especially within the electorate campaign.

Over the past years it has become clear that economic factors are decisive for the national security and durable development of the country. Only stabilisation and growth of the Moldovan economy will be able to satisfy the interests of citizens, society and state, to solve problems associated with a deficiency of resources necessary for the stabilisation of the internal situation as well as for the resolution of the national security problems. To this extent the non-military threats linked with specific aspects of the radical socio-economic reforms are as follows:

- possible failure of the democratic and liberal reforms due to Moldova's governing circles' incapacity to ensure the steady transition to the market economy;
- high cost of macroeconomic stabilisation without a visible impact on the real economy and life standards; possible destabilisation of the situation in society; radicalisation of the political regime;
- growing role of the 'shadow economy', corrupt governance and as a result, a chronically weak and inefficient state;
- organised crime involvement in the community's life, its transitional character becoming a source of regional instability.

The territorial separatism remains one of the most acute dangers for the Moldovan state and its future. Recent years have been marked by continuous efforts made by the Moldovan government to find a peaceful solution to conflicts between the legal authorities of the country and the leaders of separatist formations from the left bank of the Dniestr river also known as 'Transdnestr Moldovan Republic'. Despite the concrete steps and unilateral concessions made by the government and the active involvement of the OSCE and international mediators the conflict is far from being settled.

The social and economic vulnerability of society and its members remains, while political instability and political-territorial separatism are still the main internal threats. The unfinished market reforms, social and political polarisation of society, the growth of corruption and organised crime, deterioration in inter-communal and inter-ethnic relations create a broad range of internal and external risks to the country's security. Mistakes made in the initial stage of democratic reforms have weakened law-enforcement institutions as well as the state regulation and monitoring, provoking the decline of the role of the state and reduction of its efficiency in addressing the security problems.

### **Security sector definition and integration concept**

The growing powers and responsibilities of institutions in the security sector objectively require better co-operation between civil servants and the military, efficient democratic supervision and control. The human and financial resources invested in the security

sector require more efficient use of created capacities. It increases the need for co-ordination among institutions in the security sector based on the explicitly formulated strategy followed by coherent actions and a responsible attitude from the governing circles and of society as a whole.

In Moldova discussions regarding the need as well as the main goals and objectives of security sector reform are generated from time to time by a change of government or after the new head of state is elected and tries to implement some electorate and political promises. The absence of a qualified debate about what are the fundamental characteristics of SSR raises quite serious issues concerning effectiveness and concrete ways in which the current situation can be improved. Despite the rapid expansion of international co-operation in the field of security and defence in the last decade, there has been little analysis of the nature, content and consequences of this sector reformation, especially in the post-socialist countries of the Central and Eastern Europe. The difficulties in assessing the commonly accepted definition of SSR also derive from the fact that the sector itself is at the same time the building block of strategy and a tool driving democracy in the field of security and defence. The absence of a common understanding as to what are the goals and instruments of the of SSR has already produced the following consequences:

1. SSR is defined in the broader context of democratic reforms and the adjustment of the armed forces and security services of the state to new geopolitical realities and threats. This holistic approach concerns mostly good governance, conflict prevention and post conflict reconstruction, and proliferation of non-military threats, political control over the military as well as democratisation of civil-military relations. The growing number of issues included within the area of security sector reform leads to a loss of focus and finally risks diminishing the efficiency of the reforms.
2. There are real conservative trends in the attempts to address the new challenges already existing in the security sector on the basis of old approaches and policies without re-evaluating what needs exist and thus make them relevant to the circumstances in the country and at regional and sub-regional levels.

3. The new kind of civil-military relations may be understood mainly as a need to correspond to international requirements imposed from outside the country by the multilateral organisations of which Moldova is a member. In the absence of adequate understanding about the fundamental democratic norms that regulate the new relationship between civilians and armed forces and which form the checks and balances system, it is premature to speak about the concrete model of democratic and efficient control over the military being implemented in the country. This is one of the sources of confusion in terms of exactly what policies, ideas and values should be considered as a basis for the reformation of the existing security and defence system.
4. Within a broad SSR agenda and without shared conceptions and a common strategic approach to the SSR, different stakeholders such as government, civil society representatives and international institutions pursue different objectives and therefore provide sometimes conflicting policies, being focused on different aspects and priorities of the same processes.

Despite a certain degree of confusion in Moldovan society concerning the real content and the ways of implementing SSR, there are already key policy instruments in this field. The security sector means all those institutions, organisations and units that have authority to use force or the threat of force, to protect the state and its citizens, as well as those civil structures that are responsible for their management and oversight. The security sector in Moldova includes: (a) central public authorities responsible for the management and oversight of the security sector; (b) armed forces – military and paramilitary formations; (c) police forces – the Interior Ministry troops (*carabiniries*); (d) border guards and customs services; (e) security and intelligence service; (f) judicial and penal systems and their institutions.

Over the years of Moldova existence as an independent country a legal division of authority between state institutions responsible for national security has been gradually established according to generally recognised democratic norms and principals. The following public authorities and institutions are involved in developing and ensuring the national security of the Republic of Moldova:

- According to the Constitution *the president of the state* assumes full responsibility for the national security and defence. He is the Supreme Commander-in-Chief of the armed forces and has personal responsibility for defensive capability of the country and combat readiness of the armed forces. The head of state directs the state agencies and mobilises resources for ensuring the implementation of this constitutional task. He also has the right to define the main directions of the country's domestic and foreign policy which should be finally approved by Parliament.
- The *Parliament of the Republic of Moldova* which develops and forms the legislative framework in order to ensure national security as well as democratic control over the military and monitoring the current activity of the armed forces and law-enforcing agencies. The legislators also adopt the state budget which includes expenses related to national security and defence.
- The *Government of the Republic of Moldova*, as the central body of the executive authority, is responsible for national security as a whole and for the defensive capability of the country in particular within the limits of its constitutional power. The government directs and monitors the activities of the state authorities and agencies directly operating in the field of national security and defence. The executive branch of power takes care of the defensive capabilities of the country, of providing the armed forces with armaments, ammunitions, military equipment and different kinds of material resources. The government acts strictly in accordance with the decisions of Parliament and the decrees of the President related to this specific area of its responsibility. The government also co-ordinates the activities of central executive authorities (ministries, state departments and agencies) as well as of local executive authorities, and designs state budget for implementing specific programmes in the area of national security and defence.
- The *Supreme Security Council* is an advisory body to the President and its main task is to develop general directions in organisation and maintenance of the country's security, defensive capability and military construction. The Council assists the head of state in identification and assessment of threats to national

security, drafts operational decisions to prevent them and monitors the implementation of decisions in this area by central and local executive authorities.

Despite the existing legal division of powers and responsibilities between different state authorities and structures the necessity to achieve synergy between the specific institutions of armed forces and security services as well as to increase the level of general awareness by setting priorities using co-ordination as a tool remains one of the main problems. The common understanding of these issues by all the actors and the need for a legal framework and respective regulations remain important.

The lack of efficient co-ordination leads to overlaps, especially in the activity of the interior ministry structures and other special services of the state. The need for efficient co-operation in the field of national security also derives from the very nature of the new threats and their different impact on the national security. In the Republic of Moldova, there are three state structures of executive power specialising in state security maintenance: Information and Security Service (ISS), Service of the State Protection and Border Guard Troops Department. Relatively recently a fourth one has been created – the Centre for Fighting Against Organised Crime and Corruption. According to legislation, they form the system of agencies of state security of the Republic of Moldova in which ISS plays the leading part. Such a situation requires a high demand of co-ordination, but also of governmental and parliamentary management and oversight. The appropriate and flexible response implies bridging the gap in the activities of different forces, services and agencies.

