

**THE ROLE OF PARLIAMENT IN SECURITY
SECTOR REFORM IN THE COUNTRIES
OF THE WESTERN BALKANS
Collection of Papers and Discussions**

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CONTENTS

Foreword	7
PART I	
Opening of the Conference	
Milorad Drljević, <i>Parliament of SaM</i>	11
Mark Davison, <i>OSCE Mission to SaM</i>	14
Aleksandara Joksimović, <i>Ministry of Foreign Affairs of SaM</i>	16
Miroslav Hadžić, <i>Centre for Civil-Military Relations</i>	19
I Panel – The Role of Parliament in Security Issues	
Neritan Ceka, <i>Parliament of Albania</i>	21
Tomislav Vidošević, <i>Ministry of Foreign Affairs of Croatia</i>	24
Talat Xharefi, <i>Parliament of Macedonia</i>	28
Zoran Šami, <i>Parliament of SaM</i>	31
II Panel – Achievements of the Security Sector	
Reform and the Way Forward	
Miroslav Mladenović, <i>Ministry of Defence of SaM</i>	33
Stjepan Pocrnja, <i>Standing Committee for Military Issues of B&H</i>	38
Astrit Bushati, <i>Parliament of Albania</i>	43
PART II	
COMPARATIVE OVERVIEW OF THE REFORM	
OF THE ARMED FORCES	
Workshop No 1– Reform of the Army	
Mirosav Hadžić, <i>Centre for Civil-Military Relations</i>	47
Mladen Nakić, <i>Ministry of Defence of Croatia</i>	49
Sašo Kuzmanovski, <i>Ministry of Defence of Macedonia</i>	53
Momo Ševarika, <i>expert, B&H</i>	56
Lada Sadiković, <i>NGO, B&H</i>	63
Siniša Tatalović, <i>expert, Croatia</i>	66
Branko Andrić, <i>General Staff of the Army of SaM</i>	77
Miroslav Hadžić, <i>Centre for Civil-Military Relations</i>	84

**Workshop No 2- Reform of the Police and Secret Services
and the Role of the Committee for Security and Defence
in the Reform of Armed Forces**

Bogoljub Milosavljević, <i>expert, SaM</i>	89
Zoran Šami, <i>Parliament of SaM</i>	93
Irena Cajner-Marović, <i>Ministry of interior of Croatia</i>	95
Vojin Milivojević, <i>Security - Information agency, Serbia</i>	106
Sašo Avramovski, <i>Ministry of interior of Macedonia</i>	109
Gordan Malić, <i>journalist, Croatia</i>	117
Saša Janković, <i>OSCE Mission to SaM</i>	121

**PART III
DEMOCRATIC CIVILIAN CONTROL AND PUBLIC
MONITORING OF THE SECURITY SECTOR**

Workshop No 3: Parliamentary and Budgetary Control

Saša Janković, <i>OSCE Mission to SaM</i>	125
Neritan Ceka, <i>Parliament of Albania</i>	126
Stjepan Pocrnja, <i>Standing Committee for Military Issues of B&H</i>	127
Talat Xharefi, <i>Parliament of Macedonia</i>	129
Vladimir Bilandžić, <i>OSCE Mission to SaM</i>	131

**Workshop No 4: Control by Civil Society,
the Public and the Media**

Milorad Timotić, <i>Centre for Civil-Military Relations</i>	133
Momo Ševarika, <i>expert, B&H</i>	139
Sašo Kuzmanovski, <i>Ministry of Defence of Macedonia</i>	143
Jovanka Matić, <i>expert, Institut of SocialSciences</i>	145

PART IV

**III Panel – Security Dimension of Regional
and Euroatlantic Integration**

Branislav Milinković, <i>Ministry of Foreign Affairs of SaM</i>	151
Milica Delević Đilas, <i>Ministry of Foreign Affairs of SaM</i>	155

Closing of the Conference

Miroslav Hadžić, <i>Centre for Civil-Military Relations</i>	161
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List of Participants (in alphabetical order)	171
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FOREWORD

The stabilization of (pro)democratic systems in the countries of the Western Balkans – Albania, Bosnia and Herzegovina, Croatia, Macedonia, and Serbia and Montenegro, requires, among other things, general reform of the local security sector. This also requires thorough transformation of the inherited armed forces (military, police, secret services, para-police forces). This, on the other hand, calls for these forces and the entire sector to be placed under democratic civil control and public oversight. The rate of stabilization of the Western Balkans depends significantly on the accomplishments of the launched reforms in the given countries. Furthermore, these reforms are the central condition for membership in the Euro-Atlantic community.

Parliament plays a key role in the reform of the security sector of each of these countries. It defines the national security and/or strategy, which politically articulates its views of the challenges, threats and risks to the security of the given state. In this respect, it also publicly identifies the list of basic and protected national (state) interests and values, as well as the census of the forces and means for maintaining (achieving) sustainable security. At the same time Parliament defines the state's views on sub-regional, regional and global security, as well as bilateral and multilateral security cooperation. In carrying out this, Parliament also sets the pace and extent of reforms of the local security sector, as well as the armed forces profiling objective.

Parliament's primary obligation is to create a constitutional and legislative environment for the reform of the security sector, particularly the armed forces. It should also acquire instruments and procedures for the effective control of the security sector and armed forces, as well as their civilian commanders (executive authorities). Parliament should also prepare its bodies, committees, commissions and departments, for skilled participation in the reform of the security sector. It is also its obligation to create conditions for public control and oversight of the security sector and armed forces by the local public, primarily media and civil society.

The achievements of the reform of the security sector in the aforementioned countries greatly depend on the pace of security normalization in the Western Balkans, i.e. South East Europe. This is why full cooperation between the local states is crucial for the entire region; even more so since they have all expressed their readiness to economically, politically and security-wise integrate into the Euro-Atlantic community, individually or together.

For this reason the states of the Western Balkans should also expand the arsenal of measures for strengthening mutual trust and cooperation. Mutual exchange of experiences regarding the reform of the security sector and armed forces could be of great help in this process. Considering the competencies and responsibilities, domicile parliaments should be one of the main sponsors of this cooperation. This could also lead to the expansion of regional and local transparency of security and defense activities and costs. This could in turn urge quicker and more diverse security cooperation between the countries of the Western Balkans.

Bearing this in mind, the *Center for Civil-Military Relations*, a non-governmental organization from Belgrade, organized the conference on *The Role of Parliament in the Reform of the Security Sector in Western Balkans countries*, in cooperation with the *OSCE Mission to Serbia and Montenegro* and the *SCG Ministry of Foreign Affairs*, and with the support of the *UK Ministry of Defense*. The conference took place March 11-14, 2004 in Belgrade, at the Sava Center and Hotel Intercontinental.

The Conference was intended to facilitate and promote the exchange of knowledge and experiences among parliament and government representatives, independent experts, non-governmental organizations and media from Western Balkan countries.

The conference was attended by 110 participants and guests, of which: 4 were from Albania, 8 from Bosnia and Herzegovina, 11 from Croatia, 4 from Macedonia, 27 representatives from Serbia and Montenegro, 8 representatives of international organization (OSCE, EU, UN), 23 embassy representatives and 25 students from the specialist studies in national and global security from the Belgrade University Faculty of Political Sciences.

Three plenary debates were organized during the course of the Conference: (1) *Parliament's Security Functions*, (2) *The Course and Achievements of Security Sector Reforms*, and (3) *The Security Aspect of Regional and Euro-Atlantic Integrations*. Participants then exchanged experiences and held debates in the following workshops: (1) *Military Reform*, (2) *Reform of Police and Secret Services*, (3) *Parliamentary and Budgetary Control*, and (4) *The Control Role of the Civil Sector, Public and Media*.

The statements and authorized discussions have been collected in this compilation, which the Center has the honor of presenting to the local and foreign professional public, with the hope that its contents will encourage a productive public debate on the purpose, extent, pace and direction of further security sector reforms in Western Balkans countries.

Belgrade, October 2004

Center for Civil-Military Relations

Part I

Opening of the Conference

Milorad Drljević

Vice-President of the SaM Parliament

ROLE OF THE PARLIAMENT IN REFORMING THE SECURITY SECTOR IN THE COUNTRIES OF THE WESTERN BALKANS

Countries of this part of Europe have so far reached different levels in their social and economic reforms, as well as in terms of European integration. Some are close to fulfilling the standards for admission to the EU, others have covered a substantial part of the European integration course, while others still encounter internal problems that slow them down on their way to the EU. Precisely this difference in the degree of achieved reforms and integration in individual countries of our region provides a good link for the establishment of more intensive mutual cooperation. The mistakes made by some countries should not be repeated by others in arriving at the same objective, i.e. problems may be avoided or mitigated drawing on the experience of countries which have already covered the same path. This possibility, as well as the common wish to establish and foster cooperation is enhanced by the fact that all countries of the Western Balkans share the same strategic objectives. These strategic objectives, no doubt, include European and Euro-Atlantic integration, accession to the “Partnership for Peace” and NATO membership.

These objectives are also unifying since when we speak about security we must bear in mind the security of the region and Europe as a whole. The issue of security of any country in our region cannot be observed outside the regional and European context. This is derived from the clear messages of the Thessaloniki summit about European prospects in the Western Balkans. New strategic objectives as well as a firm commitment among countries of the region to develop good neighbourly relations point to the need to implement security sector reforms and adopt a joint approach to this problem.

Reform, among other things, implies the formulation of a new defence strategy corresponding to the proclaimed strategic objectives of the state. This strategy must also cover the new challenges we are facing that threaten the security of the region, such as:

1. terrorism and armed rebellions;
2. organized crime (human trafficking, drug mafia)
3. economic and ecological threats.

By coincidence, today is the anniversary of the tragic death of the Serbian Prime Minister, Mr. Zoran Đinđić. Precisely this loss indicates the importance of the struggle against crime for the security sector. The tragedy in Madrid yesterday morning additionally reinforces the significance of fighting terrorism and need for regional and joint approaches.

Our territories have witnessed major abuses of security systems. We have seen how the army, police and paramilitary units may be instrumentalized for the wrong objectives. This experience was paid for in human lives and we are aware that we must do our utmost to see that it is not repeated ever again.

The security sector must be reformed so as to become rational, efficient, unsusceptible to abuse and under direct civil control. It must be made a part of the system of regional security.

One of the leading roles must be that of the parliament, for the following reasons:

1. The Parliament is the place where the widest possible political consensus on strategic interests of every country is established;
2. The Parliament adopts and enacts the laws compatible with European standards, including, in particular, legislation governing the security sphere;
3. In addition to its legislative function the parliament also has a role in controlling the security system through cooperation with competent ministries and institutions (Ministry of the Interior, Ministry of Finance) and creates the conditions for the activity of NGOs and civil society;
4. The Parliament participates in the development of a defence strategy and adopts it, and at the same time monitors and adopts the budget anticipated for the defence sector.
5. By developing parliamentary cooperation with neighbouring and regional countries, the Parliament contributes to the exchange of experiences and enhances the understanding of problems in organizing and controlling the security sector, thus enabling a relevant global approach.

More recently, the Cetinje Parliamentary Forum has, through the prism of bilateral agreements between the countries of the region, affirmed the results of bilateral agreements in the security sphere. These agreements contributed to breaking the chain of organized crime and human trafficking as well as drug channels. The participants in the debate expressed their resoluteness to institutionalize the Cetinje Parliamentary Forum and make it a place of intensive parliamentary cooperation for regional countries at all levels.

In order to fulfil its new role in security sector reform, the parliament must have exemplary and educated parliamentary committees, professionally qualified staff and the possibility to enlist the services of independent experts. With us today are the students of the Faculty of Political Sciences. Some of them are doubtlessly future experts who will provide their contribution to the appropriate organization and control of the security system. An important form of cooperation is cooperation with NGOs and the media. The process of educating parliamentarians must be continuous and based on the fact that the composition of the parliament may be changed from one election to the next.

An extremely powerful mechanism for the oversight and reform of the security sector is the control of procurement and the budget. Monitoring of spendings from funds provided by taxpayers may prevent many abuses. The entire process of reforms must be transparent, media covered and suited to the circumstances of the country concerned.

We must admit that our internal situation is not exactly the best, since the reforms of the security sector are pursued in parallel with reforms in other spheres (political, economic, educational, etc.). The process of transition is accompanied by numerous problems, and especially social problem caused by the drop in the standard of living of our citizens. An economic situation of this kind offers a chance to the forces of the past intent at stopping the reforms, to reinforce their influence.

All this notwithstanding, it appears that our jointly manifested resoluteness, firm parliamentary cooperation, assistance of the European Union and its institutions as well as developed countries may do a lot in overcoming the problems and ultimately, in our region, contribute to creating civil societies in line with European standards.

* Text translated by Ljiljana Nikolić

Opening of the Conference

Mark G. Davison

Deputy Head of the OSCE Mission to Serbia and Montenegro

Ladies and Gentlemen, distinguished guests and participants, Mr. Speaker, representatives of the foreign ministries, on behalf of the OSCE Mission to SaM, and its head ambassador Maurizio Massari, I welcome you to this important conference where you will continue to examine the role to be played by parliaments in security sector reform in the Western Balkans.

In the OSCE's Code of conduct on politico-military aspects of security, all participating states adopted a comprehensive concept of security termed human security. This concept linked the maintenance of peace with respect for human rights, underscoring that the security of each is inseparably linked to the security of all. Human security was a central theme of the OSCE's Istanbul Summit and was given further impetus in the Maastricht Ministerial. Security is not the exclusive reserve of the state; as human security, it centers on the welfare and security of every member of a democratic society.

In the last decade of the 20th century the Balkan states existed in the climate of conflict, confrontation and mutual suspicion. But, we have come far. Today, we share common goals of regional stability, the promotion of democracy and joint responses to global threats. The security sector in Balkan states can play here a central role not in conflict and division, but in joint cooperation.

The Western Balkans, as a post-conflict region is particularly well placed to improve human and regional security. Advances here could well be applied on the global level. It is, therefore, appropriate and that this event is jointly organized by a regional security organization – the OSCE; a governmental body – the State Union Ministry of Foreign Affairs; and a non-governmental organization – the Center for Civilian-Military Relations. Security is a matter of international, national and civic importance.

So, within this context, what is the role of parliament? The people's elected representatives must keep a watchful eye to ensure the security sector continually adjusts itself to confront new threats and challenges. This is especially important in transition societies where past practices in the security have been to reach anti-demo-

cratic ends, through non-democratic means. Citizens' full trust today in the security sector will only be won through parliamentary control. This control is exercised primarily through spending, as authorized by Parliament and implemented by civilian ministries of defense. "Control through the purse-strings" has proven to be the most effective mechanism in establishing parliamentary supremacy in this area.

In this way, democratic control, as envisioned by the OSCE Code of Conduct, is firmly established. However, we know that this is easier said than done. In arriving at this goal, the sharing of experience between the different countries of the region is an extremely helpful tool. This conference will go a long way in our joint endeavors to make such control a reality.

In past meetings, it has already become clear that, in order to make wise decisions on defense expenditures, parliamentarians and those committees for defense and security which support their efforts must be as well informed as the militaries they seek to control. Parliamentarians and their staffs must be both active and proactive. Taking up the issues before they become problems is most prudent; this forward-leaning approach requires a profound grasp of the basic orientation of army and security forces and the appropriateness of resource requests from the military establishment. Parliamentarians will be able to take into account the overall priorities of those citizens whom they represent, as they reach informed decisions.

In this way, security policy, military strategy and doctrine as well as military expenditures can be transparent and open to public debate. Such dialogue could also address global issues – arms transfers, prevention of the illegal spread of weapons, methods to fight terrorism and organized crime. This approach would also ensure that the effectiveness of security services is not pursued at the expense of limitations on individual freedoms, which remain at the heart of democracy.

Ladies and gentlemen, shared by the vast majority of our peoples, is that, in this way, all states in the region move closer towards each other and to integration into Euro-Atlantic structures. I am confident that this conference will make a substantial contribution towards reaching this goal. With a common agenda and a commitment to regional cooperation, we cannot help but succeed.

Let me conclude by thanking the British Embassy whose funding allows us to pursue this vision, and whose generosity has made this conference possible.

Opening of the Conference

Aleksandra Joksimović
Ministry of Foreign Affairs of SaM

Bearing in mind the fact that this conference is taking place exactly on the anniversary of the tragic death and murder of Prime Minister Zoran Djindjic and only one day after the terrible terrorist act in Madrid, we must be completely aware of how much the struggle against organized crime and terrorism is important, as well as how much the issue of security is one of the priority issues that we must address in Serbia and Montenegro, the region and worldwide.

Speaking of the region, of course, we must taken into account the context and fact that we are in a post-conflict period - that the region has experienced a decade of clashes and conflicts, and that this is a significant moment when we are not only establishing new relations but also advancing them daily. We can unreservedly say that the Western Balkans region represents a stable region today, but also a region that must be attended to, keeping in mind what it has gone through, in order to prevent similar mistakes being repeated.

In the past three years, Serbia and Montenegro has made a great effort and has been determined in its intention to create an efficient model of civil and democratic control of the security and defense sector, such as those in effect in democratic European countries. Civil control of the armed forces is one of the priorities of Serbia and Montenegro, since this is the only path of transformation of the military according to OSCE and international community standards.

Great progress has been made in this area. The OSCE Mission has made an immense contribution by providing expert assistance in the process of drafting the law on the position and activities of the security services, including increasing the role of parliamentary control of the services.

I would like to stress that Serbia and Montenegro is resolute for parliament to play the key role in the reform of civilian institutions in the security sector and civil control of the army through its committees and commissions. The SCG Parliament, which is the supreme legislative body, passes laws and other legal acts, which determine the long-term guidelines for security policy develop-

ment; it achieves civil control of the SCG Army, including control of security services and agencies, adopts the defense strategy and controls the implementation of security policy with the assistance of the appropriate bodies, verifies decisions of the Supreme Defense Council on the use of force, and controls the efficiency of measures and decisions in the area of defense. Parliament must also provide legal prerequisites for the functioning of the security system and form a Committee on Defense and Security which oversees the implementation activities in the defense system.

In terms of the foreign-policy plan, Serbia and Montenegro has been fully dedicated to general cooperation and achieving an active role in international organizations, as well as joining collective regional security structures. EU membership and joining the Partnership for Peace represent the supreme interest of Serbia and Montenegro, since this is one of the basic requirements for achieving security goals. We are also very interested in partaking in security structures that are being developed at the EU level. The process of reforming the security sector is under way, where the main focus is on democratic control of the security and defense sector.

There is no doubt that regional security, particularly in the countries of the Western Balkans, is very important for achieving lasting stability in the entire Euro-Atlantic region. Bearing in mind the fact that we share the aims and values in this domain, Serbia and Montenegro has established close cooperation with the OSCE Mission. Namely, immediately after being reinstated as a full member of the OSCE, Serbia and Montenegro launched extensive and comprehensive implementation of its international obligations based on the Berlin document on measures for increasing trust and security, the Code of Conduct on Politico-Military Aspects of Security, OSCE documents on small arms and light weapons, and other important documents. The fact that in the past two years Serbia and Montenegro has hosted several international seminars and conferences demonstrates how much importance we give this issue. I would point out that the first seminar was organized in 2001 in Belgrade, and then as followed by the joint seminar on democratic control of armed forces and the OSCE Code of Conduct in 2002, which brought together parliamentarians and government representatives from South East Europe, as well as the seminar that was held on the reform of the armed forces.

Serbia and Montenegro also chaired the third conference on the OSCE Code of Conduct in 2002 in Vienna. Bearing in mind that the Ministry of Defense exists at the level of the state union, and the

fact that I am a representative of the Foreign Ministry, I have mostly focused on the issues, but I must also note that there is another topic in the security domain that is absolutely unavoidable at such meetings. It is in connection with internal affairs. Namely, organized crime is one of the serious topics that troubles this region, and in this respect I believe that it is necessary to establish close regional cooperation so that together we might overcome this problem. I believe that without this form of cooperation it is impossible to overpower organized crime in the region. Serbia and Montenegro has made its contribution primarily by joining the South East Europe cooperation process, which it chaired last year and within which it has established regional cooperation in fighting organized crime as a priority. A conference that brought together representatives of foreign ministries from the entire region was organized as part of this effort. Communication was established on that occasion aimed at preventing this extremely important problem in the entire region. I am certain that this conference will also pass significant conclusions, comments and recommendations regarding this area.

* Text translated by Vuk Tošić

Opening of the Conference

Miroslav Hadžić

Centre for Civil-Military Relations

I am certain that no one is surprised any more that non-governmental organizations are present at such meetings alongside high-ranking state officials. I am certainly not authorized to speak for them, nor for the citizens, but allow me to give from the perspective of a common citizen, additional reasons for involving civilian society participants in the discussion of the reform of the security sector, particularly the role of parliament in it.

The citizens of the former Yugoslavia unfortunately felt the full impact of what it means when the military and other apparatuses of force are not under parliamentary control and public oversight. Let me remind everyone that for decades they had allocated funds for maintaining, equipping and training armed forces in their community. In exchange, these forces were to be committed to protecting them, providing a peaceful life, and personal and family safety. Instead, the military, police and secret services joined the war against their compatriots. This is reason enough, regardless of the (un)finished and prohibited war, to seek ways and means of establishing civil (this also implies parliamentary) control of the existing armed forces. This is why the citizens of the countries that were created in the Western Balkans are eager to see that such a war drama is never repeated.

The second group of reasons arrive as a consequence of the fact that since the ousting of Slobodan Milošević's regime, Serbia has lacked radical reform of the security sector and armed forces. We have been and still are witnesses to the lack of concept, strategy and political will to execute such an undertaking. The negative consequences have undoubtedly been directly experienced by the citizens of Serbia and Montenegro. They today still face internal threats to their security. This is why we are facing such a difficult transition process, i.e. (pro)democratic reforms of Serbian society is full of security risks. The assassination of Prime Minister Djindjić, as the climax of previous military-police incidents, is unfortunately tragic and bloody proof that it is impossible to create a democratic order

without the parallel and radical reform of the armed forces and the entire security sector.

Both of these arguments, collective and tragic for us all, prove that democracy entails and requires the reform of the security sector. This requires that the armed forces, i.e. all those that society has approved funds and authorized to use force, in accordance with legal procedures, must be brought in line with the true security needs of the people. In order for the inhabitants of the countries of the Western Balkans to become citizens, they must first start to think and behave like taxpayers. This implies that they must finally understand that they support all these apparatuses of force with their funds. This gives them the right, and I hope that they will be backed by participants of the Conference, to apply pressure on parliament and parliamentarians, because they are primarily representatives of the citizens and it is their sacred duty to create legal and all other conditions for achieving sustainable personal, social, state and regional security.

Therefore, please allow me to greet you on behalf of the Center for Civil-Military Relations, a non-governmental organization from Belgrade. I thank you in advance for participating. I am convinced that this conference will also help participants from the non-governmental sector to establish better contacts, but also promote their cooperation with domestic parliaments. This is even more so, since it is our desire to contribute to the process of security normalization in the Western Balkans, as much as we can.

* English text translated by Vuk Tošić

I Panel – The Role of Parliament in Security Issues

Neritan Ceka

Parliament of Albania

Thank you, Mr. Chairman. So, I am here replacing Arta Dade who was scheduled to come, so this is a difficult task for me, but in any case I will give this presentation. For almost five years I have served as chairman of the Albanian Parliament Parliamentary Committee on Public Order and Intelligence. I was also Minister of the Interior in 1997-98, the most difficult years of post-communism in Albania, following the political crises of that time. I am archeologist by profession. Thirteen years ago I entered politics as a professor of classical archeology like many professors did not only in Albania, but in different Eastern European parliaments, I believe, creating part of the new political class.

Parliamentary control of the armed forces, the sector of public order and intelligence services is a very important one for all new democratic countries. It is the cornerstone of the security problem that we are discussing at many meetings, especially in the past year. I participated in three of them: in Oslo, Vienna and Tirana. The one in Belgrade is the fourth in less than six months and this means that there is great interest for this issue.

It is very useful to exchange experiences despite the fact that sometimes it is very difficult to learn something from others' experiences. It seems that everybody should suffer and profit from his own experiences. In any case we in Albania have had almost 14 years of experience in this area. We are trying to have the best impact on the armed forces and on the issues of security through the pluralist parliament and especially in working through the parliamentary Commission on Public Order and Intelligence. We also tried to provide regional involvement, opening legal channels of collaboration with our neighbouring countries. We in Albania came from quite the same system as many participants here: from a dictatorship, a communist regime, where the armed forces and all security instruments were also instruments of political power, sometimes also a part of the same power.

In our country, where the army and especially the police and intelligence services had been a part of the communist party, the

first necessary step towards democratization was to reform this sector. The first change to complete was *depolitization*, in order to keep this sector far from political power, in order to prevent it from participating in political solutions. It was a very difficult process and I think now we still have a situation where particularly the armed forces are still a hidden – reserved for the high level individuals – especially for the ruling party. The Socialist Party, which was derived from the communist party, is trying to preserve its influence over the armed forces and on security instruments. But, on other hand, we have very good experiences in trying to build institutions, to transform the armed forces and the instruments of security in the part of the natural state, so called internal state, and to give them some new functions and new rules. First we reduced the armed forces, police and secret services, because we had a very heavy system of armed forces and security instruments in our country. Secondly, we tried to adapt them to the new duties they have, because it is not the army's only duty to protect the integrity and sovereignty of our country.

We do not have the same fears as we had before: we are now in the Partnership for Peace with NATO; our military troops are now with their units, not only in Albania, but also in Bosnia and Herzegovina, in Afghanistan and in Iraq. And it is in quite a different situation; we are trying now to be part of NATO. For the police we tried to apply all the police forces only to issues of public order and three years ago we had a new law, treating police as no longer a part of the armed forces, but as a part of the civil service.

What we are doing in parliament, to be brief in my presentation, is trying to transform our committee. There is a committee of pluralistic forms, and all the parliamentary parties are represented in the committee. The committee's first duty is to check the laws, before bringing them into the plenary session, and secondly, it is supposed to verify how they are implemented in practice by the police and secret services. So we do not carry out the formal civil control of police, because my commission mainly handles the police and intelligence, but there is also another commission occupied with the army.

This commission checks how the army implements the law, because there is always a gap between the approving of a law and implementing the law. The commission tries to shorten this space, this gap. Another issue is political orientation, because every government mainly implements the policy of one party, and a commission is trying to bring a more pluralistic interest of political orienta-

tion to the armed forces, to the police and intelligences. It was one of the duties of our Commission to shorten the terms of implementation of the Law on the State Police, which applies the principles of civil service into the police. We are also trying to involve the army more in the problems of public order, especially on attacking trafficking on the Adriatic Sea, as a goal of collaboration between the parliamentary Defense Commission and the Commission on Public Order and Intelligence. We also brought one part of the navy into the police duties of stopping trafficking, especially that of the human trafficking on the Adriatic Sea. This is no more a question of national integrity, but also a question of public order and internal stability.

We are also trying to open a dialogue on the issues of combating trafficking and organized crime with our colleagues in different countries, especially in Italy and Greece, in order to open the legal channel of collaboration between armed and police structures. We are open to also promote that dialogue with Macedonia, Serbia and Montenegro, because problems of public order, especially fighting organized crime and trafficking, are no longer the problems of one country. They can be controlled and opposed only at the level of regional collaboration. This was all I had to say to you, and I believe we will have the possibility to further discuss this problem at future roundtables.

Thanks you for your attention.

* Text in english edited by Vuk Tošić

I Panel – The Role of Parliament in Security Issues

Tomislav Vidošević
Ministry of Foreign Affairs of Croatia

Aware of its geostrategic position, Croatia is interested in contributing to the establishment of relations of cooperation and partnership in South East Europe. Increased transparency, dialogue, exchange of knowledge and experience play a paramount role in ensuring understanding and trust between the countries in the region. Croatia is prepared to offer all assistance and experience gained in reforming its security sector, including the armed forces, and we support the view that parliamentary cooperation can play a leading role in facilitating closer security cooperation.

Croatia's achievement in the reform of its security sector has been considerable. The role played by Croatia's Parliament, the Sabor, was central. The passage in the Parliament of two central strategic documents, the *Strategy of National Security* and the *Defense Strategy*, was of crucial importance because these documents provided core guidance for both regular activities and further reform. The strategic documents have been in force for almost two years now, and it can be said with great certainty that their scope has been successfully put to test in different situations. Most importantly, by adopting these documents, the Croatian Parliament has set the normative conditions for advanced reform of the security sector.

The country's leading political institution, our Parliament, has set forth in the previously mentioned Strategy the vision of national security defined as the state of protection of the fundamental values and institutions of the society. Croatia firmly believes in the concept of the indivisibility of security, meaning that there can be no security at the expense of others. Therefore, it is important to promote national security by embracing established international mechanisms of collective security and to actively support all measures that contribute to establishing trust and cooperation both regionally and globally.

Croatia is particularly pleased that the developments in South East Europe no longer present a direct threat to national security. The risk of interstate military conflict in the near future is virtually non-existent. However, certain transnational threats in the region

represent clear and ongoing security challenges. Of particular importance here is the possible spillover of global terrorism. Croatia will remain vigilant and active in its efforts as a member of the Anti-Terrorist Coalition.

The difficulties that some countries face as a result of transitions to market economy can create instability that gives rise to different forms of threats. Croatia is particularly concerned with the destabilizing effects of international crime. The activities that fall under the scope of organized crime, such as smuggling and, especially, trafficking in human beings represent a considerable security risk. Croatia calls for increased efforts through international organizations and mechanisms such as the OSCE and the Stability Pact, in order to curb these negative phenomena.

Croatia recognizes the new realities and new challenges of an increasingly integrated world. While presenting opportunities for faster development, globalization also brings new threats that were not as prominent during the Cold War. The proliferation of weapons of mass destruction and the increasing number of inter-ethnic conflicts are some of the examples of a complex reality that needs to be considered when assessing security risks. However, regardless of the new threats and crises, the prospects for the spread of democracy and free market are as favorable as ever before. Therefore, Croatia wants to actively participate in shaping this new reality, through various multilateral fora, and through increased bilateral cooperation with our friends and partners. And while it recognizes the importance of acting globally, Croatia is equally determined to put emphasis on engagement in regional security initiatives.

It is in all of our interests to see the region of South East Europe as an area of partnership, stability and economic prosperity. Croatia is active in all major regional initiatives, and I would like to mention here the Regional Arms Verification and Control Center (RACVIAC), an initiative under the Stability Pact for South East Europe, as an example of a particularly successful form of cooperation that promotes trust and understanding in the region. RACVIAC is also important for its role in increasing transparency in a specialized segment of security cooperation, but certainly some of the principles that govern its operation could be transposed into other forms of relations. In that sense Croatia would welcome similar confidence-building initiatives.

It is in the context of regional cooperation that I would like to bring up the process of enlargement of both the EU and NATO. Croatia is oriented towards NATO membership because we believe

that Croatia shares the values of the Alliance. We strongly believe that the enlargement of NATO will also enlarge the area where common values such as democracy, human freedoms and the rule of law are firmly established. The same, of course, applies to EU enlargement. Therefore, accession to Euro-Atlantic structures is the country's strategic priority, and it represents a mid-term goal that requires the allocation of substantial resources on the part of all government bodies, including the Parliament. To achieve the standards required for NATO membership entails considerable reform. While the majority of the activities related to achieving the standards of the Alliance are coordinated by the executive branch of Government, the Croatian Parliament also plays an active role in supporting harmonization efforts. Just recently, an important delegation of the NATO Parliamentary Assembly was received in Croatia, and this visit is only a small example of a successful parliamentary contribution to security-sector reform.

In 2003, Croatia submitted its application to join the European Union. After working hard to fill in the European Commission Questionnaire, Croatia expects a positive *avis* and the status of candidate country. The candidacy and the subsequent process of negotiations will, of course, be the result of past successful efforts in the overall national reforms, including the reform of the security sector.

Some of the more important issues that Croatia is addressing at this point and that are closely linked to EU integration efforts are reform of the judiciary, protection of the rights of national minorities, and the return of refugees. The fulfillment of these priorities is not only a prerequisite for achieving EU membership, but it represents a consistent political orientation of the Government.

On the protection of minority rights, the Croatian Government has reached an agreement with the Serb minority representatives in the Parliament. This agreement provides additional reassurance to the Serb community in Croatia that their needs will be addressed in a comprehensive way. Also, as a residual post-conflict issue, Croatia is taking exceptional measures in ensuring the return of all refugees, regardless of their nationality. Achievements in this regard so far are encouraging, and we expect to complete the process of return of the majority of refugees and retrieval of their property by the end of the year. For that purpose, the Government has asked the Parliament for a sum of \$ 100 m, which is an indication of its determination to deal with any circumstance that may complicate the return of refugees.

The progress made in these areas is Croatia's contribution to regional stability, and we will work together with both our neighboring countries and the international community to accelerate the processes of cooperation in the region. Croatia is very pleased with the progress achieved in resolving the various open issues with Serbia and Montenegro, and we are looking forward to continuing that work with the new government. As a sign of support, the Croatian Government has decided to extend the suspension of visa requirements for citizens of Serbia and Montenegro. The Croatian Government continues its support for the efforts of the people of Bosnia and Herzegovina and the international community to improve the constitutional framework that should ensure full equality and sovereignty of all three nations as well as faster economic development.

Croatia firmly believes that the European perspective of the region is the best guarantee for the security and stability and of course, greater prosperity of the citizens of our countries. We agree that a successful reform of the security sector is vital for strengthening regional stability, and we support the expansion of the scope of security cooperation. Croatia is ready to take part in exchanging knowledge and expertise in comprehensive reform efforts. The role of parliaments in that field will be most beneficial because legislative bodies are best positioned to provide for an effective civilian monitoring and oversight of the security sector. In that context, this Conference is an important contribution to a better understanding and awareness of the important role that parliaments should play in the field of national security.