It is commonly accepted that the armed forces play the leading role within the security arrangement in the state. The army bears a major strain and has for the third time in a decade to be reorganised in order to meet new challenges and threats. One of the main objectives of the latest army reform concept is to transform it into a flexible, movable and sustainable force able to be the leading force in any crisis management with well-determined tasks. One of the main goals of the current Concept of Military Reform consists in changing the existing approach to the defence planning through the adjustment of the armed forces to modern requirements. Despite the fact that this document has been developed exclusively within the framework of the MoD and therefore has a certain departmental character, its authors tackle the role and duties of

the military and the Concept has all the features of the national security concept, representing a complex of ideas, objectives and directions of activities followed by the assertion of force structure, mechanisms and budgeting procedures. One of the strategy goals is to raise the level of co-operation in the field of defence and national security. The document contains also the idea of the *system's planning part* that includes the following elements:

- geopolitical situation, possible sources of potential crises, external risks and threats;
- sources of internal instability and risks;
- economic situation of the country and its potential for maintenance of the armed forces at the required level of combat readiness including the financial resources that can be allocated to the military sphere;
- structure and capacity of the armed forces for addressing problems including the country's participation in European security and stability arrangements (possible participation in blocks, alliances, armed forces participation in peacekeeping operations etc.)

In this way the concept of military reform creates the basis for better co-ordination of the state policy in the field of national defence and security connecting external and internal factors as well as different state agencies responsible for foreign policy, internal stability and security, and international co-operation. Programmes and activities in the military and security area are planned according to the financial capacity and economic resources of the country. The concept determines the national requirements in the defence area, establishes objectives of the military policy, and develops tasks for the armed forces and security agencies. On the basis of the Concept programmes should be developed by the Ministry of Defence, Ministry of Interior, Department of Border Guards, and by the Service for Information and Security. The planning will be carried out under the guidance of the Government and the final paper will be approved by Parliament as a state programme of activity.

## **SSR in key areas of civil-military and inter-agency co-operation**

Over the years of Moldova's existence as an independent country a legal division of authority between the state institutions responsible for national security has been gradually established according to generally recognised democratic norms and principals. Parliament has done its job in approving the long-term principles and priorities of Moldova's foreign and security policy, mainly through the adoption of the Military Doctrine and of the National Security Concept. The other major constitutional roles of the legislature such as controlling and correcting the national security policy and strategy and the budgeting process have been exercised with modest success. The regular activity of the standing parliamentary committees on defence and national security as well as on foreign policy are not marked by big achievements from the strategic point of view. Anyway the regular hearings and discussions within the respective committees have contributed to the raising of a degree of transparency to the decision-making process in this field of state responsibilities.

In terms of civil-military relations, the principle of democratic (civilian) control over the armed forces has been recognised as a rule of the democratic game and partly institutionalised. Over the years of independence, Moldovan society has gained some experience in democratising the military. Some efforts to raise public awareness concerning national defence planning and military budget approval have been made. Within the society there is already the understanding of the necessity to ensure the accountability of the military, security services and law enforcers to the elected public authorities.

The lack of democratic traditions from one side and the creation of the national army from scratch on the basis of the officer corps and personnel inherited from the Red Army are still real challenges for the new independent state. However, the real test for civilian control is still to come with practical implementation of a delayed and painful restructuring and adjustment of the armed forces to the real threats and to the dynamic of cooperation with the emerging collective (cooperative) security system in Europe. In these circumstances the military leadership made efforts to protect and preserve the military system, relying mostly on the old experience and being tempted to restore the former infrastructure and ways of military organisation. These trends have been



reinforced by the limited democratic experience of the military as well as by the lack of competence and expertise of new civilian governments.

At the same time, the military doctrine of the country stipulates that different institutions and units of the National Army can be used to assist the frontier guard and the interior troops (*carabineries*) in the protection of the population against armed violence, the localisation and blockage of potential conflict areas, the prevention of armed clashes, the armed protection of important objects and civil units, the liquidation of the consequences of natural disasters, damages and catastrophes, in accordance with the legislation.

In some cases the Armed Forces can be used in peacetime, in order to assure the military security of the state. In accordance with the National Security Concept approved by Parliament, the main tasks of the military security include, along with the defence of the state against external aggression, the localisation of armed conflicts and the neutralisation of illegal military activity in the immediate vicinity of the country's borders, the support given to the state bodies and units during the implementation of the missions aimed at the re-establishment of national security.

The Concept of Military Reform, approved by the Parliament in 2002, specifies the reasons for the use of the armed forces in the above-mentioned situations. It stipulates that, during crises, the armed forces can participate in accordance with the law, and in co-operation with other states, in the following actions: the prevention of destabilising actions, the neutralisation of terrorist elements and other illegal armed groupings, prevention of proliferation of conventional and mass-destruction arms, intervention in crises situations in order to protect citizens and basic infrastructures of the state. The armed forces may be used in cases of natural disasters, damage and catastrophes at the solicitation of the government, in accordance with the existing laws.

The main restriction related to this chapter is stated in the Law on Armed Forces and gives the Parliament the special right to limit the use of armed forces in situations that are not related directly to state defence and protection. In cases of states of emergency, the decree of the President of the Republic of Moldova is required. There is still a certain misunderstanding concerning the similarity of the legal provisions that determine 'exceptional situations' and the constitutional notion of a 'state of emergency'.

A frequently neglected aspect of democratic control over the armed forces in Moldova is the issue of whether the government is actually competent to decide on and implement security sector reform and direct the course of military reform. More exactly it is a problem of the weak state which is not yet able to develop the body of civilian expertise in defence issues which is needed to ensure balance and to provide competent and adequate advice. The rapid turnover of governments in Moldova as in the majority of Eastern European countries compounded this lack of expertise. When governments are reliant on the military for advice on defence issues, it is the armed forces, and not the government, which effectively decide policy. This state of affairs still persists in Moldova, despite the existence on paper and in law of what pretends otherwise to be adequate mechanisms for democratic control.

From one point of view, the institutional and law making issues, such as the drafting and approval of new normative acts and re-definition of the lines of responsibility of the military and security structures, have been successfully accomplished. While new public power structures and institutions have emerged quite rapidly, created by the decisions of the law makers, attitudinal change appears to be taking place over a longer time period than institutional or legal change. The effective operation of institutions and procedures in the field of national security can be ensured altogether with an important attitudinal change, the acquisition of shared norms and values by civilians and military aware of the existing and verified norms of the countries with long democratic experience.

Moldova like many other Eastern European countries has found it exceptionally difficult to evaluate a successful model of civil-military relations within the framework of the ongoing reformation of the national security system. Therefore the objective analysis of the current state of the democratisation of the national army in general and of civil-military relations in particular is so important for Moldova, especially taking into consideration the need to ensure cost-saving and efficient inter-agency co-operation. The willingness of the political elite as well as of the governance to reintegrate the country into Europe and to conclude in the near future the process of transition towards the democracy of market economy create good preconditions to reach this objective.

## **SSR: current state and action plan**

The security sector reform agenda put forward in the Concept of the Military Reform describes concrete goals which the government and respective ministries should strive to achieve. There is only the problem of the central agency of the state which will assume all responsibility for reform implementation. According to the Concept the President and the presidency as an institution should play an essential role in security sector reform involving in this process the government and its structures. The problem consists in the lack of real and reliable mechanisms capable of allowing the head of state to put into practice the main ideas of the reform and to monitor the process itself. The Supreme Security Council of the state is not instrumental and has no human or logistical resources to play an active role. More that that the SSR is not a high priority for the governing majority which is concentrating mostly on stabilisation of the economic and social situation in the country.

The MoD can play a key role in this situation but there is a risk that this ministry will try to pursue its own corporate interests without paying too much attention to the interests and co-operation with other state power structures involved in the process of reform. In favour of the special role the MoD should play is the fact that military forces will be a key part of security sector reform. At the same time, without clear mechanisms for accountability, armed forces can potentially constitute a threat to democratic governance and can consume much more resources than other parts of the security sector. Another key priority of security sector reform is to ensure that military forces are oriented exclusively towards those tasks for which they are most appropriate.