Based on the speech delivered by
Tomislav Vidošević
Deputy Foreign Minister
Republic of Croatia

* Text proofed by Ana Davičo

I Panel – The Role of Parliament in Security Issues

Talat Xhaferi

Parliament of Macedonia

In my presentation, I will try not to repeat things that have already been said because we all have similar experiences and come from a single system. I shall focus on the experience of the Republic of Macedonia and not the results attained. I will also briefly review things that – in my opinion – could have worked better and provide reasons for it.

Personally speaking I have a relatively short parliamentary experience. I was elected a Member of Parliament of the Republic of Macedonia in September 2002, i.e. in the last elections. I came to office from a military background, and I have to say that this is a unique advantage compared to other members of parliament in the Republic of Macedonia. I am taking part in the work of the Defense and Security Committee, the Budget and Financing Committee and the European Affairs Committee.

Obviously I will not list all the individual functions that the parliament has to carry out, because I presume that they are quite similar in other countries in this region. However, I will list the basic functions such as passing the budget, passing the laws which covers defense and security, the deliberation of issues concerning war and peace, the passing of the national security and defense concept, political oversight of the government and security structures carried out by the corresponding committee, and the solving of a number of other issues concerning defense and security. The parliament of the Republic of Macedonia has 120 members, elected in six constituencies, 20 in each of them to be exact. The ethnic composition of the parliament members corresponds to the ethnic composition of the population in the Republic of Macedonia. Albanians have 26 representatives in the Parliament, and they come from four political parties. I come from the list of the newest political party of the Albanians in Macedonia - the Democratic Union for Integration, founded on June 5, 2002, and acting in a parliamentary coalition with “Coalition for Macedonia”.

Our control function should be based on what is prescribed by the Constitution and the Parliament Rules of Procedure and in this

regard we are practically implementing all the functions of the parliament. In the period between 2002 and February 2003 we passed the amendments to the Law on Defense, the amendments to the Law on Military Service, the new Law on Voluntary Handing Over of Arms, Ammunition and Explosives. Then that in 2003 we also passed the National Security and Defense Concept, which served to produce the Strategic Defense Review. It is in its first phase, which means that the government has passed it and, in accordance with all these documents, the reform of the security structures has been initiated.

Although the protection of the border is still under the authority of the Ministry of Defense, the Strategy for Integrated Border Management specifies that the Ministry of Interior will assume those duties between May 1, 2004 and December 31, 2005. The transferal of the border management is supposed to be carried out in four phases according to specified dynamics. The first segment of the state border to be transferred under the authority of the Ministry of Interior is the southern border with Greece, and the entire process will be completed with the northernmost part of the border - the one with the State Union of Serbia and Montenegro, i.e. with Kosovo. The functions of the parliament regarding security and Defense are carried out – as I have already mentioned – by two committees: the Defense and Security Committee controlling and overseeing the work of the Ministry of Interior and the Ministry of Defense; and the Committee for the Control of the Security Sector Services within the country. I can say that the control function of the parliamentarians that are members of these committees is at a higher level than in the previous period, which is helped by the changes I have mentioned – because they allow better access to the activities of those bodies. Whenever they have to verify the implementation of certain legal provisions, parliamentarians can contact the appropriate services within given ministries and receive information. Unlike before, the Rules of Procedure of the Parliament specify that on the last Thursday of the month members of parliament can present their questions and request information pertinent to the activities of the ministries, i.e. within the scope of the authority of the parliamentarians. However, I personally believe that in my country – and I believe this is so in your country as well – the problem lies in the fact that that true political power lies with the government, i.e. the executive branch instead of being exercised by the legislative branch according to the Constitution. I think this is because the political elite, constituting the electoral lists, is integrated into the

government structures, and the administration consists of obedient party members. Such self-control mechanisms - i.e. the internal control of the administration - transfers the actual power from the Parliament to the Government. There's a lot of evidence to indicate this and I believe that all the reforms that are to take place in the near future, especially those concerning the electoral system, should be undertaken to avoid the possibility of installing such internal self-control.

According to our Constitution the President of the Republic has a special function in the defense domain; as the Supreme Commander of the armed forces he has the authority (amongst other things) to deal with the appointment, promotion and dismissal of all officers with the rank of general. Currently we are in the process of implementing the provisions of the Ohrid Agreement, i.e. we are in the final phase of the implementation of the legislative aspects. Starting in 2004 we will be involved in the actual implementation, i.e. in the enactment of the provisions implemented by the Parliament. On the regional level, we are inclined towards the national concept as well as towards political consensus, and therefore we are firmly in favor of corporation with neighboring countries. This is corroborated by the fact that all taboos have been eliminated from the political rhetorical agenda. Contacts on the highest levels have been intensified – especially in the defense and security sector; our political and national consensus is focused on that domain, embodied by EU membership and full NATO membership. As you well know, this choice was supposed to be finalized with the application in Dublin on February 26th, but the tragic death of the President of the Republic postponed this act.

We are open for cooperation with all our neighbors, albeit there are some unsolved and pending problems like the issue of the name of our country with the Republic of Greece – which falls within the competence of the UN, and the border demarcation process with the State Union of Serbia and Montenegro involving the border with Kosovo which has not been completed for well-known reasons. However, to the best of our knowledge this process should be completed by the end of 2004 in cooperation with UNMIK, the UN in Kosovo, the state bodies of the State Union of Serbia and Montenegro and with all the relevant international factors that can contribute to the solution.

* Text in English translated by Goran Kričković

I Panel – The Role of Parliament in Security Issues

Zoran Šami
Parlament SaM

The reason we have come here is not just a neighborly and friendly exchange of experiences about this important topic. I believe that there are deeper reasons, and I will try to explain my point of view. This, otherwise, very complicated topic, i.e. the transformation of the security services, imposes the need for us to meet like this to discuss our efforts in trying to solve problems that everyone among us has faced or will be facing. Obviously, I have in mind the experience in the transformation of the security services accumulated by the countries that had the fortune to embark upon transition much before our countries, and that have completed much of the transition process like for example the Baltic countries.

There are, however things that apply to all of us, and they represent – at the same time – two big problems. The first problem concerns the development of democratic institutions, primarily the parliament, and the second relates to the ideological legacy that we have all inherited. For a long period of time, under a single party and totalitarian system, the security services, the army and the police had been actually trained to do something else, not what their actual function should be. And so, for decades they were involved in defending the single party in power, and now they are to become a force defending the citizens, their rights to live in a democratic, normally structured state ruled by law. This applies more or less to all transition countries. However, in this part of the world, on the mountainous Balkan Peninsula, we lamentably have some specifics that hamper the reform of the security services - and I believe that we must talk about it openly.

First of all, in the past decade this entire region has been scarred by a war, i.e. by wars. I obviously have no intention of discussing here the nature of those wars, but speaking from the humanistic point of view, this war not only left scars and wounds, not only did it economically deplete these countries, but it also left a void in the minds of all of us living in this region. I know that it is not customary to quote poets in meetings such as this one, but the German poet Borhart, well-known as an antiwar poet, said in a prose verse he

wrote after World War II: “When the soldier came back from the war, he had no bread. He then saw someone who had bread and killed him. You must not kill – the judge said. And why not? – the soldier asked.” His objection - “And why not?” Is something that we are all faced with in our countries when we discuss the transformation of the security service, of the army, of the police etc.

The other specific quality of this region is related to classical geography. We live at the crossroads – and this can be good in many ways – but this is also the Crossroads of many serious criminal activities. Drugs trafficking and white slavery are “rolling” through our region, and often large quantities of arms as well. What is “rolling” is something that is usually referred to as “major” or organized crime. I should like to point out that the world is at war with global terrorism, i.e. that it is faced with the global problem of global terrorism. What happened yesterday in Spain is just a sad confirmation of this fact. It’s no secret that terrorism is financed through global crime, i.e. from the trafficking of drugs, arms, human beings. It is a known fact. I have no intention of analyzing in detail statements – that might or might not be senseless – to the effect that this region might be “fertile ground for something called white Al Quaida”, but those that are professionally involved in it know that this is not completely unfounded. In other words, I have underscored some of the specific attributes of the transformation of the security services and this region, which do not apply, for example, to Baltic countries, and which undoubtedly make more difficult the task that is ahead of us.

And finally, I should like to agree with all the previous speakers that stressed the undoubted necessity to establish cooperation in this, I should say, the global war on terrorism, and especially in the expansion of security in South Eastern Europe and the Western Balkans. Obviously, we have to work together in this, because any other logic would be quite dangerous for each and every one of us.

* Text in English translated by Goran Kričković

II Panel – Achievements of the Security Sector Reform and the Way Forward

Colonel Dr. Miroslav Mladenovic
Ministry of Defence of SaM

REFORM OF THE SCG MINISTRY OF DEFENSE COURSE AND ACHIEVEMENTS

The notion “reform” is one of the most frequently mentioned and affirmative categories that have been recently used by various authors in this region, particularly when speaking of the defense system and so-called security sector. Despite this, when speaking of the meaning of this term we find numerous differences, discrepancies and even disagreements.

Every philosophy student knows the idea of Confucian rectification of names of terms. Namely when he was asked what should be done in the state to improve the situation, he answered that names should be changed, i.e. that each should be called its proper name.

All encyclopedic articles imply “reform” to mean the remodeling, reformation, reorganization or improvement of a state without changing its essence.

In this respect the reform of the system of defense cannot mean anything else than the effort by various social institutions, primarily the Ministry of Defense and General Staff, to execute the restructuring of inherited organizational schemes, procedures, blocs, information-communication technologies, decision-making processes, organization and execution of competencies in line with the new circumstances and initiated integration processes.

From the aspect of the SCG Ministry of Defense Reform Team¹, which was formed based on the treaty signed by Defense Minister

¹ The MoD Reform Team was created in December 2003, and represents not the only, but one of the institutions that addresses these issues. The specific of this team is that it was formed based on an international treaty, and that its organization emphasizes the international dimension. This fact can be essentially dually interpreted: on one hand this is an opportunity for us to take the most direct advantage of the experiences of other countries, since two advisors from Great Britain are part of the team, and secondly the presence of people from aside, under the patronage of the UNDP program, best proves our almost undivided decision in favor of cooperation and integration with international institutions and organizations. It should also be mentioned that unlike previous institutions that dealt with reform, the Team mostly consists of younger personnel and people that are not on important positions in the Army or Ministry.

Boris Tadic and UNDP representative Francis O'Donnell on July, 17, 2003 I will present the basic points of our view of this process.

Essentially our main assertion is based on three basic premises:

1. reform of the system is an expensive, comprehensive and lengthy (continuous) process
2. reform cannot be completed relying exclusively on internal resources and
3. reform of the defense system must be an integral part of broader social reforms, primarily implying placing this sector under democratic civil control and public oversight.

1. The first thesis must bear in mind that reform of the existing system is a process that cannot be achieved without providing additional financial resources. In connection with this, it is necessary to establish a modern budgeting system that would, among other things, imply finding systemic and realistic solutions for financing defense and reform activities. One of the priority tasks in this respect is providing budget and spending transparency in order to gain the necessary support of the governing institutions and more importantly the citizens. Certain progress has already been made in this respect (the Financial Administration has been placed under the direct control of the Ministry, the issue of acquisition has been settled by introducing the Administration which is under the direct supervision of the Ministry, and the decree on public acquisitions has been adopted, etc.). However, more must be done in this domain, since the budget funds, although very restricted, are not sufficient to carry out the reforms. One of the possible solutions, which have been used in other so-called countries in transition, could be the creation of a special fund for this purpose.

In addition to this, the reform of the defense system cannot yield the desired effects unless it is part of general social reforms. In this respect this process can be perceived on several levels:

- **normative** / insufficient compliance with the Constitutional Charter, laws and competencies of the union with the constitutions, laws and competencies of the member-states; necessity to adopt adequate acts regarding the regulation of the security and defense sector, as well as acts that define the internal organization and systematization of positions with the Ministry and General Staff;
- **organization and functional** / necessary professional functional analysis of the Ministry and General Staff aimed at determining the present situating and its harmonization with the appropriate institutions worldwide; past analyses show that a large number of functions are overlapping, and that a certain number of existing functions are not common for defense and security;

- **information and technical** / the state of existing information-communication technology is not at a satisfactory level, nor is the manner of its application, particularly in the sense of automatization and modernization of procedures and internal information levels among bodies and institutions;
- **managing and developing human resources** / necessity to define a strategy and policy for managing human resources in the sense of employment, introduction, promotion, modernization, re-training, etc.
- **educational** / directly linked to the professional training of staff in the reform sense; mandatory establishment of the conviction that reforms are not a threat but a chance and opportunity to live and work better, more efficiently and rationally;
- **cultural** / change in behavioral culture with respect to reforms implying the development of a critical way of thinking and questioning among individuals and institutions on what, how and in what way we are functioning compared to the previous period; an unavoidable and very important question in this respect is where we are in comparison with our surroundings.

It is wrong to believe that reforms can be devised, executed quickly and in a single effort. This is a process that is continuous since it is tied to the existing situation that is continuously developing and changing. Security challenges are not the same as they were 50, 10 or 5 years ago and it is indisputable that they will also change in the future. Considering this situation, certain ministries in developed countries have reform teams that are permanent bodies in charge of monitoring the situational development in the sphere of social security. The bodies propose appropriate changes. Defense cannot be a scheme mapped out in advance and realized. On the contrary, only through a studious approach, starting by scientifically collecting data and processing, eventually into a valid analysis of the present situation, is it possible to adequately change the structure and way that institutions in the area of defense and security operate.

Aristotle said in his analysis of the constitutions of the ancient city-states that contrary to Plato's beliefs, there is no ideal order applicable to all conditions and all times. According to him, different models and solutions can be equally successful depending on the circumstances where they are applied. In this respect, applying foreign experiences in conceptualizing one's defense system must be a creative task and cannot be reduced to simply copying the studied models.

2. One of the fundamental demands that must be met in approaching security and defense reforms is that the institutions handling it include various organizations and individuals from the entire social

structure in addition to foreign experts. The SCG Defense Ministry reform team has precisely followed this logic, in organization as well as in essence.

3. It has already been emphasized that the reform of the defense system is a complex task, one that is an integral part of society as a whole. The most justified demands, such as implementation of democratic civil control, eliminating parties etc. cannot be fulfilled if they are not accompanied by an adequate, changed social environment. The creation of a political democracy requires the establishment of a social structure and values that would act as a support for democracy. Establishing a democracy is a very important task, warned Jean-Jacques Rousseau, but preparing the people is even more important. By acknowledging such views one must also insist, for the sake of defense, on the reform of other social institutions. Individually, the unreformed parliament (with the old culture of relations, unchanged views of security, democracy, etc.) cannot be a good element of civil control of the military, etc.

All the abovementioned mostly emerges out of the SCG MoD Reform Team and represents recommendations that we will give to the minister of defense by the end of March this year.

As a member of the Ministry of Defense I would like to stress that a certain number of these issues have been raised previously, unrelated to the team's role, and that a significant part of the job regarding reform of the defense system has already been carried out.

Considering the fact that I do not have complete insight into the situation (there are much more competent analysts), I can only stress the facts that have already been made public:

- in the normative sphere, a series significant documents regarding the regulation of important issues, such as civil service, public acquisitions, etc. (including the Defense Strategy which is still in the verification phase);
- international-diplomatic activities for support of the defense system reform have been stepped up;
- institutions that handle this issue have been formed, including the MoD Reform Team (in cooperation with the UNDP);
- significant improvements have been made in public relations, making the Ministry's work more transparent;
- relations between the Ministry and General Staff are being harmonized according to the principle of supremacy of civil authorities over the military, and changes in the area of intelligence and security services have been made;

- training has been stepped up for officers and non-commissioned officers at foreign military schools, including numerous English-language course, etc.

The evaluation of the achieved level of reform is in a rather broad (black-and-white) range, most often depending on the position of the person evaluating it. In reality there are many things that we must resolve, but we are aware of most problems and can eliminate them with the support of local and international factors. Resolving many of these issues requires time and resources. It is futile to get up on stilts, when even on stilts we have to walk with our own legs, said Montaigne. In this sense our future activities in the reform of the Ministry and SCG Army must be in compliance with the process of democratization and the reform of the general society, since it is this environment in which our efforts make sense and have positive effects.

*Text in English translated by Vuk Tošić

II Panel – Achievements of the Security Sector Reform and the Way Forward

Stjepan Pocrnja

Permanent Committee for military issues, Bosnia-Herzegovina

In this, hopefully brief, presentation I have no ambition of saying all there is to say about this important issue, especially if we take into account the fact that only one of the segments of security – namely the defense – has been covered by reforms in my country. Only part of the Defense Reform of Bosnia-Herzegovina has been included in this so-called blue book, entitled *The Bosnia-Herzegovina Path to “Partnership for Peace”*.

As you well know, the security sector is a complex area that involves all the spheres of social life. When we talk about security, we usually think about human rights, democratic relations in the state institutions that implement such relations. Just as it was the case in similar documents in your countries, the security policy of Bosnia-Herzegovina has its components. They are: foreign-policy, domestic policy, defense policy, economic and financial policy, environmental protection – and because of the specific circumstances in Bosnia-Herzegovina – we also have human rights, reconciliation and the return of exiled persons.

When we discuss the security phenomenon, we must take into account issues related to democratic control of the armed forces, security services, police affairs, the fight against all types of crime and corruption, border services and the availability of control of the state budget, foreign cooperation, etc. All these functions are interconnected or mutually compliant, creating a single system – security. It is imperative for every community to build institutions and structures operating in the domain of security and also to establish democratic control and oversight of these institutions in their activities.

The more democratically evolved a society is, the higher the degree of democratic oversight of the security sector. Talking about this oversight, I have to stress that all the levels of government and other entities are responsible for the creation, functioning and oversight of the security system. However, in my presentation I should like to focus on the particular segment concerning defense. In fact, Bosnia-Herzegovina is currently going through a process of comprehensive and radical reforms in several domains of social life. Reform of the defense system is – in view of its scope and objective importance – one of the key elements of the overall reform process.

August 2002 is usually referred to as the beginning of the reform of the defense system, because this was when the presidency of Bosnia-Herzegovina made the decision on the organization and arrangements of the defense institutions of Bosnia-Herzegovina. This process gained particular momentum last year due to the activities of the Committee for the reform of the defense system, which drafted the reform course between May and September last year. The objective is to ensure the fulfillment of the obligations of Bosnia-Herzegovina in accordance with its OSCE membership, i.e. in view of the provisions of the Code of Behavior in civil-military aspects of security, and in line with the fulfillment of the criteria for NATO membership within the "Partnership for Peace" program.

The Committee activities resulted in a report, amendments and changes to the existing legislation in the passing of new laws aimed at creating a modern, efficient defense organization that will be democratically overseen by the parliament, and placed under the supreme command of the Presidency of Bosnia-Herzegovina. In the period going from the signing of the Dayton peace Accords to the beginning of the aforementioned reform process, the defense system of Bosnia-Herzegovina actually existed in the form of two separate structures established within two entities. In accordance with the Constitution, at the level of Bosnia-Herzegovina, a permanent committee for military issues had been established, as well as the Secretariat of the Permanent Committee for military issues representing its operational expert body, with the primary task of coordinating the activities of the armed forces of the entities. There were also different solutions concerning the civil command of the armed forces of the entities and consequently in the Federation of Bosnia-Herzegovina the function of the civil commander was covered by the members of the presidency of Bosnia-Herzegovina from the Federation. On the other hand, in the Republic of Srpska, civil command over the entities armed forces was performed by the president of the Republic of Srpska. The parliamentary oversight of the Armed Forces in the two entities was performed by entity parliaments exclusively.

In early 2001, the presidency of Bosnia-Herzegovina passed the formal political decision stating the determination of our country to join the European and Euro-Atlantic security and defense structures, setting the membership in the NATO "partnership for peace" program as the primary goal along this path. The NATO secretary-general at the time sent a clear message to the component bodies of Bosnia-Herzegovina to the effect that their ambitions to join European and Euro-Atlantic defense structures can be realized only if the single command system covering all the Armed Forces in Bosnia-Herzegovina is established as well as efficient parliamentary oversight to be carried out by the par-

liamentary assembly of Bosnia-Herzegovina - as an institution enabling the single command system over the Armed Forces of Bosnia-Herzegovina. A thorough reform of the defense system has been carried out, including the introduction of civil command and parliamentary oversight on the level of Bosnia-Herzegovina, as well as a reduction of the number of troops. In this sense, I shall briefly note that in Bosnia-Herzegovina since the end of the war, has had four reductions of the overall number of troops. At the end of the war, we had some 420,000 troops in Bosnia-Herzegovina, and after four reductions we have reduced these numbers to 12,000 members of the armed forces of Bosnia-Herzegovina. Furthermore, the number of locations where arms and military equipment are kept has been reduced.

Institutional solutions for issues concerning defense on the level of the state of Bosnia-Herzegovina, are covered by the Law on Defense of Bosnia-Herzegovina adopted at the end of last year. Back then, a series of new laws and changes in the existing legislation had been passed, as well as amendments to the constitutions of the entities. The Law on Defense of Bosnia-Herzegovina defines the command system of the Armed Forces, implemented through two chains of command, namely the operational and administrative chain. Whilst previous solutions had attributed most of the authority in the defense domain to the entity level, the new Law on Defense anticipates the introduction of new defense institutions on the level of Bosnia-Herzegovina, and provides a clear distribution of authority between the state of Bosnia-Herzegovina and the entities. In fact, we are now in the final phase of the procedure for the appointment of the first minister of defense of Bosnia-Herzegovina, that will have two deputies, all of them being from the different constituent nations of Bosnia-Herzegovina and in accordance with the decision of the presidency of Bosnia-Herzegovina. The Secretariat of the permanent committee for military issues will at that point turn into the Ministry of Defense of Bosnia-Herzegovina. Pursuant to the reform solutions that have been adopted, the establishment – in the forthcoming weeks – of the Joint Staff and of the Operational Command will complete the process for the creation of new defense institutions on the level of Bosnia-Herzegovina.

Bearing in mind the nature of this conference, in my presentation I shall focus on parliamentary oversight of the armed forces performed – within limits of their authority – by the parliamentary assembly of Bosnia-Herzegovina and the parliaments of the entities. The Parliamentary Assembly of Bosnia-Herzegovina is authorized to deal with all the issues related to the defense and the army in Bosnia-Herzegovina. It has the authority to perform oversight, investigate and report on all issues concerning defense and the army. It also has the exclusive authority to declare a state of war, at the request of the

Presidency of Bosnia-Herzegovina. It is also authorized to approve the state of emergency requested by the presidency of Bosnia-Herzegovina, and continues to exercise all the existing responsibilities based on the Constitution and concerning the approval of the state budget, including additional budgets for unpredicted military operations. It also passes the necessary laws, including the regulations for the management of the Ministry of Defense and of the armed forces, and ratifies agreements including international agreements concerning defense. The Parliamentary Assembly confirms the nomination of the minister of defense and deputy ministers of defense, of the chief of joint staff of Bosnia-Herzegovina and his deputies, of the commander of the operational command and his deputies, as well as the nomination of the generals of the armed forces of Bosnia-Herzegovina. It is authorized to access all confidential defense documents, and establishes the Joint Parliamentary Defense Committee together with the parliament of Bosnia-Herzegovina.

The entity parliaments carry out democratic parliamentary control of the work of the entity institutions involved in defense and of the entity armies in accordance with the competencies of the entities in the defense area and pursuant to the standards established on the level of Bosnia-Herzegovina. The entity parliaments are in charge of approving the defense budget of the entities, adopting the long-term development plan for entity armies in accordance with the long-term plan for the development of the armed forces of Bosnia-Herzegovina, supervising the implementation of the laws and regulations in accordance with the defense policy of Bosnia-Herzegovina, discussing and approving entity government reports on the readiness and overall status of the defense system - pursuant to the plan which is within the scope of competencies of the entities.

Within the scope of entity parliaments are also authorized to offer their opinion on the nominations and the recall of high-ranking officials, to confirm the nomination and the recall of the entity defense minister in accordance with the Constitution of the entity. Prior to the adoption of the long defense, the Parliamentary assembly of Bosnia-Herzegovina had no specific committee for defense and security issues. As an effect of the implementation of reforms, such a committee has been established last November, as a joint body of the Chamber of Representatives of the Nations. It is officially called the joint committee for security and defense policy and oversight of security structures on the level of Bosnia-Herzegovina. The mandate of this committee includes: reviewing reports on the activities of the executive bodies of Bosnia-Herzegovina in the domain of defense; providing opinions, as well as evaluations and recommendations to the Chamber of the Nations and to the Chamber of Representatives after reviewing reports

and information from the defense sector; reviewing and drafting laws within the scope of the committee activities; reviewing and providing opinions, recommendations and amendments for defense budget pre-drafts, drafts and proposals; proposing reports on the implementation of the budget, and financial auditing reports; providing opinions to the Parliamentary assembly of Bosnia-Herzegovina about the approval and ratification of international agreements related to defense; and reviewing reports on the implementation of international agreements. It also provides opinions on the confirmation of the nomination of the minister of defense and deputy ministers of defense, of the chief of the joint staff of Bosnia-Herzegovina and his deputies, and of the commander of the operational command and of the generals of the Armed Forces of Bosnia-Herzegovina.

In the end I would like to point out that the current reform solutions support the implementation of the mission of the Armed Forces of Bosnia-Herzegovina in accordance with high democratic standards, representing at the same time a good foundation for implementing the set objectives regarding the compliance with the criteria for membership in the NATO "Partnership for Peace" program, and meeting the obligations within the framework of the political-military dimension of the OSCE. The fact is that Bosnia-Herzegovina, like other countries in the region, does not belong to the group of countries that have developed civil society elements, nor does it have a long democratic tradition and well-established mechanisms of parliamentary oversight of the armed forces. This is in fact an area that requires constant improvement and further development. In Bosnia-Herzegovina we are fully aware of the need to continue our efforts in this domain, but also of the opportunity to use the building of civil command and parliamentary oversight of the armed forces to confirm our place in the community of democratic and free countries, and enhance the credibility of our aspirations to join European and Euro-Atlantic security structures.

*Text in English translated by Goran Kričković

II Panel – Achievements of the Security Sector Reform and the Way Forward

Astrit Bushati
Parliament of Albania

Since 1990, and the democratic changes in Eastern Europe, Albania - like all other countries of Eastern Europe - started democratic changes with the view of bringing about democracy into every day life before all and integrate Albania in Europe and NATO. The reforms should have been immense and quick to enable Albania's soaring among the most developed countries of Europe. I think that like any reform and plans of a society, the reform of the military, particularly in the countries of a long-standing dictatorship ours has been substantive, beyond any doubt. The number of troops and technologies, not only in Albania but in the region on the whole, had been very high, and as shown in time, posed a high risk for stabilization. That is why, with the aid and under the influence of the international community, which had had reformed its armed forces already, Albania started its military reforms in the 90s. The military should have been reformed according to NATO standards, the more so as Albania has been a candidate for membership. Albania was among the first who signed the agreement for joint "Partnership for Peace" program. However, army reforms have been rather painful. The number of soldiers inherited from the dictatorial regime needed to be reduced and significantly. It was not the only requirement. Mentality and operating capabilities were to be changed, too, calling for many different plans. Under the Albanian Constitution, the armed forces are assigned with defense of the territory and constitution of Albania, like in any democratic country; participation in the international operations and regional cooperation, and formation of armed structures for civil defense in emergencies and maintenance of peace and order.

In the beginning of the reform process, the reduction of armed forces and the budget prevailing prior to the 90s was of primary importance. Further on the concentration of armed forces had to be introduced because they had been dislocated throughout the Albanian territory, and make a shift to the "barracks" regime with the main predisposition of higher capability of armed forces for quick deployment. The education of army personnel played a major role in the military reform. More precisely, quite a number of troops and special forces nowadays have graduated from the western academies, either in Europe or USA. The major problem of the reform, different from those facing other countries in the region, is that the military budget is still lagging behind the standards set by NATO. Actually, the armed forces requested 2% of the state budget,

but were appropriated only 1.2% to persist in the coming years, or more precisely till 2010. Such a budget, based on the Military Strategy, was approved a year ago by the Parliament of Albania. Within the army reform, a prominent place belongs to the structures participating in the international operations. As Mr. Ceka pointed earlier, Albania has three groups of armed forces today, which participate in NATO forces: in Bosnia, within the contingent of the Italian SFOR, in Afghanistan within the contingent of Turkish troops there, as part of Turkish troops in Iraq. Also, I am of the view that Albania should participate in setting up the regional cooperation for the formation of the South-East European Brigade (brigade SIBRIK) with headquarters in Bulgaria, where the Albanian forces would take part in both the management and various operations.

Numerous problems in reform process are not limited to Albania, only. They are common to the countries represented at this Conference. Albania maintains bilateral relations with many countries in defense area, but there are others without any. Hopefully, politics would open up regional cooperation and perhaps this gathering would contribute also to the regional military cooperation. Although nothing is perfect the reforms shall go on, because we are not the only country in transition. The whole region is in transition, which necessitates the strategies, both military and defense, to be revised and reformed in compliance with new, better conditions, since all the candidates for joining "Partnership for Peace" program and NATO. I think that much more should be done about readiness of armed forces to help the population in disasters and civil defense. In our country many problems have arisen because the members of armed forces were not up to their mandate, while in some other operations they proved their capability and worthiness.

I am also of the view that professional level of armed forces of Albania should be upgraded but salaries to military personnel, too. To mitigate the consequences of the reform, which affected the army personnel, care should be taken also about those who lost their jobs and help them reintegrate into civil society. That calls for special programs for integration, and various specializations to prevent the ex-servicemen become elements of destabilization.

The problems are many, but the results are great in civil oversight by the Parliament and civil society. Although a number of civilians have been involved in the reform and experts running the management strategy and cooperating with the military personnel more than that needs to be done particularly about the oversight of the military finance. The Parliament and civil society should audit financial matters in a more stringent and coherent manner.

* Tekst sa albanskog na srpski prevela Eda Radoman,
a sa srpskog na engleski preveo Goran Kričković

Part II

COMPARATIVE OVERVIEW OF THE REFORM OF THE ARMED FORCES

Workshop No 1 – Reform of the Army

Miroslav Hadžić
Centre for Civil-Military Relations

INTRODUCTION

At the plenary session we were presented the strategic and political approaches of the Western Balkans states to security sector reform, as well as security cooperation in the region. It is our intention to address the reform problems of specific militaries.

I will be free to remind you of the fact that for methodological reasons the concept of security sector reforms may be broken down to five key dimensions. These, of course, are linked and dependant reform aspects and contents, and their realization is successive in principle.

The first of these changes is in the way security is considered. There is no doubt that this is the most difficult and lasting challenge. This is also where the question arises of how to avoid this explanation trap, which could rekindle old illusions that thoughts can easily be changed, and that the population should only be well and properly educated. I am convinced that the consciousness of the people and individuals can be gradually changed only in line with the achievements of democratic reforms of society as a whole. Therefore, only when the citizens recognize and feel the measurable benefits of the reforms can it be expected that they will also adopt new thoughts about security. The reform of the security sector is primarily to eliminate the fear of the people of internal and external abuse of the armed forces, just like the reform is to provide legal protection for members of the armed forces – military, police, secret services and para-police units – from possible political and ideological misuse. They and their organizations cannot achieve professionalism, nor be transformed into a public service for the citizens and society. In order for this to be made possible, armed forces should be given a new and different place in the given society, in the constitution and legislation. The materialization of the second dimension of reforms meets the initial prerequisites for action in the third, which implies the establishing of democratic civil control and public oversight of the local security sector and armed forces members.

This is why the military reform (fourth dimension) is actually possible only when the necessary political, conceptual and systemic condi-

tions have been met in the previous steps. One could certainly dispute the justification for joint discussion of the reforms of mutually different militaries, more so since they have different backgrounds, dissimilar ideological and political profiles, as well as constitutional and systemic positions. Despite this, a more thorough analysis shows that there are certain common features. The countries of the Western Balkans have similarities regarding civil-military relations, among other things, as well as the public and political status of local militaries. This is why there are also similarities regarding the problems that the bearers of their reform face. I hope that the debate will not be hindered by the various conditions (achievements) of the military reforms in the individual states of the Western Balkans.

For example, the Republic of Croatia adopted a national security strategy two years ago, but this took long enough as it was. In contrast, Serbia and Montenegro still does not have such a strategy. Furthermore, the Constitutional Charter does not even provide for parliament to adopt a security strategy, because this falls within the competencies of the member-states. This opens a new political as well as a theoretical problem. Specifically, Serbia and Montenegro de facto is not functioning as a single security area, nor does it have a single security system. The Union's competencies are only defense and military, while the member-states establish and control all other segments of the security sector and armed forces components. To make things more difficult, the Constitutional Charter does not even urge the member-states to cooperate on security issues. This is why it is reasonable to ask how Serbia and Montenegro intend to join the European Union and join Euro-Atlantic integrations, which presume security cooperation, when the authorities in both states are not prepared for such cooperation within their own Union. Relying on the same method, it is reasonable to wonder whether the states of the Western Balkans can do this if they previously do not prove their ability to cooperate when it comes to security (the fifth dimension).

In order to be capable of doing so, they should seek autonomous procedures, mechanisms and ways of security cooperation, in order to increase their internal as well as regional security. It is thus advisable for us to address the problems of military reform in more detail. I also mean the economic, social, personnel, political, normative and many other dimensions of the announced and/or ongoing changes in the inherited militaries.

* Text in English translated by Vuk Tošić

Workshop No 1 – Reform of the Army

Mladen Nakic

Ministry of Defense, Croatia

First of all I would like to make a slight geo-political comment about Croatia. In Croatia we say that Croatia is a Central, South East European, i.e. Mediterranean country. At the moment Croatia does not feel any direct threat in the region or beyond, and we believe that we do not pose one to anyone in the region. Therefore, the next thing that we should focus on in our cooperation is precisely regional cooperation where we believe there is great potential when our host Serbia and Montenegro is in question, as well as the entire region. The next step is of course international and regional security issues, which most often carry new risks and challenges to which Croatia, as well as the region, must find appropriate responses. These are terrorism and other threats that are already present as such. Of course the latest example from Madrid shows that no one is immune. In the future Croatia will have, and already has in Afghanistan, its units. And ultimately, Euro-Atlantic integration, the European Union and NATO are things that I deeply believe we all share as important matters of strategic national interests. I believe that in this respect, regardless of who is where on this path, we should cooperate and exchange experiences.