Effective police forces under civilian control and management are another essential element in establishing the conditions for community security, in enhancing the economic and social stability. The governing political majority try to take under full political control the police forces and to use them in the struggle against the radical opposition. At the same time organised crime is interested in infiltrating the law enforcing agencies provoking an antagonistic relationship between the police and different sections of the citizenry. Building the capacity of police forces according to democratic principles is particularly important in the current situation.

Judicial reform is not yet finished in Moldova and this element of democratic transition of the country is included in the list of priorities monitored by the Council of Europe. Judicial

appointments are frequently politicised and influenced by political power, trials can be subject to long delays, and corruption is a real problem. Effective and impartial judicial and penal systems can play a key role in reducing crime and in consolidation of justice and social stability. Building the capacity of judicial and penal systems, and encouraging reform in this area should be real priorities of the SSR agenda.

It is evident that security sector reform involves fundamental issues of governance. The problems Moldova is still confronted with are a result mainly of poor governance and the lack of capacity of the state to respond in adequate way to the new challenges as a whole and to the changing structure of risks and threats in particular. The steady improvement of the conceptual approach to the problem this sector has to address is not followed by the concrete activities. The inertia of old approaches and the conservative tendencies remain very visible in decision-making process concerning defence and security. There are several elements of the further reformation of the national security which can be considered as essential for Moldova.

1. To strengthen the civilian oversight and management of the armed and security forces through raising the level of their professionalism and of degree of their accountability to civilian authorities. Without doubt larger civilian involvement in security policy development and civilian management is the key element of responsible governance in this sector. The competence and professionalism of civilian expertise as well as efficient independent institutions can ensure the civilian leadership for the security sector functioning according to democratic norms and principals. Low quality of civilian expertise and control is one of the major obstacles in establishing good governance in the security sector and ensuring efficient civilian management. The reforms agenda in this area should include:
  - strengthening civilian expertise in ministries of defence, internal affairs, justice and special services through the formation of experts and specialists and the transfer of knowledge;
  - raising the decision-making capacity and competence of the standing parliamentary committees that monitor defence, internal affairs, policing and secret services;

- developing the concrete model of the civil-military relations and of the democratic supervision of the military according to democratic norms and the concrete environment and situation existing in the country;
  - establishing independent research institutes (think-tanks) specialising in the problems of national security and defence that will work in direct contact with the decision-making structures.
2. To raise the level of transparency in security sector planning, management and budgeting. Military and especially security forces are often unwilling to share information with civilians, and there are limited possibilities to form specialists who will be in the future independent analyst in this area. A lack of transparency creates a dangerous trend towards high politicisation and abusive use of the military and security services by the authorities or by the political groupings that control the power. Such a situation can undermine a country's long-term economic and political stability as well as put under question the democratic development of the country.

Theoretically such situations are regulated by the Moldovan legislature. The concrete categories of information about the security sector that are considered confidential are stipulated in the Law on State Secrets but the rest can be made public without risk of compromising state security. In practice there is still a great amount of inertia from the old times to make secret much more information and data than the legal norms allow. The development of increased transparency, in line with the best practice of countries with long-term democratic traditions can contribute to the democratisation of the sector.

3. To involve institutions and organisations of civil society more actively in monitoring the security sector and in developing the defence and national security policy, budget policy and resource allocation. The associative sector institutions and organisations in transitional societies like that of Moldova require more assistance from the state and from international agencies to play a more visible role and to carry out these activities. Efficient monitoring that involves civil society organisations and media is able to raise the efficiency of civilian control over the security sector organisations. These steps can be introduced in the SSR

agenda in Moldova. Increased transparency in budgeting and improved auditing mechanisms can help reduce the level of corruption and waste of resources in security sector programmes.

4. To develop international co-operation that promotes regional and sub-regional peace and security actively involving the participant countries in partnership based on European norms and principals in the security area. Both governmental and non-governmental sectors can play an active role in enhancing mutual security so that local problems do not become regional. Such co-operation can play the role of knowledge transfer and contribute to the change of mentality of those involved in common projects so that Moldovan civilians and military are able to reinforce balanced civil-military relations.

Promoting regional confidence-building mechanisms within the framework of existing security arrangements such as the Stability Pact for South Eastern Europe and NATO Partnership for Peace Programme can enhance mutual understanding between governments and reduce the risk of inter-state conflict. More attention should also be given to including civil society in regional dialogues.

5. To consider as a priority conflict settlement and post-conflict transformation including reintegration of the eastern part of the country currently controlled by the separatist regime. The settlement of the Transdnestr conflict can considerably enhance local and regional security by removing the source of destabilisation and the surplus of armaments, weapons and munitions that are not under the control of the Moldovan authorities. The normalisation of the situation in the Eastern part of Moldova can tackle cross-border proliferation of small arms. These efforts should be followed by concrete measures aimed at enhancing border controls as an integral part of security development programmes.

Respect for human rights and rule of law by the security sector organisations can be ensured by relevant training, helping the police and other security forces to get the appropriate knowledge and understanding of the code of conduct in democratic society. Programmes of external assistance in this area aim to provide the behavioural changes that can serve as a catalyst.

## **Conclusion**

One of the main strategic goals of the Moldovan state consists in stabilisation of the situation and escaping from a downward spiral wherein insecurity, corruption, criminalisation and underdevelopment are mutually complementing and reinforcing. The complexity of this stabilisation agenda and of the long-term and adequate strategy development means that the socio-economic, governance and security dimensions of the reforms must be tackled simultaneously. Therefore the systematic consideration of what constitutes the main goals of the planned reforms is of paramount importance for the success of this endeavour. Of no less importance is the compatibility of democratic rules and principals in the SSR area with each country's particular background and political and social environment. The central objective is to ensure good and competent governance and efficient co-operation with international partners who understand the nature of the transformations the transitional countries are undergoing.

The interdependence of the SSR and other modernisation agendas, such as democratisation, separation of powers (checks and balances), democratic control of the armed forces and security services, rule of law, transparency, protection of human rights, an equitable and independent judiciary, the active participation of civil society institutions and organisations, requires a much broader approach in comparison with the existent one. The lack of generally applicable norms and criteria on SSR and its elements makes the problem even more difficult.

For an internally weak state like Moldova, facing serious obstacles to overcome the social and economic crisis, to concluding the democratisation process in the near future is unlikely to provide a strong basis for the development of effective SSR. The prospective development of SSR activity in the framework of PfP and the Consortium of Defence Academies and Security Study Institutes is the best course for the country

Formal commitments of the government to the internationally agreed SSR objectives have little chance of leading to success in this complex area. It is much more difficult to involve governing forces in the reform design and development without external

pressure and without the active participation of the multilateral organisations. Incorporating security sector problems into political dialogue should give the reforms a high priority in its ongoing political co-operation with leading continental and Euro-Atlantic organisations. This can also provide a mechanism through which EU and NATO governments define which external support might be appropriate in the particular circumstances of the individual country.

One of the main tasks in insuring good governance in the area of national security and defence consists in training the civilians and military in order to form the skills of joint efforts and allowing them to work successfully together in dealing with the respective problems especially at the strategic level. What is really important for good governance is that both civilians and military work closer and in a team spirit on defence problems, avoiding counter-productive rivalry.

The external influence and existence of outside 'agency of change' could be a realistic solution for countries with limited internal potential for democratic change. From that point of view the international cooperation of the country in transition with international organisations and on bilateral bases can contribute substantially to the advancement of reforms. External expertise may turn out to be a key element for these societies that are in urgent need for assistance in gradually adjusting existing security and defence systems to democratic rules and requirements.