Croatia and the Ministry of Defense want to see Serbia and Montenegro, our hosts, as well as Bosnia and Herzegovina, our neighbors, involved in these activities regarding membership in the Partnership for Peace as soon as possible. Then in this way, we could expand our military cooperation as well as general bilateral cooperation. Additionally the national strategy, as well as the military strategy, represent something for the long run. All these changes entail constitutional changes, above all. Therefore, in this second phase, when we look at the future of the Croatian armed forces, two very important segments emerge, in addition to what has already been mentioned. First, the Strategic Defense Review, which is a review of what Croatia should define for the near future. This is still in the works. Accordingly, adjustments to certain standards, criteria should be made, observing our particularities and thus try to define what it is that our defense policy is and what direction we are headed in. On the other hand, there is an imperative regarding a

clearly defined national interest: NATO membership. This is one of the key national interests for Croatia and it has made much progress in this respect, although there is much work that lies ahead.

All of us are in some way focused on the Summit in Istanbul which will take place in several months. We have so far reduced the number of our troops, which will probably be apparent later and which was not at all simple. Also, most of the former military bases and garrisons remain, which are simply inexpedient, economically wasteful. For example, in 1991 they numbered 507, and last year there was only 207 remaining, and in the following years, in 2006 there are to be only 25 facilities where our armed forces would remain. On the other hand the Ministry of Defense and the armed forces have great needs. Their staff is leaving the system, and we are trying to provide certain support, particularly, financial support for various forms of retraining, etc. As far as reorganization of the MoD is concerned, we have reduced the number of assistants from seven to four and thus reduced all the other departments beneath that.

The question is why now? If we are moving towards an organization whose member-states have this, where it is a standard, then this is the moment to perform this, and to simply know what we must establish as key elements in the future development of these armed forces. In a way, the tasks, priorities and way that they will be achieved must be defined. What is important, and what I believe that we share with the entire region is to put behind us the crisis management experience, and to stop the practice of always doing things from one day to the next. We must learn that some things must be planned in the long-term. This is sometimes not exactly simple, since there is a background on how this is done, but obviously this is coming and must be insisted upon.

Regarding the force structure, I can say that we have come down to four corps, while literally tomorrow we will be abolishing the corps based on territorial organization. This is what NATO has asked of us, so we will no longer have corps with this territorial organization, but rather we will create smaller, flexible, mobile forces more in line with Croatia's need. As you can see, there are 21,000 professional soldiers. This is a drastic reduction in numbers that has been carried out in the past several years. Over the last several years, 13,500 people left. These are people that went through the war, who had experience and it was definitely not easy to give them up. Unfortunately the criteria are unquestionable. The time is coming, and it has already come when there are certain criteria that you simply must respect if you want to be an equal partner in an alliance that you are moving towards. Croatia is definitely moving

towards a professional army, and 8,000 conscripts is a number that will further be reduced. This is not at all cheap, which all experts will easily discern, however, we have decided. Croatian units presently include a professional guard brigade, but we are heading towards a final organization of a small professional and efficient military, prepared to confront various challenges, not only those that the future will bring, but also the present.

The main reforms are yet to come, but have already started, since several days ago we had an expert team from NATO, and as I said, the territorial principle is being abandoned and we are moving towards the system of collective defense. We are also slicing the number of guard brigades, which number four at the present, and we are creating two professional brigades that will be completely motorized, professional prepared for flexible, mobile operations, which is what is expected of Croatia in the future. The reduction of personnel continues. Presently about 12,000 personnel have left, and only last year 8,500 people were separated from the military, which is not a small number precisely due to the reasons that I mentioned earlier. It is difficult to tell people that gave so much for this Croatia that you no longer need them, but they are aware that existing criteria dictate certain things.

Accordingly we are continuing to maximally assist these people and we have programs for employment, retraining, financial assistance for establishing small and medium enterprises, and severance pay. We have reached great political and social challenges, which I have already mentioned, but we must secure additional sources in some way which we will use to promote and improve all these ongoing reforms. Investment in the military has also been drastically reduced. In 1995 it was 10% of the GDP, which was USD 1.9 billion, and as the years passed, for example this year, we received 12% less than what we had planned realistically, bearing in mind the partnership aims that we have taken on and set regarding the Partnership for Peace program and NATO. The government has decided that it has other priorities, social and others, but we will continue to insist with the MoD that we have a mid-term plan and for it to be between 2.0% and 2.2% of the GDP. It will not be easy, but we are in a situation where we are struggling for every lipa, for every cent. This is a normal situation, but we should focus on making decisions based on sound judgment.

If you have a national interest and goals that the Croatian MoD should realize than it will be much easier to defend all these arguments. What is also crucial for this conference is parliament and what it involves, including the reform of the armed forces. Parliament is primarily the place where we must achieve some of

our needs. Awareness is emerging in Croatia that we must send people, military personnel or civilian experts from the MoD to Parliament, to have them there temporarily and for them to explain in some way to the parliamentarians what it is precisely that we want, i.e. need. Parliamentarians must first be informed in order to be able to help. In this sense, I believe that the best practice is to have people at hand who understand the issues of the armed forces, to additionally explain what the Croatian army expects of them. This is the only way, because if parliamentarians understand why we need a military budget of GDP 2% for example, and not 1.8%, then they will more likely vote another time for this budget, than if they did not have this information. It has turned out most often in the committees and in genera that they did not have information on why we wanted such a budget.

I will once again repeat that what we have gone through and what we are going through in the region is this realization of democratic and civil control. These are issues that are recurring, just like the national, military strategy. Reforms, which will always exist and we cannot do without them, are calculated processes. The problem that Croatia faces is that it must reduce the age limit of its personnel. The people that went to war in 1991 were 20 years old. The war ended, there were not new personnel taken on, and this has had its repercussions. We must accept new people, and this has already started, from the university and has rejuvenated both the armed forces and the MoD.

And finally, modernization is crucial to everything, and something that should be invested in. The entire region mostly has old weapons that have become outdated. This is not cheap, as we know, but it should be invested in and gradually a balance should be created. After all, some new NATO countries have not and could not acquire overnight the latest technologies, but this is a process that awaits us. In the future, regardless of whether it is next year or 2006, we will try to reduce the 70% that goes for employee salaries to 50%. This means 50-25-25, i.e. 25% should go towards modernization and development, which is necessary and needed only to allow for a realistic framework. We are all together heading in the direction of creating lasting peace and stability as prerequisites for prosperity.

* Text in English translated by Vuk Tošić

Workshop No 1 – Reform of the Army

Sašo Kuzmanovski
Ministry of Defense of Macedonia

I will try to provide a more comprehensive explanation on what reform actually represents in Macedonia. As Mr. Nakić already noted, the first thing to do is to assess the probability of security threats. Such an assessment can be done with the assistance of foreign countries. Just like Croatia did, Macedonia carried out such an evaluation with the help of the British and American MoDs. Immediately afterwards, the potential challenges and threats were evaluated. Talking about this issue back in 1998, the former Norwegian Minister of Defense noted that Norway was unable to respond to all the possible threats even though it is located in a region where they can really feel safe. No country can confront all possible threats that may appear, said this state official. With this perspective in mind, the political leadership of the Republic of Macedonia and its Ministry of Defense decided to embark on the path of Euro-Atlantic integration and to determine which share of the potential threats can we actually respond to. This is precisely why the next step involved an assessment of the situation in the region allowing us a definite conclusion that within the next 10 years – at least according to recent analyses – we are to expect no threats or challenges in the region. This led to a change of the territorial principle of the Army, and it was transformed into a type of armed force that will be capable of reacting to the potential threats that might appear.

The step that followed, one that we can say is extremely important, was the functional analysis, which could also be carried out even in the earlier phases of the Reform. Such a functional analysis must be simultaneously carried out by the Ministry of Defense, the General staff and the Army itself. In practical terms, to quote the Prague Agenda, this means that the ability and the capacity of defense are commensurate to the size and composition of the armed forces.

Pursuant to the functional analysis results, the new mission of the Army, the Ministry of Defense and General staff can be defined. The question is what does this mean in practice. Let us presume that in line with the Statistical Defense Review, the Army of the Republic of Macedonia or ARM is aware of its duties. Now it is strictly defined that a certain part of the Armed Forces would be employed for operations outside the Macedonia theater of operations. Another mission might, for example, involve support to civil authorities in the case that national

security is threatened or under attack. For example, the Army might also be employed in the case of terrorist attacks or emergencies within the territory of the Republic of Macedonia, but also in support of the pending NATO context. In view of the general missions, specific military assignments to be performed by the Army of the Republic of Macedonia are developed. In order to secure financial support, each of the segments must justify its function and find its appropriate time and place. Then the calculation on the overall costs have to be made along with the assessment of the number of people required to carry out such a task, this being something that we still ignore. In fact we have no previous experience in how these things are done, unlike certain countries like Great Britain, for example. A possible solution lies in a combination of a dual approach: bottom down and vice versa. For example, the first of the two approaches can help determine a given segment of the budget, which then dictates the amount of funding that you might afford if you had your Army.

The other segment is related to the readiness to answer the threats and the challenges that might surface. In other words you first have to determine how many men will be structurally made available, and then deal with the costing. What the Ministry of Defense of the Republic of Macedonia did is a midway solution, i.e. a combination of the dual approach. We came to the conclusion that – in line with the Strategic Defense Review – the personnel of the future Army of the Republic of Macedonia, together with the Ministry of Defense and General staff should be 8500 men.

Operating on this level, we had to find the most favorable structural balance, maintaining at the same time the capability to respond to most of the challenges. However, this is not where Reform ends. The personnel analysis is the next step. In effect, it encompasses the proportion of the officer and NCO pyramid, i.e. the structure of the various ranks. After that you go about balancing the ratio between officer and NCO ranks and soldiers in relation to the commands and other sections. I have no intention of elaborating in detail the issue of Army property, how much this costs, how can it be sold in how marketed in the civil sector, but I believe that the opportunity should be used to reach an agreement on the government level to the effect that all the funds raised through the sale of the assets owned by the Ministry of Defense and the Army should go into the fund for the reconstruction of the Army.

I will now return to the budget structure and illustrate how this helped us make an assessment of the correct figure. You all know that there are three basic parts of the budget: personnel costs, operational and maintenance costs, and investments and procurement (development). I believe that this is different in every country, and to be more precise I know that it is different in many of the NATO countries. Also know that our GDP is limited, and I can tell you that in the past more than 80% of

the defense budget used to be spent for salaries. This meant that no funds were practically left for operations and maintenance and for investments and development. This implies that the 80% expenditure has to be reduced. In line with this, the Strategic Defense Review specifies that after 2007, we shall have to reach a situation where some 50% of the budget will be used for personnel costs, around 30% for operations and maintenance and approximately 20% for investments and development. I believe that this was the key issue which limited the number of troops that the Republic of Macedonia can afford. Using the reverse approach, we determined the costing per individual soldier and then multiplied it with a structure that we expected to be realistic in view of the missions and military assignments that we defined beforehand.

Modernization represents the next indispensable step. It is to be followed by the interdepartmental cooperation and distribution of competence. This might not be the case in other countries, but we are faced with the burning issue of integrated border safety and transfer of border control from the Army to the police including the creation of the new border police. At the same time, a current transformation factor stems from intensified regional cooperation with Croatia and Albania within the framework of the Adriatic group. I must note here that we have an additional responsibility and task in the sense that beforehand we must harmonize everything with the Framework agreement signed in Ohrid.

In line with this, the ethnic composition of the institutions, which are not reflecting the percentage of presence of ethnic communities in the Republic of Macedonia, have to be altered. This generates an additional burden in organizing the security sector, and in practice it means that it's very difficult to do two things at the same time. On the one hand you have to attract part of the ethnic communities that might not have an interest and possibly or even the will to join the Armed Forces because of the not so high standard of living. Moreover, you have to dismiss a certain number of men from other ethnic communities in order to achieve the desired balance laid out by the Framework agreement. However, I have to say that for the time being this is the second phase of the strategic defense, and that what we have done until now is quite positive. Plans are just plans unless their implementation is tackled, and we expect the third phase to verify what we have done until now and that their implementation will begin prior to the NATO summit.

* Text in English translated by Goran Kričković

Workshop No 1 – Reform of the Army

Momo Ševarika
Expert, BiH

I will be speaking of the reforms of the armed forces in Bosnia and Herzegovina (BiH). The problems that have been noted by my colleagues from two ministries (Macedonia and Croatia) are essentially very similar to those that we encounter in BiH. However, solving these problems in Bosnia and Herzegovina is much more difficult than in the mentioned countries because Bosnia and Herzegovina is a non-standard state with no similar one existing not only in South East Europe but in the entire world. We are practically creating a new system, i.e. reforming the defense structures, but not only in one army, as is the case in other countries, but also in two, i.e. three armed forces that were at war with each other during the conflict within the territory of one state. The reform is also to establish the armed forces of Bosnia and Herzegovina, which will unite the militaries of two entities, and essentially three national armies. This is also the process of creating a new defense structure, as well as a process of reconciliation and promoting measures of trust and creating some new views of security within the state and joining regional developments and processes of defense integration. This is why Bosnia and Herzegovina has had a difficult time and much was needed to achieve the present results. These results, as we will show here, seem small and very unusual, but for us, who achieved them step by step, these were large and difficult steps.

The process of reforms of the military forces in Bosnia and Herzegovina could be divided into two clearly distinctive segments. The first was the implementation of the basic solutions of the Dayton Peace Accord, as well as those created based on the Dayton Peace Accord. This primarily implied sub-regional arms control. This process practically lasted from the beginning of 1996 (after the end of the war) until 2002. The second part represents reforms that were undertaken through self-initiatives in line with the intention to join Euro-Atlantic integration, and where for the first time local institutions played a significant role and where the defense reforms became a parliamentary issue for the first time. In the first process we practically had to carry out obligations that stemmed from the signing of various agreements. The obligations primarily implied the demobilization of

the wartime makeup of the military in Bosnia and Herzegovina, then reduction of heavy armament, which was agreed through agreements on regional and sub-regional arms control, and eliminating this armament. Only in the second phase of the first part of the reforms did we face problems of peacetime military size: how large of an armed force can we afford, i.e. to what extent our economic capacity allows us to maintain existing militaries. To tell the truth, the entire reform process, particularly the first phase in Bosnia and Herzegovina was carried out mostly with the continuous presence and pressure of international factors, which was deeply involved in BiH in the process of control, i.e. the process of maintaining peace. All the processes in transferring from wartime to peacetime armed forces, as well as the process of reducing troop numbers and equipment were confirmed primarily by SFOR troops, then the OSCE Mission and other organizations involved in this process. The first processes, immediately following the war, were spontaneous. However, later processes were carried out through so-called reorganization, transformation, dislocation of units and members, and in principle everything came down to decreasing the large number of people involved in military structures, as well as structures in the defense ministries of the entities. We have said today, in the first presentation that in BiH in 1996, half a year after the war ended, we had more than 200,000 people included in the defense structures of the entities, and that by June of this year the armed forces of Bosnia and Herzegovina are to number only 12,000. The entire process of reducing the armament and armed forces of Bosnia and Herzegovina, in line with sub-regional armament agreements, is conditioned by the two-to-one ratio between the entities, i.e. two entities in the BiH Federation and one in the Republika Srpska. Practically, until June we will have armed forces with 8,000 troops in the Federation of Bosnia and Herzegovina, where there are still two components of Bosniacs and Croats, and 4,000 troops in the Republika Srpska. It is estimated that such numbers exceed the level that we can afford economically, and this certainly does not represent the end of the process of reducing the number of troops. Of course, this reduction process has been very excruciating because in 2002, for example, we had to lay off 12,500 people from the army and practically leave them without work. These processes are very different, because the two entities, each in their own way, accommodated surplus staff. Thus the BiH Federation, in order to resolve the position of the soldiers that were redundant, took out a BAM 100 million loan with the International Bank. Specifically, they took out a loan to pay 10,000 marks in severance pay to 10,000 soldiers that were laid off. In the Republika Srpska this social care was carried out from the succession

funds and the budget, and far fewer troops were to be dealt with, about 2,000.