## CHAPTER TEN

---

### CIVIL-MILITARY AND INTERAGENCY COOPERATION IN UKRAINE

*Grigoriy Perepelitsa*

#### **Political control over the armed forces**

The way in which the Ukrainian armed forces were established played an important role in shaping the mechanisms for political control over them. One of the first acts of Leonid Kravchuk after being elected in December 1991 was to assert – by presidential decree – the position of President as Commander-in-Chief of the Armed Forces. Thus, what emerged after 1991 was a system in which the President played the central role in controlling the armed forces – and other military and paramilitary forces under the control of the Ministry of Interior and other state institutions – and in the development and implementation of foreign, security and defence policy. This reflected the larger emerging Ukrainian political system, with the President playing the central role in appointing the Prime Minister and government and shaping many areas of policy. At the same time, the absence of a pre-existing Ukrainian officer corps and General Staff with a strong corporate identity or any history of intervention in domestic politics meant that the military was relatively unlikely to become involved in domestic politics as a force in its own right.

The new Ukrainian constitution adopted in June 1996 consolidated the system of political control of the military and the wider security sector established in the early 1990s. Under the constitution the President ensures the independence and security of Ukraine; represents Ukraine in international relations and administers the state's foreign policy; appoints the prime minister and the government; establishes, reorganises and disbands ministries and other executive bodies; is Commander-in-Chief of the armed forces; appoints senior military commanders; administers national security and defence policy; heads the Council of National Security and Defence: declares war, martial law, state of emergency and military mobilisation (although these must be approved by

Parliament); and has the right to initiate legislation in Parliament. The Council of National Security and Defence of Ukraine is the coordinating body for the President on national security and defence, and coordinates and controls the activities of the executive institutions in the sphere of national security and defence. The Council is chaired by the President, who determines its composition (although the Ministers of Defence, Internal Affairs and Foreign Affairs and the head of the Security Services are ex officio members) and its decisions are put into effect by presidential decree. Under the constitution, the Cabinet of Ministers is responsible to the President, appointed by the President, ensures the implementation of domestic and foreign policy, elaborates the state budget, takes measures to ensure the defence capability and national security of Ukraine, and directs and coordinates the operation of ministries and other executive bodies.

Under the Ukrainian Constitution, the powers of the *Verkhovna Rada* in relation to the armed forces and defence policy are relatively limited compared to those of the President and government. These include: adopting laws (including those relating to defence and security); approving the state budget (including the defence budget and controlling its implementation); determining the principles of foreign policy; declaring war (following a request by the President for such a declaration); and approving presidential decisions on the use of the armed forces; giving consent to the appointment of the prime minister and approving the programme of the Cabinet of Ministers; confirming the general structure and numerical strength of the armed forces, security services and other military formations: and confirming within two days of their declaration by the President the introduction of martial law, of a state of emergency or a mobilisation of the armed forces. In practice, further, the ability of the *Verkhovna Rada* to exercise its powers in relation to the armed forces and defence policy in an effective or meaningful way is limited. The lack of access to detailed information (for example, on the defence budget and the structure of the armed forces), limited expertise on defence and security issues, and resistance from the President, government and the military mean that parliamentary supervision of the armed forces and defence policy is rather limited. This reflects the more general character of the emerging Ukrainian political system, in which the President plays the central role and has control of most of the key elements of state power.

The establishment of an independent Ukrainian state and democratisation radically changed the social and political context in which Ukrainian servicemen live. For Ukrainian servicemen, these developments were most noticeable through the implementation of laws guaranteeing their civil rights and liberties. Indeed, the *Verkhovna Rada* passed over forty pieces of legislation on these issues during the first year of independence. As well as the more general laws such as those 'On the Defence of Ukraine' and 'On the Armed Forces of Ukraine', there were also specific regulations to protect the rights of servicemen. These included the laws 'On Social and Legal Protection of Servicemen' and 'On Pension Provision for Servicemen and their Families'. These laws provided more significant rights and protection to the military than the laws that had been in effect in the Soviet Union. These include the right of the military to form their own social organisations and the rights of servicemen to take legal actions against the unlawful behaviour of their superiors, to a pension and to a fixed working week of 41 hours, as well as longer periods of leave. Additionally, soldiers are permitted to stand for Parliament. If elected, they effectively take a sabbatical from military service, but are guaranteed the right to return to their previous position after their parliamentary term is completed. In conjunction with these developments, a range of representative institutions was established within the armed forces, such as the Military Trade Union, the Union of Officers of Ukraine (OUO), and the Union of Afghanistan War Veterans. The activities of these organisations have focused on protecting the rights of soldiers and on fighting cases of brutality against servicemen by their superiors. While the activities of these organisations often caused conflicts with senior military staff, they have had the effect of raising awareness of the rights of servicemen among military authorities more generally.

The new legal rights and social guarantees for servicemen contributed to a generally positive attitude within the armed forces towards the wider process of democratisation in Ukraine, as well as support for the consolidation of the country's independent statehood. The changes since 1991 have, however, also provoked some discontent within the military. A poll conducted by the Ukrainian Academy of Sciences suggested that the majority of personnel (68% of those polled) were not satisfied with the implications of democratisation for the military or the way in which reforms have been implemented. A 1999 poll, further, suggested that 32.8% of military personnel supported the idea of a 'strong arm' regime. The same poll indicated that only 6.4% of Ukrainian military

personnel believed that the further development of democratisation would generate positive changes in society.<sup>1</sup>

Further analysis suggests that the Ukrainian military have not fully absorbed the wider aims and objectives of this process. Officers see the process of democratisation, first of all, as an opportunity to strengthen their own social protection (70% of respondents). For ordinary soldiers, democratisation is seen more in terms of the establishment of a volunteer professional army that will free them from conscription (85% of respondents). State officials and political leaders, in contrast, see the democratisation of civil–military relations primarily as a means of removing communist influence from the armed forces and ensuring their political neutrality (54% of respondents).<sup>2</sup> In general, the Ukrainian military appears to approach democratisation primarily as a means of solving their own personal problems and realising personal interests, rather than as a wider political and social process.

It is not just in the area of military culture that the Ukrainian armed forces remain firmly Soviet, but also in terms of their political orientation. The political sympathies of the military lie firmly on the left of the Ukrainian political spectrum. A 1999 survey revealed that 22% of servicemen supported the Communist Party of Ukraine, while only 5.4% supported the more right-wing *Narodny Rukh*. These left-wing sympathies stem to a large degree from the ideological nature of military education in the Soviet armed forces, a factor whose legacy continues today. Notably, the strength of support for the CPU among servicemen varies according to age and hence to the amount of time they have spent in the military. For military personnel under the age of 28, 18.8% said they would vote for the CPU, whereas for those between the ages of 36 and 45, whose direct experience of the Soviet period was more extensive, the figure rose to 27%. Political sympathies among military personnel are also strongly influenced by their overall views of Ukraine's political, economic and social situation. Of those identifying themselves as feeling 'apathetic and depressed', 25.9% supported the CPU. Among those who were 'optimistic and enthusiastic', the proportion fell to 17.2%.<sup>3</sup> Additionally, 20.37% of

---

<sup>1</sup> O.G. Razumtsev (1999) 'U Vojennu Zagrozu Armia ne Virit', *Mizhnarodna Bezpeka*, no. 1, p. 77.

<sup>2</sup> A. Afonin (1994) *Stanovlennja sbroynich cil Ukraini* iKviv: intergrant, pp. 37–8.

<sup>3</sup> Razumtsev, op. cit., p. 78.

servicemen polled believed that communist policies could save Ukraine from crisis and improve the population's lives, while only 9% placed their faith in free market policies.

The Ukrainian armed forces also suffer from a chronic lack of prestige, both within the military itself and in wider society. In 1995, for example, only 52% of servicemen felt that their profession had a positive social status, a figure that fell to 44% in 1996.<sup>4</sup> Since at least the mid-1990s, furthermore, in the context of Ukraine's serious economic problems, the primary motive for pursuing a military career appears to have been financial. In 1999, 39% of soldiers surveyed cited financial security as their primary motive for joining the armed forces. More generally, surveys suggest that Ukrainian servicemen have negative views about developments in Ukrainian society and the armed forces. In one survey, 52% of officers acknowledged being apathetic and depressed. These attitudes were particularly pronounced among senior officers with more than 25 years' service (reflecting, in part, anxiety about the prospect of retirement). Younger officers with less than five years' service were more optimistic. While the negative attitudes of Ukrainian servicemen reflect the specific problems facing the armed forces, they are also a more general reflection of the massive political and especially socio-economic problems Ukraine has faced since independence.

The prestige of the Ukrainian armed forces in the eyes of the general public is also very low. In a 1992 survey, 79% of respondents said that the prestige of the armed forces was either low or very low. By 1996, this figure had reached 87%, while only 0.7% of respondents believed that the prestige of the armed forces was high. Furthermore, 87% of officers believe that the military profession has a low social standing in Ukraine, and that this leads to civil-military tensions. Many feel that the attitude of society to the armed forces is both disrespectful and humiliating, and that this damages the social prospects of officers.<sup>5</sup> These figures suggest that the recruitment of quality personnel for the Ukrainian officer corps may be difficult in future, as more promising students will be likely to opt for other, more prestigious careers.

---

<sup>4</sup> Ibid., p. 76.

<sup>5</sup> Social problems and reforming of Armed Forces of Ukraine. K. Centre for Social Monitoring, 1996, pp. 12–14.

The negative attitudes of wider civilian society towards the armed forces stem from the absence of any pressing military threats to Ukraine and the predominantly pacifist mood of the Ukrainian population at present. In Ukraine, these tendencies are unusually pronounced, however, and reflect a strong feeling in Ukrainian society that international problems and conflicts can best be solved by diplomatic and political means. This approach serves to reduce the importance of the role of the military in society, and strengthens the hand of those who question the need for large Ukrainian armed forces at all. In addition, the persistence of Soviet institutional norms and values in the Ukrainian armed forces highlights the fact that in many people's eyes the military have not yet become fully Ukrainian in spirit, language or traditions. As a consequence, many Ukrainians do not consider the Ukrainian armed forces to be fully 'their own'.

### **Problems in civil–military and inter-agency cooperation in Ukraine**

The old system still exists and there has not been enough development of new social and political regime elements that can characterise any country or society which is in a so-called transition period of its development as Ukraine is. Such a tendency generates two complexes of problems: political problems and organisational or institutional problems.

*The first political problem* of Ukraine in the civil–military relation's field is that there is no sufficient potential for democratic development of the country and at the same time the power is still held by forces which support the totalitarian past.

The contradictions between these two political forces cause political instability in the country that directly influences the condition of the civil–military relations. Under such situation the striving of power structures to create civil-military relations in sovereign Ukraine according to the usual old totalitarian directions and traditions takes place.

*The second political problem* of transition countries like Ukraine in security sector reform is the backwardness and weakness of its young democratic institutions. The system of democratic institutions formally exists, but has no substantial influence on public processes compared with those in developed democratic societies. Such democratic institutions should be used by authority as definite attractive features to indicate in a

formal way the country's devotion to democratic values. Under such conditions these democratic institutions cannot represent efficient and effective regulators of the civil-military relations.

*The third political problem* of civil-military relations in Ukraine is the weakness of Ukrainian civil society. This, together with the absence of years of practice and traditions of democratic institutions, allows no possibility for the introduction of mechanisms of effective control over both defence sphere, inter-agency and state civil power on the part of the population.

The absence of such efficient control mechanisms over political power on the part of civil society strengthens even more its indifference to civil control over the armed forces and inter-agency. The population of the country does not understand the importance of civil control for their own civil rights and freedoms protection.

The lack of structure of civil society may be referred to as the *fourth political problem* of the civil-military relations in Ukraine. This lack of structure effects the formation of political parties and their accumulation of the interests of various social sections of the population of the country.

The problem is that in Ukraine there has not yet been created a fully fledged party system to represent civil society in public authorities. Proceeding from this, political parties have no political civil responsibility, nor can the government bear responsibility for parties presented in Parliament. The parties in their turn bear no political liability for government operations. So the sense of introducing the post of civil minister declines, as he does not bear any political liability for the Ministry of Defence or Ministry of Inter-Agency activity, neither to the government nor to the leading political party in Parliament.

The mechanism of effective civil control on the part of society can only be then, when its interests will be represented in Parliament by the leading political party or ruling coalition, which will bear political liability for the government activity in the country, including activity of the Ministry of Defence or Ministry of Inter-Agency under the direction of the Civil Minister. There is not yet such a main political prerequisite in Ukraine, nor is there a government established on a definite political platform.

Instead of fully fledged political parties, which represent a wide cross-section of the population, Ukraine has so-called political holdings which represent a group of 'shadow' business interests in power structures. The interests of these clan-oligarchic groups are connected, first of all, with dividing the state financial and material resources, budget funds, and licensing – everything that is required for the normal functioning of a shadow economy. In such a way the 'shadow' economy in Ukraine has generated a 'shadow' policy.

In such a situation the introduction of democratic civil control in the armed forces, and particularly internal forces can bring about a boomerang effect, when the leading civil posts in the Ministry of Defence or Ministry of Inter-Agency will be held by the representatives of these political holdings that speak in support of shadow clan business.

The *next political problem* of the transition period, which complicates the introduction of civil control over the armed forces and Internal Agency considerably, consists in the fact that the democratic values have not become the values of the whole society. Heir to the communist ideology and totalitarian past, the Soviet military traditions to a larger extent defined the world outlook and inclination of the Ukrainian military. The Ukrainian military, police and intelligence service remain indifferent to threats to democracy process in the country, though at the same time in general they have a positive attitude to the reinforcement of democratic values in society. However, the Ukrainian military do not see any expediency in the introduction of democratic mechanisms into military activity procedures.

The fact that different categories of the military and state officials are not equally interested in the democratisation process in the armed forces of Ukraine is quite revealing. Junior officers demonstrate the biggest interest in the democratisation process (83%); among soldiers the figure is 58%; and the least interested in the democratisation process appear to be generals (6%) and civil officials from government agencies responsible for the country's defence (11%). Only 6.4% of the Ukrainian military believe



that further development of democratic processes can provoke positive changes within society.<sup>6</sup>

Absence of stable democratic traditions and the unacceptability of democratic values for the majority of society have caused relapses of authoritarianism, both at the level of public consciousness, as well as at the level of state authority. The public consciousness of the population is instead inclined to accept old slogans and myths that were not justified even in their time than to rely on common sense, freedom, values and human rights. They consider the authoritarian regime as a habitual behaviour system, and those forces which invoke a return to the past era of totalitarianism have significant support from that part of the population.

The relapse into authoritarianism at the level of official power can be seen in a striving to restrict freedom of speech, to muzzle all the mass media, to concentrate all political power at the top, to override not only legislative but also judicial branches of power. This relapse has caused a substitution of the mechanisms of democratic civil control by a system of rigid centralised political subordination of the armed forces and Internal Agency, as well as militarisation of the civil–military relations in the country. Unfortunately, this relapse in Ukraine considerably complicates the process of introduction of democratic civil control over the armed forces, internal forces, police and intelligence service.

Such political problems generate a lot of institutional problems in the field of civil control over the defence sphere and security sector.