During the first period of the reform of the armed forces in Bosnia and Herzegovina only symbolic institutions existed, which in accordance with the BiH constitution included civil control of armed forces. Practically this was the BiH Presidency, which consisted of three members, with each having the right of civil control, i.e. right to command the armed forces of the entities. The entire system of developing, equipping and operational command of the armed forces was carried out through entity structures. There were no problem in the functioning of this system because the entire process was run under the control of the international stabilization force and any activities by the armed forces were under strict control. In line with the Dayton Peace Accord, i.e. the BiH Constitution, Annex 4 of the Peace Accord, a Permanent Committee for Military Issues was established, which was not the ministry of defense. It consisted of the most responsible officials at the level of the state and entities, and had a coordination function. This implied that it practically mediated between the Presidency of Bosnia and Herzegovina and the armed forces of the entities in creating and carrying out defense and security policy. One should note that the process of establishing the Permanent Committee was rather slow and gradual. It took a long time to change the consciousness of the traditional understanding of defense and security, according to which every state should create armed forces that could independently respond to threats and possible sources of danger. Only in the past two years have we achieved the gradual acceptance of the new understanding of security according to which security is a regional issue. It represents a process that is generated through regional cooperation, i.e. cooperation with other subjects, primarily in our immediate vicinity, and then joining integration processes that create and guarantee collective security. It is clear that today even great powers, regardless of how powerful they may be economically and militarily (with the exception of one power, but that is another issue) cannot afford full security through their own forces. However, this new understanding of security has been difficult to achieve here due to the tragic consequences of the war in this region. In Bosnia and Herzegovina for a long time we had a situation where the armed forces of the two entities were more oriented one towards the other within the state, than turning to what was happening in our surroundings, i.e. towards possible foreign sources of danger. It was much easier for us to accept the fact that BiH is not threatened either from across the Sava or the Drina rivers, than accepting the fact that we should reduce internal tension between the armed forces of the two entities. These tensions practically remained as a continuation of the war within our country, i.e. repre-

sented a consequence of the war experience. It took more than six years after the war ended, practically in mid-2002, for us to understand that BiH should seek its position in the family of European countries and that the first step should be made independently, without the pressure and initiative from international representatives. This was done through the letter of intent by the collective state leadership for Bosnia and Herzegovina to join European integrations, i.e. the first step on this route – the Partnership for Peace. Following a long political battle the Presidency of Bosnia and Herzegovina recognized that there was no other solution except for our security system to be organized as part of the collective security system in the region and Europe. Practically we can speak of the achievements of a genuine process of reform only after mid-2002, because all activities that were carried out until then were something that had to be done based on certain disarmament plans and agreements on arms control where SFOR was in the background and demanded implementation with the argument of force.

I must stress that our problems regarding the reform of the military budget are very similar, if not identical to those in Croatia, Macedonia, and probably other countries in the region. From the end of the war until 2000 we had a military budget that no one controlled and which was exceeded by 180%-190%. The OSCE Mission and OHR (Office of the High Representative) in Bosnia did an analysis of the military budget in 2000 in the entities and determined that both entities had exceeded their budgets by 170%-190%. Following the war, until this year, the military budgets were at the level of the entities, while there were no military institutions at the level of the state, and therefore no budget. Only after the mentioned analysis by international representatives were the real problems of military budgeting, controlling it and the existence of estranged power in the military sector addressed. The estranged power of the military sector was precisely based on the uncontrolled use of budgeted funds. Parliaments adopted budgets by signing certain budgetary frames for the military.. however, these limitations were not respected and they were exceeded by instruments for budgetary spending, and no one was held responsible. The structure of the analyzed budget for 2000 was very disturbing because about 70%-80% of the funds in the budgets of both entities were used for personnel, i.e. salaries and other personal expenses. The situation was even more difficult because criteria for what were personal earnings and what were procurements and operations were not balanced. On the other hand such an extremely non-functional military budget included certain non-budgetary sources, which were again used for salaries, and this amounted to much more than 80% of the military's total costs. Then again the military budget amounted to more than 6% of the GNP, and if certain non-budgetary allocations

were to be included, then the cost of the military would exceed 10%, a rather high percentage. This poor society could not carry the burden of such allocations for the military. This was an additional reason for carrying out the reform of the armed forces. Unfortunately, the entity parliaments and mechanisms of democratic parliamentary control, which were formally established in the entities, did not even discuss the analysis of the 2000 budget.

After Bosnia and Herzegovina declared that it wanted to move in the direction of Euro-Atlantic integrations and join the Partnership for Peace program, a dialogue followed where NATO set the conditions for Bosnia and Herzegovina to join this program. The conditions were multifold, and the first and foremost one was that Bosnia and Herzegovina must establish management and command structures for the defense and military at the state-level. This implied establishing a ministry of defense at the state-level, then the General Staff and operative commands as bodies necessary for the direct commanding of the armed forces in the entire country. This was a revolutionary change compared to what had previously existed, since the entire project required for the entire process of deciding on using armed forces, as well as all command functions to be transferred from the entities, which had previously had jurisdiction, to the state-level. Even though the BiH Presidency was the body for civil command of the militaries in BiH, operative use and command of the militaries had been developed in the entities through management and command structures. This was the fundamental topic of discussion and a great political debate that lasted from May to September last year on how the new management and command structures for the armed forces would be conceived. The debate took place in the Commission for Defense Reform, formed by the OHR, as well as in other work bodies, and the entity parliaments had the final word. The defense reform process demanded appropriate changes of the constitutions of the entities, as well as legislation on defense and the military, which required for a suitable political disposition to be created, so that the reforms would be accepted as needed, not as a process imposed from abroad. The Dayton constitution was not changed since it was determined that it provided an adequate frame for carrying out the reforms, but changes in the entity constitutions were required, primarily to shift command of the armed forces from the level of the entities to the state level. This was then followed by the adoption of a Law on Defense at the level of the state of Bosnia and Herzegovina, and the process of filling vacancies in the Ministry of Defense and other armed forces management and command structures. The entities have retained the right to equip armed forces according to single standards, as well as train them, also according to standards that have been established at the state-level.

This was derived from the demand that armed forces must be interoperable when joining Euro-Atlantic integration, have single standards, and thus logically be compatible within one state. The entities have retained the right and obligation to finance the military, but the budgeting bases are determined by Parliament at the level of the state. The budget for financing common defense institutions, as well as units and structures established at the level of the state, is adopted at the level of the state. At the present we do not have any joint structures at the level of the state, with the exception of a transportation unit, which is planned for peacekeeping operations, and is comprised of parts of the entity militaries. Plans include for similar units and teams to be formed for peacekeeping operations. The honor guard issue will also be resolved. In principle, there is presently a single structure in BiH, with a single line of command responsibility – from the BiH Presidency to operative structures, but there are also national military contingents in the entities that in principle must not hinder further integration processes.

We in Bosnia and Herzegovina managed to pass the basic doctrinal documents before the last reform of the armed forces, unlike in Serbia and Montenegro where they have this problem. After several months (even a year after the debate) a defense policy was adopted, and after that, last September, the security policy also. The doctrine for training was adopted, and normative requirements for further development of the new security concept were practically met. In line with the defense policy, three basic tasks where the armed forces of Bosnia and Herzegovina could be used were defined: defense of state sovereignty, which is common for all states, participation in peacekeeping operations and assisting civilian structures in the event of different disasters. The conditions for applying these armed forces were elaborated in detail in the defense policy. I believe that after these structures have been established at the level of the state, the next serious process is the development of parliamentary control at the level of the state, since this process has so far taken place at the level of the entities.

I would not discuss other reform issues, since they are very similar to others in the countries of this region. One of them is the issue of surplus military property and infrastructural facilities used by the military. I will give one example: the more than 500 locations where military equipment and weapons are stored and where the military was present until 1997, have been reduced to 150 locations, and the plan is for this to be reduced to only 33 by the end of the year. This issue is primarily being handled by SFOR, and it appears to be the greatest authority. One of the problems we have, and which is undoubtedly linked to the reform of the defense sector, is the issue of the military industry. Bosnia and Herzegovina, with its central geographic location

in the former Yugoslavia, represented an area where there were many various military production and industrial facilities. In the new situation, partially due to the technological obsolescence and loss of foreign markets, and partially due to the development of a new defense concept relying on collective security, most of them are out of work or don't work. We are presently in a situation where parts of these capacities have been reoriented for production for the free market, and part of the production has been completely closed down. However, what is crucial is that military production is no-longer managed by the Ministry of Defense, but rather it has been transferred to other ministries. State companies have been established as economic subjects and as state-owned companies and these companies are no longer institutions within the jurisdiction of the Ministry of Defense and military. Of course, many people were laid off in this process, and it is necessary to resolve their social status.

The further reform of the armed forces in Bosnia and Herzegovina is focused on the further reorganization of the entity militaries and most likely another reduction of the number of troops to less than 10,000. Additionally NATO standards are to be accepted and armed forces to be developed based on these standards, as well as incorporating BiH forces in peacekeeping operations.

* Tekst in English translated by Vuk Tošić

Workshop No 1 – Reform of the Army

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The role of the Parliament in oversight is of particular relevance in the security sector, which consists, as we know, of the military, police, intelligence and private bodyguard agencies. Parliamentary oversight of the security sector involves the development of an adequate security policy and assurance of balance between the objectives and will of political military leaders.

The Parliament plays an extremely important role in the area of defense because, to begin with, it votes for the budget to ensure the needed financial means for defense and secondly, it exercises control over the entire function of the executive power and its security sector, in particular. The parliaments of all the modern European states, regulate, via legislation, the basic principles of the organization of national defense and the state resources and fundamental guarantees in the military structures. Besides, the parliament also codifies the obligations imposed on the citizens within the national defense, both in terms of themselves and their property. In this context, characteristics are those legal or constitutional provisions ratifying all or only some international treaties relevant in this field. Finally, an especially important area is constitutional and legal regulation of the state of war, setting a legal framework for the international activities of the government and the head of state.

Nowadays the practice of extension of parliamentary intervention in security policy has become common, which by means of laws defines the military program. In the parliaments there are defense committees in charge of monitoring a series of issues of importance for the national defense. The very fact that it is the parliament that has to review and vote in the budget and every year the reports of the working bodies of the parliament in charge of defense makes the democratic oversight of the security sector possible.

Of particular relevance is permanent parliamentary supervision over the functioning of the government in enforcing the laws and the Parliamentary policy in this area. In some countries, there is a characteristic institution of specialized commissioners who oversee individual administrative services, such as, for instance, the commissioner for supervision of the military in the Federal Republic of Germany.

Naturally, the role of the military armed forces is much more important in enforcement at the time of crisis. In responding to different threats, the government has the ability to take measures, proportionate to the strength and form of the exigencies. In a regular period, those measures are intended to eliminate the hindrances of political character, such as, for example, terrorism.

The authorities to be used in times of crises have now been expanded and the government, including certainly the military forces, is made to take the measures for the preservation of public order. However, care should be taken that the excessive strengthening of such a function of the military and the government in general could lead to the violation of fundamental freedoms in a state. In that regard, the oversight of the parliament of that government function remains particularly important and delicate. Hence, the role of the parliament in this field is in fact to maintain oversight of the armed forces in such a way as to enable the guarantees of the vital national interests and freedoms of an individual and the state as a whole.

The role of the civil sector in that respect is undeniably quite large. Civil authorities have to be aware that the oversight of the armed forces, and thereby the reform of the security sector cannot go without a certain level of expertise and can not be possibly implemented without sufficient knowledge in this quite complex matter. That is why the contemporary requirement for the society to be informed is so very important; the main demands and goals of parliamentary oversight of the armed forces have to be made known to allow for a broad basis not only for successful national defense but, more importantly, adequate political and social measure to prevent war. Most of the information in that regard flows to the parliament from government institutions.

However, the parliament needs other information gathered with the help of scientific and research studies and contacts with European institutions - Council of Europe, NATO, European Union or OSCE. No doubt, an expert appraisal could be provided only by outsourcing and research centers and the public debate on the possibilities and political decisions in the area of security and defense policy. Since the politicians have neither time or opportunities to monitor complex and wide activities of the security sector an efficient parliament should rely on reports by other state institutions, responsible for security sector oversight such as, for example judiciary, auditors, etc. Parliament members are in the position to invite the civil society sector to participate in parliamentary hearings. It may certainly resort also to expert NGOs and research organizations that are capable of performing analysis of work in a given area of the security sector. Most valuable are the international gatherings and symposia, such as this one, where experiences can be exchanged as well as models of the parliamentary development of other countries learned.

George Katsirdakis (Sector of Defense Planning and Operations of NATO) spoke of a good idea at the round table in Sarajevo devoted to

this same topic which we are discussing today. In this transition period of some governments in East Europe, we find quite a number of parliamentarians with military background. It was considered a positive that they were well versed in the matter but at the same time a negative given that one should be quite cautious about it.

Finally, I would briefly refer, on this occasion, to the current situation in security reform in Bosnia and Herzegovina. Namely, in Bosnia and Herzegovina there is readiness today to accept all positive experiences of democratic states of Europe and USA. At the moment, the Money Laundry Law, one of the set of laws governing the Investigation and protection Agency, is in the pipeline. This law includes the suppression of organized crime money laundry, international terrorism and illegal migrations. The Council of Ministers approved five laws in this field in February 2004, while the sixth, the Law against Money Laundry was returned for harmonization to the Economic committee.

The Defense Minister of Bosnia and Herzegovina will most probably be appointed at the next session of the House of Representatives of the parliament of Bosnia and Herzegovina. Later, military commanders will be appointed. Recruitment of human resources is debated simultaneously for the Defense ministry to make it fully functional. The military forces of Bosnia and Herzegovina shall also take part in international peace keeping operations, so that the necessary measures have been undertaken to deploy 36 members of the joint contingent of armed forces of Bosnia and Herzegovina for destruction of unexploded ordnances as early as the 1st of September (current year) to the zone of operations in Iraq.

The reform of the national defense in Bosnia and Herzegovina, which is under way, means the reduction of costs for the armed forces and at the same time higher efficiency. That reform should be realized by reliance on the technological progress, which allows downscaling of troops while at the same time reducing cost. Reform in the spirit of these objectives is certainly facilitated by the fact that in Bosnia and Herzegovina the State border service and Ministry of security are successfully operating within the Councils of Ministers of Bosnia and Herzegovina. Hence, we hope that when the mentioned conditions have been met, Bosnia and Herzegovina shall be invited in June (current year) at the NATO summit in Istanbul to join the program "Partnership for Peace", as confirmed by Admiral Reiner Veist, the Commander in Chief of the NATO forces for Europe, at the meeting in Sarajevo. As is known, one of the five basic goals of "Partnership for Peace" is the establishment of oversight of the armed forces as well as harmonization of security policies.

* Text in English translated by Goran Kričković

Workshop No 1 – Reform of the Army

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REFORM OF THE CROATIAN ARMY IN THE CONTEXT OF REGIONAL SECURITY

INTRODUCTION

The security status of Croatia is pertinent in the context of its regional neighbors, hence the reform of the Croatian Army is being implemented in that context. Significant results have been achieved so far in the armed forces reform, attempting to approach and fit into full NATO membership: the Republic of Croatia has been called to and joined the “Partnership for Peace”; the process of intense dialogue between Republic of Croatia - NATO has been opened up; the first cycle of the Croatian participation in the Action plan for membership has been finalized and the second started. The activities within NATO imply the drafting of a series of documents, organizational adjustments and changes, adoption of a series of standards and considerable effort for continuous compatibility and inter operability with NATO and partner countries.

Since the year 2000 a complete shift of the defense system has been under way, with the main purpose of developing a capable, effective military forces, well organized, trained and equipped for the missions assigned. In so doing, the Republic of Croatia is no longer focused exclusively on defense from an individual aggression or direct threat of such an aggression, rather the different forms of security challenges such as regional instability, global terrorism, transnational criminal activities and similar challenges, facing most of the democratic states of the world. The fundamental principle followed by the Republic of Croatia in the development of its national defense forces and capabilities is NATO-interoperability, because of eligibility for NATO membership and enhancement of the national defense capabilities that are mutually empowering and also contribute to regional and international security.

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The armed forces of the Republic of Croatia have been enforcing new organizational structures and reducing the scope of professional and standing components, so as to earmark the released resources to the modernization and improving capabilities. Most of the reorganization and downscaling the personnel will be completed in 2004. The focus will then be shifted to the modernization and professional upgrading of the Armed forces of the Republic of Croatia. Mobility and deployability capacities will gain in significance, and will certainly require certain legislative activity, particularly with regard to the development of the professional forces, and their management and deployment. In accordance with the objectives and tasks defined under the defense strategy, military strategy and the international undertakings the Republic of Croatia invests additional effort to increase its capabilities for taking part in international operations. With the activities so far of the monitoring missions and long-standing support for international operations in the region, the Republic of Croatia has taken part, for the first time, in the peace operations of NATO with a complete armed forces command (ISAF in Afghanistan).