The *first* of them is linked to the assignment of civilians to the higher guiding positions in the Ministry of Defence and Ministry of Inter-Agency. The problem here, on the one hand, consists in insufficient competence of civilians in the military sphere; on the other hand, in a lack of perception or confidence in civilians on the part of the professional soldiers. Apparently, paths towards a solution of this problem could be: the introduction of secretaries of state into the Ministry of Defence and Ministry of Internal Affairs; conserving the appropriate balance between civilians and military in the civil structures of the Ministry of Defence; introducing educational programmes concerning the military

---

<sup>6</sup> Razumtsev, op. cit., p. 77.

sphere for civil staff; and clear demarcation of authorities for both civilian and military functions in the Ministry of Defence.

*The second* problem is linked to interposition of the military and inter-agency in the elective process during parliamentary or presidential elections with their aspiration to use administrative resources for the benefit of this or that candidate for the position of President or member of Parliament. Such diligence can be estimated as an attempt by the military to have an unfair political influence on the civil authority. Such cases make the openness of elective process impossible for the mass media and public organisations. The existence of such a tendency encourages step-by-step erosion of the democratic system and the reproduction of authoritarianism.

*The third* problem consists in a lack of balance in the authority of the president, government, parliament and judicial authority in the sphere of civil control over the defence sphere and security sector. This problem is especially acute for countries with a presidential or a parliamentary–presidential form of state. In particular, this concerns Ukraine. The authority of the executive power considerably predominates over the above authorities of Parliament. The government decides in the majority of cases the operative problems in the defence sphere and security sector, while Parliament decides legislative problems and approves the budget. At the same time, the Supreme Body of Ukraine approve budgetary financing of the armed forces, but does not thus approve the development of state programmes and does not bear liability for realisation of the specified defence programmes.

Another problem of the Ukrainian parliament is that its authority is also limited with regard to personnel selection in the power structures of the state. The current legislation in Ukraine does not stipulate coordination with parliament of key personnel assignments in force departments.

*The fourth* problem is that of competence of parliamentarians in the defence sphere and security sector. The majority of parliamentarians are not familiar with either the defence sphere or security sector. It is not a subject of interest to them, as opposed to that of the economy. Therefore, the majority of parliamentarians have no interest in the accomplishment of parliamentary control over armed forces. Parliament requires

substantial possibilities of raising the professional level and proper hardware of an activity. Usually, this concerns a professional level of parliamentarians. However, it is necessary to indicate that the efficiency of parliamentary control largely depends on the professional level and competency of experts and servicemen in parliamentary committees. Their qualifications, skill and desire to work in this direction are key to the success in problem-solving faced by Parliament.

*The fifth* problem is linked to the organisation of civil control over special services. The closed character of intelligent service activity does not allow the possibility for Parliament and other civilian bodies to have effective control over them.

*The sixth* problem consists of a failure to distribute authorities of power structures for their application inside the country. As an outcome Parliament cannot realise effective control over activities of other military formations inside the country, i.e. internal functions. Under the conditions of the transitory period such indeterminacy can constitute a substantial threat to the basis of democracy in this country.

## **Conclusion**

The establishment of Ukraine's armed forces, and hence of its civil-military relations, took place against the background of the country's Soviet, communist inheritance. After the dissolution of the Soviet Union, the Baltic states demanded the withdrawal of (former) Soviet troops from their territory, voluntarily abandoning their 'Soviet inheritance' in this area. In contrast, Ukraine chose to nationalise the units and formations of the Soviet arms on its territory. As a result, Ukraine gained the largest military force in Europe, after that of Russia. The nationalisation of that part of the Soviet military on Ukrainian territory, furthermore, was achieved with remarkably few problems.

On the basis of this nationalisation of part of the old Soviet armed forces, Ukraine has also established a system of relatively clear civilian, political control of the military, with the President playing the central role in this new institutional framework. The 1996 Ukrainian constitution consolidated this new framework. Within this framework, the President has overall political control of the armed forces and other security services,

plays the central role in developing national security and defence policy through the National Security Council and plays the key role in appointing the government. In contrast, the parliament has much more limited powers of oversight with regard to the armed forces and defence policy.

An important negative consequence of the Ukrainian military's 'Soviet inheritance' was that the soldiers, officers and generals were and still are largely Soviet in spirit and training and brought old Soviet traditions with them into the new Ukrainian armed forces. This has meant that the Soviet era practice of military dominance of defence policy and defence policy-making has continued in post-Soviet Ukraine, with the Ministry of Defence remaining an essentially military institution, with only very limited civilian political input into defence policy and military resistance to reform.

At the same time, one of the central features of the Ukrainian military since 1991 has been its worsening economic and social situation. The combination of Ukraine's dire economic circumstances, declining defence budgets and absence of effective military reforms has created conditions in which the socio-economic circumstances of Ukrainian servicemen are very bad, dissatisfaction is widespread and the operational effectiveness of the armed forces seriously questionable. In these circumstances, the greatest problems for the Ukrainian military and civil-military relations appear to be not those of the military's relationship to domestic politics but rather those of deteriorating socio-economic conditions and military ineffectiveness. Against this background, military reform is likely to remain a major and very difficult challenge for Ukraine.

## CHAPTER ELEVEN

---

### CONCLUSIONS

*Philipp Fluri and Velizar Shalamanov*

The present study proceeds from a discussion within the PfP Consortium of Defence Academies Working Group on Security Sector Reform (SSR WG) on success, adequacy, transparency and comprehensiveness of Security Sector Reform (especially SSR programmes) and the wish for a timely and transparent reporting mechanism on progress made. Representatives of different transition countries within the WG volunteered to share thoughts and contribute articles to a volume addressing the following questions:

- What are the challenges, threats and risks to which your country's national security policy answers, and are they identified in official documents? Is there a divergence between official and public perceptions of threats and risks to security?
- Which institutions are assigned to address which risks and threats, and what legal and procedural provisions exist for their interaction and cooperation on the local, national, regional and international (identify institutions) level?
- Does the existing network of institutions and their cooperation leave important problems untouched (e.g. corruption)?
- Analysis of the SSR in key areas of Civil-Military-Security and Inter-agency Cooperation. How is this cooperation developing, whom are these institutions reporting to, and who intervenes in the case of problems?
- Is there an asymmetrical development of institutions and are all these institutions democratically accountable (e.g. Ministries of Interior)?
- Are there problems in civil-military-security and inter-agency cooperation typical for your country/region, how would you describe them, and how could they eventually be overcome?

- Assessment of the current state of the SSR and SSR Action Plan. Is Security Sector Reform successful? Only in parts? Which institutions are the most successful, and why?
- In conclusion: would you claim that SSR in your country is comprehensive, adequate and transparent, and what reporting mechanism on progress would eventually need to be introduced to create such comprehensiveness, adequacy and transparency in due time? What international and domestic institutions would eventually need to be involved in such oversight functions? What role is there for civil society?

### **Security Sector Reform as a Novel Concept**

Security Sector Reform is a relatively novel concept, replacing earlier less comprehensive programmes like force reduction, defence reform, and individual adaptation of the individual security providing services to new threat perceptions and financial possibilities, largely without a strong element of enhanced international and domestic inter-agency cooperation. It is therefore no wonder that authors found it difficult to find comprehensive answers to the questions proposed in the questionnaire.

The increasing powers and responsibilities of the institutions involved in the security sector require adequate civilian and civil society oversight and control. Wide ranges of international agencies play a role in supporting security sector reform, and it should not surprise us that some political lobbyists travelling the transition countries are largely self-appointed, and/or represent the interests of powerful armament industries in the guise of the honest broker. It is of importance that SSR processes be transparent and rooted in a country's culture. An uncontrolled executive can not be trusted to address the questions at hand disinterestedly.

### **Reporting on Security Sector Reform**

Apart from the long list of different objectives which all governments claim to have in the implementation of reforms, they also have another thing in common: the absence of a well-defined assessment and reporting process on the implementation of the SSR

programmes. Scholars and practitioners addressing the issue of success and failure of reforms and adequacy of reform plans thus often have to rely on their own observations, interviews with officials they may know, and vague feelings in the population on whether things went 'right', or 'wrong'.