POINTS OF DEPARTURE FOR ANALYSIS OF CROATIAN ARMY REFORM

In shaping the analytical framework that would be used for empirical verification of the security level, namely threat, theoretical points of departure are taken. According to them, the level of security depends on the exposure of the state to individual threats (its vulnerability), and depends also on the power of the state and its socio political cohesion.² National security is determined by two types of activities, stemming from internal state politics and the policy of the international community (sub regional, regional and /or global).³ As to the types of activities determining the national security, it is important to make a distinction between the notion of security from the view point of military might and an ever more present understanding of security, which respects the roles of economic, cultural and political power. Security is not only an objective state, it has its subjective version, too. Actual threats are impossible to measure, thus we may not be aware of some of them.⁴ It is possible for a threat to be exaggerated or interpreted in different ways. It is also possible that a threat intended for the

² Buzan Barry, *People, States and Fear*, Harvester Wheatsheaf, New York, London, 1991

³ Grizold Anton, *Europska varnost*, Fakulteta za družbene vede, Ljubljana, 1999, p. 126

⁴ Buzan Barry, *People, States and Fear*, Harvester Wheatsheaf, New York, London, 1991, p. 114-115

political leadership is not equally shared by the public. It points to the problem of differentiation between the threats sufficiently serious to endanger the national security and those that are not. The question is when is it possible to legitimately deal with a threat as with the national security problem. It raises the question of a political choice and objectivity. If the criteria ranking a threat among the endangering ones are too low, it might have an adverse effect being easily labeled as paranoid, a waste of resources, aggressive politics and have serious consequences on the internal politics. Too high criteria may result in non-preparedness in the case of a serious threat.

In an empirical analysis of the security status and security threats to the Republic of Croatia it is possible to start from three sets of indicators: opinion of experts, where science sources are analyzed; political documents where corresponding national documents are analyzed covering the area of implementation of security measures and public opinion, touching upon the results of public polls about the perception of the threats to the national security.

All the current reforms of armed forces should be considered within a wider context of events internationally, especially in Europe. Discussing Europe, we may quite safely say that the 1990s and the beginning of this century have been marked by the processes that drastically reduced military danger for all the European countries, which resulted in the reform of the armies of all European countries for their downscaling and starting the process of more intense cooperation than before. This has been enabled by various organizations, primarily NATO. New relations in the international community have brought the armed forces new tasks that imply responses to new security threats and adjustment to new conditions, primarily entailing not only the downscaling of armed forces but their professionalism and further modernization.

The security environment of the Republic of Croatia is conditioned on certain factors having a decisive effect on its current position. First of all, in the Republic of Croatia's transition to a democratic social order and market economy has been marked in the early years by war in its own territory and in the neighboring Bosnia and Herzegovina. Most of the economic difficulties and security risks, that the Republic of Croatia faces now, have been caused more or less directly by this very fact. Despite this, the security is better today than ever in the last fourteen years, and certain instability is no longer a direct security threat. An important point is that Croatia's neighbors have also embarked upon steady and consolidated democracy. Some are at the high level of transition, about to take up membership in the European Union and NATO, while others are in the mainstream of European and Euro - Atlantic integration.

Having recognized the importance of the reform of the armed forces, the Republic of Croatia, even before the year 2000 tried to launch a fundamental reform and downscale armed forces. The problems faced were basically due to the hesitance in the then Government to accept and to apply all democratic standards and special conditions that would have enable the reform to start. The then crisis in the national security system and the armed forces was pointed to by a group of independent researchers in 1999 in a voluminous study “Croatian Army in 2000: national security, armed forces and democracy”, as one of the obstacles for Croatia’s entry into the “Partnership for Peace”.⁵ With the democratic changes in power after the elections held in early 2000, the situation has dramatically improved. The Republic of Croatia in the same year became member of the program “Partnership for Peace” and started fulfilling the program requirements for joining NATO. The enlargement of the European Union and NATO represents for the Republic of Croatia the most important international process and framework for the reform of the armed forces.

Given the entry of the Republic of Croatia into the “Partnership for Peace”, national security got additional quality and the instrument of the security policy new contents.⁶ Bilateral and multilateral cooperation programs, which were inaccessible to the Republic of Croatia before, have turned into an important vehicle, since the entry into the program “Partnership for Peace” for adjustment of the armed forces and the whole system within democratic standards. NATO experience shows that widely based cooperation is the best way of tackling the problems common to others.⁷

Starting from the strategic documents, the national security implies in the Republic of Croatia: (1) the given (achieved or projected) security position, (2) functional area of action by various security institutions, together with the overall social attempts in the field of accomplishment of security objectives, and (3) the security institutions themselves are linked into the arranged system of relations. In this context the Republic of Croatia tries to build up the state of national security, guaranteeing its freedom, sovereignty and territorial integrity within internationally accepted arrangements, human freedom and

⁵ Cf.: Group of authors, Hrvatska vojska 2000: nacionalna sigurnost, oružane snage i demokracija., Strata istraživanja i SDP, Zagreb, 1999.

⁶ In 2001 Croatia participated in 97 activities anticipated by the individual partnership programs, and in 18 additional activities (called “in the spirit of PfP”). Croatia took part in that same year in 8 PfP exercises, and actively joined the PARP, where the first Survey of overall interoperability was made.

⁷ Group of authors, Hrvatska u 21. stoljeću – nacionalna sigurnost, Government Strategy Office of RH, Zagreb, 2001. (www.hrvatska21.hr - nacionalna sigurnost), p. 24

rights of its citizens, political and social stability of society, steady economic development on the free market and entrepreneurship, functioning of the legal state's internal order and personal security for citizens and healthy ecological conditions. In those terms national security could be defined as a state of protection of fundamental values of society and the institutions founded on them.⁸

To be able to create a legal framework for the requisite democratic changes in the national security system and specifically in the armed forces, the Croatian parliament approved in 2001 the constitutional reforms whereby semi-presidential system was replaced by parliamentary democracy. The President retained many privileges in foreign and security politics, but the thrust of political power was transferred to the parliament. The constitution stipulated and laid down the participation of armed forces and personnel in international operations, with no limitation to the deployment of foreign troops in the Republic of Croatia. Besides, the Croatian parliament became responsible for the democratic oversight of the armed forces and supervision over security services. The set up of the defense system, command chain and democratic oversight of the armed forces are regulated not only in the constitution but also in several important defense laws and strategic documents.

The adoption of a set of strategic documents and laws in the field of national security and defense was an important precondition for the reform of the security and defense system and the Republic of Croatia's approach to NATO. In analyzing those documents we may conclude that the *Strategy of national security*⁹, as a conceptual document mentioned in Article 80 of the Constitution is the most important one. The Parliament, as the highest deliberative and legislative institution, puts forward the basic political stands about the fundamental issues of national security (values, interests, security objectives and security policy). It is the top of the legislative pyramid in the area of national security and the political/legal foothold of further legislation. *Defense Strategy*¹⁰ has also been codified further to the Constitution. In the long run it addresses the existing defense resources to respond to the existing and forthcoming security threats, risks and menaces. It has been additionally elaborated by *Military Strategy* enacted by the President of the Republic. It is directly stemming from the Strategy of national security and is a source for any other enforcement acts.

⁸ Strategija nacionalne sigurnosti Republike Hrvatske, Official Journal, no 32/2002, item 2

⁹ Strategija nacionalne sigurnosti Republike Hrvatske Official Journal, no 32/2002.

¹⁰ Strategija obrane Republike Hrvatske, Official Journal, no 32/2002

*Defense Law*¹¹ sets out the structure and functioning of national defense. It defines the competences and responsibilities of state bodies in national security, streamlining, management, and command and democratic oversight of armed forces. It distributes and limits the powers of streamlining the national defense at the highest constitutional level-between the Parliament, President, Government, defense minister and the Chief of Staff. *The Law on Service in the Armed Forces of the Republic of Croatia*¹² is a status law, which defines all the aspects of service in the armed forces - ranks and granting of the same, promotions and other status issues. The Law prohibits political activities to active military personnel. *The Law on Manufacturing, Repair and Trade in Armaments and Military Equipment*¹³ enables a systematic approach to arms transfer. It empowers the Ministry of foreign affairs for approval of any transfer, ensuring compliance with the laws and practice of Croatia's main partners and allies. And finally *The Law on Participation of the Servicemen of the Armed Forces of RH, Police, Civil Defense, and Public Servants in Peace Operations and other Activities Abroad*¹⁴ stipulates the procedure for deployment, functioning and withdrawal from peace operations and humanitarian missions. It elaborates constitutional provisions about the use of armed forces abroad.

The stated documents and laws are founded on the principle of conceptual and legal regulation of national security and defense. The Republic of Croatia takes as a point of departure the modern democratic society where national security must be conceptually and a legally regulated area of social activity. Conceptual and legal solutions should be rationally conceived, adjusted to the objective conditions and set to security objectives, made to be socially equitable and function to support democratic society. In formal terms, they must be in compliance with constitutional provisions, norms of international law and international obligations undertaken by the Republic of Croatia in that area. The competence and mutual relations of institutions must be clearly regulated and consequently enforced in practice.

The principles of realization of national security of the Republic of Croatia laid the fundamental conceptual framework for the organization and activities of the earmarked institutions of national security

¹¹ Zakon o obrani Republike Hrvatske, Official Journal, no 32/2002.

¹² Zakon o službi u Oružanim snagama Republike Hrvatske Official Journal pers, no 32/2002.

¹³ Zakon o proizvodnji, remontu i prometu naoružanja i vojne opreme, Official Journal, no 32/2002.

¹⁴ Zakon o sudjelovanju pripadnika Oružanih snaga RH, policije, civilne zaštite, te državnih službenika i namještenika u mirovnim operacijama i drugim aktivnostima u inozemstvu Official Journal, no 32/2002.

as well as all other public institutions and entities, which by their direct or indirect activities contribute to the construction and realization of national security. Those principles represent the general criteria for adjustment and valuation of achievements in the area of national security. They are put in a long-term perspective but are subject to period validation and review.

CROATIAN ARMY REFORM CHALLENGES

Four key processes shall guide the further development of the armed forces of the Republic of Croatia: a progressive shift to the system of the international collective defense and security; clear delimitation of the functions and competences of the military and civil component in the country defense system; downscaling the armed forces, in organizational and personnel terms, with the shift to the professional army and modular organization. The rapprochement to NATO, ever more intensely implies a series of internal changes in the security system of the Republic of Croatia, from strategic documents to numerous technical standards and the standards of operating procedures in every segment of the armed forces.

The Republic of Croatia started a comprehensive reform of its defense system and armed forces. It is proceeding with the reforms aware of the changes in the security environment, downscaling of defense resources, and new international obligations. Many important question will have to be replied to in the process - how to strike a balance between the management of the national defense and contribution of its own forces to the international peace operations should the military structures be harmonized and assigned higher priority when it comes to the international peace keeping operations; should the military structures be adjusted with the view to the new threats, does the Republic of Croatia have a good legal framework for deployment of its forces beyond its borders or support to NATO forces at home. The major strategic task of the Republic of Croatia is focused on joining NATO and the European Union as well as mutually supporting objectives. The primary activities in support of such activities are founded in the Government action plan for the period 2004-2008 concentrated on the increased efficiency of the armed forces and inter operability with NATO for strengthening national, regional and international security. The Republic of Croatia pursued the national objectives by joining the program "Partnership for Peace" (PfP) in May 2000, via intensified dialogue in July 2001 and the membership action plan (MAP) in July 2002. The Republic of Croatia has been participating in the Planning and Review Process - PARP and so far it has accepted several dozens of partnership objectives. At the same time the

Republic of Croatia started comprehensive restructuring of the defense structure for development of a modern, capable, well-equipped and economic armed forces. In keeping with the newly defined tasks (national defense, support to civil institutions, participation in the international operations) and international obligations, the Republic of Croatia has been planning to invest an additional effort to increase capabilities of participating in the NATO led operations and support to those forces in the Republic of Croatia.

The first stage of restructuring of the defense systems has been completed. The harmonized key strategic document has been agreed upon (Strategy of national security; Defense strategy; laws concerning defense, executive decisions). These document and programs will be periodically analyzed and supplemented with new plans and documents, current and planned improvements and the steps taken towards downscaling and reorganization of the Defense Ministry and Armed forces. The implementation of new organizational structure is under way and development of new defense positions of the armed forces, while downscaling of troops is under way as well as transition programs. In the course of 2004, the Republic of Croatia continued with the activities aimed at creation of a modern and efficient defense system. The reform of the defense progressed first of all in terms of the implementation of restructuring of the Defense ministry and Armed forces, forming the conditions for a more active role of the armed forces in international humanitarian and peace keeping operations and initiating development planning as the next step in the introduction of the system of planning, programming and enforcement of the budget. The changeability of the security environment, competition for priorities in the allocation of limited resources of the state budget, ever increasing requirements concerning the international role and the distribution of limited resources of the state budget, ever increasing demands for the international role and obligations of the Republic of Croatia have been recognized as factors that will require continued revision and adjustment of strategic approaches, organization of the defense system and its managerial planning functions.

The Defense law defines the peace and wartime structure of the Armed forces. They are classified for the operations requirements to “permanently ready forces” (main maneuvering forces: highly mobile, professional guard brigades, effective marine command, air force command, together with conscripts who completed fundamental and specific combat training), and “stand-by forces “ (type “A” - maneuvering commands of a higher level of readiness, planned for operations throughout the country, undergoing training in biennial cycles, and type “B”, primarily foreseen for local operations and long war operations , who receive training from time to time).

The downscaling program of personnel will be a serious challenge and an essential part of the comprehensive reform process. The project is demanding both in social and political but also in financial terms.¹⁵ The improvement of living and working conditions and of the members of armed forces, modernization and general upgrading of military capability and financing of the interoperability as a condition for NATO membership shall call for the reduction of a composite wage bill and revision of the defense budget. Downscaling of personnel shall involve layoff or retirement of active military but also civilian personnel. Simultaneously, for the sake of improving the age structure in the military it has been anticipated to employ new officers and soldiers who meet the new criteria of professional development. The plans for downscaling of personnel and transition cover several programs - concepts of a Standing army, early retirement and re-qualification and assistance to dismissed personnel.

CONCLUSION

Unlike other European states restructuring their national security and defense systems, whether members or members-to-be of NATO, the Republic of Croatia has certain specificities. No doubt that the restructuring of the armed forces is mandatory for the rapprochement of the Republic Croatia to NATO. Despite the fact that this is not going to be the first restructuring after the war, it is still going to be strongly influenced by the fact that the military evolved in war. The conditions of waging a defense war imposed the requirement of reliance on own forces mainly in the organization of defense, which resulted in non-homogenous structure and uneven development.

In the last four years the Republic of Croatia created important preconditions to strengthen its security position and start reorganization of the armed forces. The fundamental strategic documents have been enacted and legislation concerning national security and defense. They are enabling Croatia to successfully complete the started reorganization of national security and defense systems and come closer to Euro-Atlantic integration. The enlargement of the European Union and NATO, as the most important international events in the past few years, are an additional motivation for the Republic of Croatia not only to persevere but to intensify the started reforms. Although one of the most important national goals of the Republic of Croatia is joining the

¹⁵ The estimated cost of transition and training programs amounts to 1,7 billion kunas, namely 227 million US\$ (at the exchange rate of 1 US\$ = 7.5 kunas). The government assumed that 46% of the transition program (SPECTRA) shall be financed out of the state budget, and the rest 54% from foreign donations and loans.

mentioned integrations, for the time being it is still outside. At the declarative level, the Republic of Croatia fully supports the values and objectives of the European Union and NATO. However, not enough has so far been done in practice to become eligible for full membership. The membership in the European Union and NATO would mean for the Republic of Croatia a unique opportunity for strengthening democracy, security status, and economic progress. Although missed opportunities are regrettable, due to the delay in the development of democracy in the year 2000, the Republic of Croatia wants to use the years to come to join the European and Euro-Atlantic integrations.

The failure of the Republic of Croatia to achieve that in the foreseeable future would greatly affect its security position, which is determined by the recent past and its location in the region. The war legacy and some European attempts to align the Republic of Croatia into the Western Balkans, constitute a factor burdening the security status. Instability of a part of the region only beginning the social-economic transition is a direct security threat for the Republic of Croatia. However, that instability is no longer a direct safety threat. Bosnia and Herzegovina continues to be under the intensive managerial supervision of the international community. Serbia and Montenegro, which in the 1990s was the main cause of regional instability, is no longer a direct security threat but a new economic partner. Bilateral relations have normalized and in the years to come it is expected to further develop by various forms of bilateral and regional cooperation. Elevation of the whole area of South East Europe to the partnership zone, stability and economic progress, will require more active cooperation of the Republic of Serbia than it was the case so far. At the moment the major security problems are those side effects of transition process, and relate to the economic distortions, global terrorism, organized crime, corruption, illegal migrations, drugs and trafficking in human beings, and growing poverty. For efficient replies to those security problems, the Republic of Croatia would need internal stability, efficient composition of national security but also the integration in the organizations for collective security.

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Workshop No 1 – Reform of the Army

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REFORM OF THE ARMY OF SERBIA AND MONTENEGRO

Idea of Reform

The word “reform” has several meanings. Reform implies the *alteration, transformation, change for the better, reorganization, modification*, or changing the existing organization through legislation, without changing the essence¹. Reform also implies the process of changing the governing economic, political or other relations by peaceful means, based on acts by the competent state or social bodies or based on agreements between certain social powers or organizations. It usually settles emerging disturbances or introduces enhanced relations, which will provide quicker development and affirmation of certain parts of the system.²

By analogously applying the previous definitions of the notion of reform to the system of defense, we can claim that reforms of the defense system imply constitutional, legal, normative and organizational changes. The comprehensiveness of these changes, based on a national strategy, defines the organizational structure and determines relations and competencies in the defense system, and within the unique functioning of the state security sector.