In some of the countries under scrutiny, the system and the procedures are in place (first generation aspects of SSR), but the performance and the cultural permeation lag far behind the desired outcome. For a lot of reasons, Hungary and Poland, but also Slovakia (the editors proved unable to motivate Czech authors and therefore lack possibilities of qualified reference) are among the most successful transition countries. As all three authors suggest, their respective governments failed to inform about SSR – or rather: to involve – the electorate in a way that could have created a *sense of ownership*. In the words of Professor Mihalikova security sector reform activities:

... took place largely outside the public eye and received little attention in the media. In part, this is due to circumstances; it can also be partly ascribed to the general lack of knowledge about security and defence. Expertise is very much limited to the professionals working in the ministries. A community of security experts outside the government hardly exists. The experts from non-governmental organisations and academic institutions by and large are pro-NATO, but none has really developed options for defence policy. There is a lack of well-informed debate among these analysts, while coverage in the media is often tainted by the party orientation of the journalists. Thus discussion and decision-making within official channels are to a great extent disconnected from debate ...

Questions of reform implementation oversight and cultural imbedding do become critical if not irrelevant when there is a far-reaching absence of public interest (and for that matter: expertise). Complementary to this is the human factor among the political leadership: how many of the leaders are willing to subject their work to transparency and oversight procedures and believe in accountability which is not enforced?

## Strengthening Transparency and Ownership

The security sector is and will remain a politically sensitive area. This, however, is not to imply that only the organs directly dealing with the security sector and its reforms, the executive, ought to be involved in its oversight. On the contrary: in mature democracies there is not only a separation of powers in implementation and oversight functions, but the civil society itself takes enlightened interest in security sector oversight and reform matters, for the security sector is no longer a state within the state, providing for itself and those in usurped power, but serves the human security interests of each and every citizen who considers it its *own*. The security sector and those in charge of it therefore have an interest to provide *transparency*.

## Formation Programmes for Security Sector Governance experts

Knowledge is the key to understanding and overseeing the security sector, decision-making, planning and budgeting. It does not come as a surprise, then, that authors suggest to invest in the formation of a new kind of experts – *security sector governance experts* – with a comprehensive knowledge not only of the security challenges, but also the cooperative mechanisms of meeting and overcoming them<sup>1</sup>.

Such experts would possibly have a solid background in one of the security providing-services, but would have been instructed and trained conceptually and practically in inter-agency and international cooperation. He or she would thus have ‘the full picture’ and be able to advise, oversee, and understand comprehensively security sector reform.

The editors suggest the Consortium SSR Working Group look into a possible *curriculum* comprising of both theoretical and practical parts for the formation of such experts in the framework of the Consortium SSR WG and to disseminate the findings to the major teaching institutions in the field.

---

<sup>1</sup> The view expressed by the contributors to this Consortium Security Sector Reform Working Group study confirms the findings collected and analysed in: Fluri/Law (eds.), *Security Sector Reform Expert Formation Programmes*. Vienna/Geneva 2003



## **Does Security Sector Reform Work?**

All authors suggest that Security Sector Reform is well under way in their home countries, though the status of implementation remains on many accounts. This may be explained by the scarcity of information available, but also by the sheer size of the task and its complexity. This again makes the question more pressing of how many experts, both governmental and nongovernmental, there exist in the transition countries capable of comprehensively understanding, overseeing, and anticipating Security Sector Reform in their own home country.

The Consortium Security Sector Working Group will continue to gauge means and ways of documenting the status of reforms in the countries represented in the WG.

## CHAPTER TWELVE

---

### THE WAY AHEAD

*Velizar Shalamanov and Philipp Fluri*

Defence reforms started with the reviewing of military doctrines after the Cold War had come to an end. First the NACC, later the Partnership for Peace Programme, PARP, the EAPC and MAPs for NATO membership candidate countries structured the defence reform processes, enlarged it by a political-economic dimension, resource issues, security and legal aspects. The editors hold, thereby referring to discussions within the Working Group, that after September 11, 2001 defence reform can only make sense in the larger framework of security sector reform – and we will probably soon find out that the latter is not complete without a robust capacity of post-conflict rebuilding of security governance wherever need be.

These considerations would seem to suggest a need for comprehensive *Security Sector Reform Action Plans* for transition countries, but possibly not only. Such SSR Action Plans would provide interoperability and cooperation between services of the countries having chosen to go by such plans. They would further allow for ‘operational planning’ and ‘force generation’ in the security providing field in an age where the War Against Terrorism has become global.

The transformation of the security sector is an essential process for the democratisation of a country. The different challenges to the security interests of a population and its state and the high degree of differentiation of tasks and specialisations make it impossible to have security provided by only one (militarised) organisation. A *Security Sector Integration Concept* is needed to fuse definitions of the changing Security Environment, Security Sector Governance, Resource Management. Such a Concept will, after an in-depth *Security Sector Strategic Review*, provide programmes for a second-generation Defence Reform, Police Reform (Home Affairs), Civil Protection Reform, Special Services Reform, Foreign Policy Concept Reform, Security Coordination

Reform. Needless to say, such programmes will be worked out by security governance specialists but will need to be discussed and endorsed by the respective parliaments. On this basis, National Programmes for Security Sector Modernisation (SSM), Research and Development, Science and Technology with implications for the defence industry and national economy could be passed by the respective parliaments.

Such Security Sector Integration Concepts, together with a National Security Modernization Programme, would not only serve as tools for a successful second reform phase. They could ideally help to shape public opinion (after integrating elements of it) and the overall security development of a country. They could equally serve as a basis for regional cooperation and integration.

Whereas a first phase of *defence* transition addressed the reform needs of Armed Forces shaped under totalitarian rule without democratic and civil oversight, and a state organisation, shaped under equal auspices, in cooperation with NATO and EU, the second phase of *Security Governance Reforms* is very much characterised by integration inside the Ministries (streamlining services into adequate tools to meet the challenges of the contemporary world), between the Ministries on the national level, and between Ministries and agencies on the international level.

Following the experience of the NATO Integration Programme developed by the Institute of Euroatlantic Security and the George C. Marshall Association of Bulgaria (funded by OSF-Sofia), a *Security Sector Reform Action Plan* could comprise of the following elements:

- Institutional Reform of the Security Sector – how to build an integrated security sector in accordance with the new security environment;
- Capabilities Planning – how to establish a system for capabilities planning in accordance with the new type of operations the security sector is to perform;
- Professionalisation – how to introduce an effective professionalisation programme, including selection, training, career planning, reserve;
- Acquisition and Procurement – how to establish a system for the management of acquisition and procurement;

- Larger cycle of Security Sector – how to nationally and internationally provide for the Sector by involving the defence industry, educational facilities, research and development, etc.;
- Legislation – how to provide a sound legal base for effective implementation of the above reform programme.

The formal preparation and approval of the Action Plan is only the first step of a process which will not be successful without monitoring and civilian oversight. The Security Sector Reform Coalition of Bulgaria provided in the past such a report on NATO integration readiness, and currently on the Security Sector Reform process. The Coalition process which could well serve as a model for other countries involves the administration, the civil society and the academic sector, and the Parliament.

This assessment process<sup>1</sup> is based on a framework which monitors comprehensively and regularly

- Political aspects of SSR – the security environment, changes in the political sphere, civil-military relations, civilian control, arms trade (control), corruption and organised crime, administrative and judicial reform;
- Economic aspects – including development of the defence industry and resource management;
- Regional Cooperation;
- Internal developments in the SSR;
- Capabilities planning and capacity-building in the Security Sector;
- Participation in international operations and contributions to international security;
- Non-military dimensions of the Security Sector – especially science and technology, ecology, education, etc.
- Public understanding and support for Security Sector Reform.

As transparency is one of the key requirements of a publicly supported and supportable process, information and Information Technology play a critical role. A *Security Sector*

---

<sup>1</sup> For a rather comprehensive Security Sector Reform Self-Assessment exercise by local experts from Albania, Bulgaria, Croatia, Macedonia, Moldova and Romania see Trapans/Fluri (eds.) *Defence and Security Sector Reform in South East Europe*. Belgrade/Geneva: 2003 (2 vols.)

*Reform Action Plan Handbook* for development and implementation management would additionally provide guidance for development and implementation management. The Legislation needs to be clear on Security Sector Governance - a *National Security Law* or at least a critical mass of harmonised legal and political documents would be helpful - and publicly known.

Is Security Sector Governance to become part of the public understanding of democracy, the practice of *Statements* and *Annual Reports on the Status* of National Security, Defence, and the security providing Agencies may be introduced. Regular *Strategic Security Sector Reviews* may be envisaged as well. The process as described involves a clear division of powers and large numbers of civilian specialists including as ministers and their deputies within the security providing ministries.

In conclusion, both Bulgaria and Romania's experience of ongoing Security Sector Reform will obviously be useful to other states proposing to be committed to the similar reforms. The Consortium Security Sector Reform Working Group has therefore proposed to the George C. Marshall Association of Bulgaria to look into the possibility of publishing a *Security Sector Reform Action Plan Handbook* enumerating and explaining the different elements and consecutive steps of comprehensive Security Sector Reform in the light of European and Transatlantic security cooperation and integration.

## LIST OF CONTRIBUTORS

**Zija Bahja** (Col., MSc.), is Deputy to Commanding General of Albanian Armed Forces Training and Doctrine Command (AL TRADOC)

**Nicolae Chirtoaca** (Col., Ph.D.) is Director (Chairman?) of the Euro-Atlantic Centre of Moldova

**Claudiu Degeratu (Dr.)** is currently a lecturer at the University of Bucharest. Program Director, Institute for Political Studies of Defence and Military History

**Pál Dunay** (Ph.D.) is Director of the International Training Course in Security Policy at the Geneva Centre for Security Policy

**Philipp Fluri** (Ph.D.), is Deputy Director of the Geneva Centre for the Democratic Control of Armed Forces (DCAF)

**Vladimir Gjoreski** is Counsellor to the Macedonian Minister of Defence on Reform and NATO Issues

**Agnieszka Gogolewska** is currently at the Dept of Defence System, Warsaw, Poland.

**Ivlian Haindrava** is Chairman of the Centre for Development and Cooperation of Georgia

**Ralitza Mateeva** (Capt.) BUAf, from the Bulgarian Ministry of Defence.

**Silvia Mihalikova** is Jean Monnet Professor in European Integration and Political Science at Comenius University, Bratislava, Slovakia.

**Archil Osidze** is Chairman of the Atlantic Council of Georgia.

**Gregoriy Perepelitsa** (Col., Ph.D.) is Head of Military Department at the National Institute for Strategic Studies of Ukraine.

**Velizar Shalamanov** (Ph.D.) is Chairman of the George C. Marshall Association of Bulgaria.

# THE GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF ARMED FORCES

This present study is the result of the close cooperation between DCAF<sup>1</sup>, the George C. Marshall Association (Bulgaria)<sup>2</sup> and the Partnership for Peace Consortium of Defence Academies and Security Studies Institutes<sup>3</sup>.

## DCAF

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) was established in 2000 as an international foundation under Swiss law on the joint initiative of the Swiss Department of Defence, Civil Protection and Sports, and the Federal Department of Foreign Affairs. 42 governments have hitherto joined the foundation (<http://www.dcaf.ch>). The Centre encourages and supports states and non-state governed institutions in their efforts to strengthen democratic and civilian control of armed and security forces, and promotes international cooperation in this field, initially targeting the Euro-Atlantic regions.

To implement these objectives, the Centre:

- collects information, undertakes research and engages in networking activities in order to identify problems, to establish lessons learned and to propose the best practices in the field of democratic control of armed forces and civil-military relations;
- provides its expertise and support to all interested parties, in particular governments, parliaments, military authorities, international organisations, non-governmental organisations, academic circles.

The present study furthers DCAF's work in the area of promoting understanding of Security Sector Governance and Reform and substantively mapping, consolidating, and

---

<sup>1</sup> <http://www.dcaf.ch>

<sup>2</sup> <http://www.gcmarshall.bg>

<sup>3</sup> <http://www.pfpconsortium.org>



facilitating progress in these areas in South East Europe (SEE). To this end, DCAF will publish two studies accompanying this volume during 2003:

- *Defence and Security Sector Governance and Reform in South East Europe: Insights and Perspectives*  
Volume I Albania Bulgaria Croatia  
Volume II Macedonia Moldova and Romania
- *Security Sector Expert Formation: Achievements and Needs in South East Europe.*

These texts will also be available in the publications section of the DCAF website.

## **THE GEORGE C. MARSHALL ASSOCIATION OF BULGARIA**

The Association "George C. Marshall" - Bulgaria<sup>1</sup> is a non-governmental, non-for-profit organization founded in Sofia in July 2001. It contributes to the development of civil society in Bulgaria and to security and stability in South East Europe (SEE) through coordinated work in three main areas:

- Security & Defence Policy
- Enhancing Regional Cooperation in South East Europe
- Implementation of Advanced Communications and Information Technologies

---

<sup>1</sup> <http://www.gcmarshall.bg/>

## PfP CONSORTIUM

The Consortium, founded in 1998, supports the PfP efforts to promote effective civil-military cooperation and improved military interoperability among all Allied and Partner nations with the following goals:

- Contributing to an expanding dialogue, common understanding and broad range of cooperation in security issues among the EAPC countries.
- Helping to build a cadre of professionals and security specialists in government and the private sector in partner nations with an expertise in a wide variety of defence issues, including defence strategy, parliamentary oversight, public information policies and the like.
- Facilitating greater information-sharing in partner countries about NATO, EAPC and PfP, and other Euro-Atlantic and European security institutions. Within individual nations, cooperation between national security studies institutes and academies is well established, and internationally there is cooperation between academies on the one hand and between security studies institutes on the other, but international exchange between these two groups appears to be limited. The Consortium is meant to bridge this gap and establish contacts between academies and institutes throughout the Euro-Atlantic region.
- Providing a forum to assist private foundations, 'think tanks', governmental and non-governmental agencies to offer practical assistance (enhanced academic standards and recognised accreditation; regular publication of scholarly journals and articles in topics related to European security).

DCAF is chairing the Working Group on Security Sector Reform<sup>1</sup>; this group, founded in 2001 at the Moscow Annual Conference, has the following core objectives, which ideally complement the overarching general Consortium goals:

- to enhance democratic civil- military relations and promote security sector reform through cooperation in joint research, outreach and expert formation initiatives.

---

<sup>1</sup> [http://www.pfpconsortium.org/parser.cgi?file=/info-pages/WGS/cmr\\_en.htm](http://www.pfpconsortium.org/parser.cgi?file=/info-pages/WGS/cmr_en.htm)

- to encourage cooperation between international information networks in support of research, outreach and expert formation related to security sector reform
- to enhance the exchange of ideas, knowledge, expertise and best practices of security sector reform processes between consolidating and consolidated democracies in the Euro-Atlantic area.

The research programme was conceptually prepared by experts from the region within the Partnership for Peace Consortium Working Group on Security Sector Reform, one of 11 Working Groups dealing with different topics. The Working Group meetings were repeatedly made available for discussion of the progress made. The present book aptly reflects the excellent possibilities and opportunities the Consortium provides for comparative and cross-country studies. The Consortium provides for just this kind of meeting of like-minded experts and comprehensive area studies. It is unique in this respect, and deserves our attention and support.