The defense system is an integral part, i.e. subsystem of the defense system. It is organized in this way in line with the Constitution and laws protecting vital state and citizens’ interests. The modern system of defense must be capable of preemptive action (determining, eliminating, deterring...) potential threats to its security. This way it achieves one of the basic functions of the defense system.

¹ Vujaklija Milan, *Leksikon stranih reči i izraza*, Prosveta, Belgrade, 1966

² *Ekonomski leksikon*, Savremena administracija, Belgrade, 1975

Certain steps have been taken only within the Army regarding of security system reform in Serbia and Montenegro. This fact can serve as an illustration for how a subsystem in the security sector has started its reorganization or what is the vision for its form in the future. Undertaking organizational changes in the Army of Serbia and Montenegro represents the effort by the General Staff to conform to the situation in the surrounding area and the state. The basic idea for the reform of the Army of Serbia and Montenegro is derived from the opinion that the defense should be organized and put into practice as a single system integrated with other state union institutions. The end result of the reforms would be a system that would not represent a great burden for the Serbia and Montenegrin economy and which would be capable of integrating into the international security system.

Army Missions and Tasks

Missions, tasks and visions of the Army's new organization were determined based on potential security challenges, risks and threats, the situation in the region and the state union, commitment to integration, assessed possibilities and needs of the state union in the area of defense. The fundamental mission of the Army is stipulated in Article 55 of the Constitutional Charter ("The duty of the Army shall be to defend Serbia and Montenegro in line with the present Constitutional Charter and the principles of international law that regulate the use of force."). Recognizing foreign experiences and standards, the Draft Defense Strategy also defines the use of the Army in the achievement and preservation of peace worldwide, and support of the civilian authorities and population, in line with the law.

The fundamental mission determines the Army's tasks: deterring armed threats and other military challenges, risks and threats; defending territory, airspace and territorial waters; participation in international military cooperation and peacekeeping operations headed by the UN and the system of collective security, providing assistance to civilian authorities and populations in situations where lives, the environment and material goods are at risk. The Army's set tasks compel the reforming of the Army, i.e. the development of an efficient, financially acceptable Army, equipped and capable of carrying out the given tasks. In order to realize the set goal, it is necessary to organize and prepare part of the professional peacetime units in high-level combat readiness, organize respective state union

deterrent and defensive forces that would be mobile and capable of carrying out combat assignments in all conditions, prepare part of the units for participation in peacekeeping missions and operations in accordance with the UN Charter, and train troops for participation in civilian rescue missions.

Present Army Organization

In order to identify what needs to be reformed, we must look at the present organization of the Army. The Army of Serbia and Montenegro is the basic subsystem of the single system of defense and it is responsible for the defense of the state union from all forms of armed threat. The present organization of the Army was established in accordance with the decision of the Supreme Defense Council on the basics for the internal organization of the Army No. 6-8, dated 27 December 2001, and is organized as commands, units and institutions, which consists of three branches:

- Land Forces
- Air Force and Air Defense, and
- Navy.

The land forces are organized in six corps – Belgrade, Novi Sad, Uzice, Podgorica, Nis, and Pristina. The air force and air defense are organized in two corps – the Air Force Corps and the Air Defense Corps. The Navy is one corps, and the Guard Brigade and Military Academy are units that are directly under the command of the chief-of-staff.

A decision passed by the Supreme Defense Council in 2003 placed the General Staff directly under the minister of defense, who manages the Army in line with the decisions and authorization of the Supreme Defense Council. The General Staff consists of six sectors, three administrations and two independent departments. The sectors are designated for the land forces, air force and air defense, navy, communications, informatics and electronic activity, mobilization and systemic issues, as well as logistics. The administrations are: the Operative Administration, the Administration for Schooling and Training, and the Administration for Morale. After the acknowledged recent changes, a new organization that regulates the security and intelligence function in Serbia and Montenegro was established. The General Staff is in charge of observations and military-police duties in this domain.

The analysis of human resources in the defense system reveals relevant indicators of the numbers and basic qualitative characteristics of personnel. The structure of the military stall is as follows:

- 9,100 officers,
- 12,500 non-commissioned officers,
- 15,700 civilians personnel,
- 7,300 professional soldiers,
- 32,000 conscript soldiers.

This is a total of 76,600 members. Even though this appears to be a rather large number, particularly in comparison with our neighboring states, it is necessary to stress that it should be taken with reserve, since it includes many Army institutions that are not directly involved in military issues but have more of a logistics role. Human resources are sufficient to realize the organizational modifications according to the plan and all necessary personnel have been obtained. At the same time all measures must be undertaken in making the Army a professional one, for the education system to be reformed and staff trained, as well as significantly improve the living standard of member of the Army.

It is known that according to the present legal solutions military service. in the Army of Serbia and Montenegro lasts 9 months, and 13 months for soldiers that opt for civilian service.

Today armament and military equipment quality has a great effect, sometimes crucial, on the efficiency and triumph in potential conflicts. The Army of Serbia and Montenegro is equipped with relatively outdated armament and military equipment and it urgently requires modern equipment for successfully carrying out its intended missions. There are more than 1,000 basic-type tanks in the Army of Serbia and Montenegro, 761 armored personnel carriers, 3,000 pieces of artillery, more than 100 combat airplanes, 45 helicopters, 74 basic ships and floating vehicles and 7 submarines. There are 45 active and 30 inactive regiment-brigade units in the Army of Serbia and Montenegro.

The existing organization of the Army was created and developed under significantly different conditions than those that exist today. It was established in 1992, following the constitution of the Federal Republic of Yugoslavia, through the transformation of the Yugoslav People's Army (JNA) and territorial defense in the Yugoslav Army, and later the Army of Serbia and Montenegro. Despite numerous problems, an organization has been established in the past twelve years that allowed for the function of defending the country to be established, but with great efforts and significant material and human losses, as well as the gradual atrophy of the system, particularly assisted by NATO intervention. This trend has led to the multiplication of problems in the functioning of the Army, the most significant being:

- the lack of adequate normative and doctrinal regulations
- differentiation of the functions between the MoD and General Staff has not been materialized in unique organizational changes
- wastefulness is reflected in the existence of parallel organizational units in the MoD and General Staff
- lack of systemic logistics
- material reserves reduced to critically low levels of supplies
- great depletion of younger staff due to unfavorable material position of professional members
- irrational schooling system.

The mentioned problems and weaknesses in the functioning of the Army, in addition to the accepted essence of the process of the new Euro-Atlantic security environment, where a comprehensive approach to security and stability is dominant, impose the need for new solutions in the organization of the Army to be found. In order to successfully overcome the given problems, it is necessary to establish a reform frame, i.e. adopt legislative-normative regulations and establish relations and competencies in the defense system based on the Defense Strategy.

Army Reform Goals

The basic aim of the reform is to create an army that would be capable of carrying out the task laid down in the Constitutional Charter, in cooperation with other forces in the security sector and system of defense of Serbia and Montenegro, to join international (Euro-Atlantic) integrations and efficiently react to security risks and threats with the support of civilian authorities. Our fundamental commitment for Army reform is reflected in the following:

- integration into European regional security structures, primarily the Partnership for Peace program
- organizing the Army in line with the standards of European countries and future partners
- training special and other units for participation in antiterrorist operations
- training certain Army units for participation in international peacekeeping and humanitarian operations
- modernizing the Army
- creating a professional staff and
- implementation of civil and democratic control of the Army.

The preset Army professional staff is the group most interested for the reform to be one of quality, to the point and successful. The significance of this task compels for Parliament to be in charge in addi-

tion to other state structures, and for the military to enjoy the support of the public.

It is unrealistic to expect that reform costs can be covered from the annual budget. A special Reform Fund should be established for this purpose, and managing this fund would be a long-term task for the state. This would eliminate the burden from the regular Army finances, which would create conditions for its normal and stable functioning in the long-term. The Fund would finance reform costs and organizational changes according to previously established priorities.

Army Reform Phases

Organizational changes in the Army are to be carried out in three phases:

- a) The first phase (2003-2004), which is under way, includes organizational changes on the tactical level. Presently units that do not have adequate purposes and those that are equipped with outdated war instruments are being disbanded. A Part of these units is being rearmed and is abandoning a number of military facilities. For example, four garrison towns are being abandoned – Knjazevac, Cuprija, Prepolje and Smederevska Palanka. The disbanding of 19 units of the regiment-brigade rank started last year and continues this year, as well as the reformation of 16 units of the regiment-brigade rank.
- b) The second phase (2005-2006) which includes the strategic level will be organizationally completed, then the operative command level will be rationalized and further organizational changes made on the tactical level. The emphasis is the creation of the contours of an organization following the modular principle, with battalions-divisions-escadrilles as the basis for Army organization. The characteristic of this phase is the final transfer of jurisdiction over patrolling the state border, the creation of units that would take part in peacekeeping missions, starting the organizing of joint exercises with foreign armed forces, continuation of participation in peacekeeping missions, starting the schooling and continuation of personnel training abroad.
- c) The third phase (2007-2010) involves the complete harmonization with the adopted standards.

So far, in the reforms, the Committee for Coordinating Defense System Reform activities has been formed, the preliminary basis for defense system reform have been adopted, a new law on security services has been passed and the reorganization of the military security services – intelligence and security – has been carried out. State bor-

der security in the Republic of Montenegro has been transferred to the Montenegrin Ministry of Interior, and this process is under way in the Republic of Serbia. In the past two years the military peacetime corps has been reduced by one-fifth, and the wartime corps by about 40%. The Defense Strategy, Military Doctrine and Defense White Book are presently being created.

The reforms are achievable based on coordinating needs and capabilities. Our needs are imposed by security challenges, risks and threats, which require sufficient strength. On the other hand, the most important limitation is the material factor, which has a crucial effect on reform requirements.

Conclusion

The strategic objective of Serbia and Montenegro is to create an Army by 2010 that will be capable of carrying out tasks laid down in the Constitutional Charter, together with other forces in the security sector and defense system; an Army that will be capable of joining international (Euro-Atlantic) integration and efficiently respond to security challenges, risks and threats. The Army should also be capable of defending the state union from all armed threats, as well as meet the necessary conditions for participation in international peacekeeping and humanitarian missions and operations. The present structure must be changed in favor of units that will have greater mobility and flexibility, which will be completed, equipped and trained for independent combat operations or operations as part of allied forces. Modernization plans must be set so that they meet NATO standards, including the professionalization of the Army. New normative legal regulations should be adopted in order to meet requirements for the successful implementation of the set demands, and coordination between the competent state union institutions should be stepped up.

*Text in English translated by Vuk Tošić

Workshop No 1 – Reform of the Army

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Let me turn your attention to some of the problems of the reform of the Army of Serbia and Montenegro. The key issues are derived from the evident deficiency of requirements for successful reform not only of the military, but also of the entire security sector. This primarily applies to economic requirements. Namely, Serbian society has been impoverished and devastated by wars, and there was no economic development. In addition to this, a difficult and often dubious privatization process is under way. The lack of social conditions for carrying out reforms is also evident. Social capacities for reforms are small, and the citizens' patience threshold is very low. In other words, they cannot, and are increasingly refusing to accept, to pay the social price of reform. To make things worse, the political elites have avoided presenting them with a realistic and clear image of the society that they live in. I am therefore convinced that the greatest mistake of the Democratic Opposition of Serbia (DOS) was that they did not come out on the morning of October 6 and clearly and loudly tell the citizens of this country where they live and what problems lie ahead.

There are enough arguments to prove that the war in the former Yugoslavia was in fact possible, among other things, because the citizens (population) at the time did not want to pay the economic, social and political price of reform. This allowed national-republic elites to redirect the reformist energy of the people and start war between them. The irony of the YU-history is that the citizens of Serbia and Montenegro today face the same reform tasks as they did in the 1990s, only today they have to resolve them under conditions that are ten times as difficult, which is also why the price they have to pay is much higher.

The next lack of conditions for military reform is in the constitutional and normative aspect. The 1990 Constitution is still in effect in Serbia. It states that the President of Serbia is the supreme commander of the Serbian armed forces, which themselves are not named in the Constitution, but only the fact is that they nominally (can) exist. At the same time the Constitutional Charter has preserved the Supreme Defense Council as the collective command. Additionally, the Charter is full of holes, deficiencies and vagueness. Thus the Supreme Defense Council commands the Army, and the Minister manages it; or the min-

ister chooses and appoints high-ranking military officers, but he cannot dismiss them because this falls under the jurisdiction of the Supreme Defense Council. Unlike most countries in the Western Balkans and other transition countries, SCG has not stated its opinion on international peacekeeping missions in the Charter, which indirectly applies to security integrations.

In addition to this, laws on the military and defense have only been partially amended and supplemented, and no new documents have been adopted. The FRY (SCG) law on security services was passed only in July 2002, but even it has not been applied. The fundamental commissions decreed by this bill have still not been formed, as expected, since even the Constitutional Charter has not been honored, and according to which the member-states were required to adopt new or adjust their existing constitutions within six months.

I believe that an entire set of new laws is required for the serious reform of the security sector and SCG armed forces. These laws would separate and individually put issues in order; for example military service and civilian service, democratic control of the military, as well as military education, healthcare, social security and pensions, etc. I am convinced that a special law on the military housing fund must exist, which would allow for service apartments to be allocated and for members of the military to be provided with another solution for their long-term housing needs. This illustrates and partially backs the claim that serious military reforms in SCG have been postponed, and that we are witnesses to its reorganization, and not its fundamental changing.

This brings us to the next, crucial deficiency suffered by this society: the lack of political will. This is also supported by the fact that the entire security issue, including its reform, is raised only in everyday politics. The reason for this is the lack of a basic consensus between the political elites and citizens as to the strategy of social development, foreign policy strategy, and thus security strategy, i.e. reform of the security sector. It is not surprising that following October 5, the new elites that came into power behaved the same old way towards the security sector and armed forces. A much less important issue is whether this was due to their lack of knowledge or lack of will or determination. Even after Milošević was ousted they maintained the armed forces in their client status, and continued to use them, or at least parts of them, for their own purposes. This is confirmed by a series of military- and police-related incidents, that marked the period following October 5, and it could be said that the assassination of Prime Minister Djindjic was ultimately only an unavoidable consequence of the lack of a radical reform of the armed forces.

Since there was no will or concept for changing the inherited armed forces, the entire time generals attempted to reform their sub-

ordinates by themselves. However, it is a known fact that the military, police and secret services or any other similar institution cannot reform itself. They can be expected to carry this out, but it should also be demanded of them, to create variations regarding the future appearance of the military in response to their duties laid down in the constitution, and to estimate the cost. However it is parliament that must tell them precisely what kind of a military it wants, and how much it can afford to spend. I will remind you that the military is primarily a social organization, and that it has a corporative spirit and corporate interests. If the generals are allowed to reorganize and reduce the military, then in line with Parkinson's law one should expect the inherited institutions and units to be renamed, new departments and administrations opened, etc. One cannot expect the people whose existence is at stake to declare themselves redundant.

This is why parliament and the government must take over their part of the duties. In SCG (FRY) not one defense minister has visited Parliament to present the situation in the Army or the security and defense sector. Furthermore, not one of them has offered to Parliament or demanded that is draft and adopt a state plan for the reform of the military. Reforms cannot be carried out based on a decree, command or order from the minister of defense. The ministry can and should create such a plan, but this plan must be submitted by the executive branch to parliament for adoption. Such a document must be based on the unbiased evaluation of the nature of the present military and the clear vision of its future appearance. It should also list the duties and undertakings for transforming the existing army into the desired army, with a precise cost for undertaking reform. At the same time, it must also state precisely who is to carry out the entire task, and who supervises and controls the executors. Unfortunately none of this has been done in SCG.

What has been neglected cannot be explained by a lack of will, or excess of malice, among the political elites. The analysis should also include numerous other aggravating circumstances. One should constantly bear in mind that Serbia and Montenegro is an ostensible and temporary, odd state union. It was primarily created under pressure from the European Union. Therefore there is no proof that it will succeed, i.e. that it will be given the opportunity to produce its independent reasons for survival. In other words, it is very likely that the citizens of both Serbia and Montenegro will not have time to see whether they have economic or other interests to remain in the same state union.

This brings a new element to the reform story. Namely, any normal person in this situation would think that the reform plan would have at least two versions: plan "A" in the event that the state union

remains, and plan “B” if the member-states go their separate ways. This is why it is not easy to reform a military under the given circumstances, not knowing whether its home (mother) state will exist tomorrow, and in what form.

One should note that following the dismissal of General Pavković in June last year, the Army withdrew from the political scene, and the public was left without the pleasure of hearing on a daily basis what some generals think of this or that, national or other interest. Civil-military relations in SCG improved in this respect, and the previous tension has disappeared. The truth is that the new government, having passed up the opportunity to carry out key changes after October 5, exhausted a significant part of the reformist energy in the Army, as well as in the police and secret services. One should not forget that these people also had high hopes leading up to October 5. Unfortunately because of the lack of action or postponed or poor moves, this energy has dissolved under pressure from the conditions of poverty and disagreeable positions of the armed forces. What remains is the hope that the announced orientation towards establishing institutions, and defining normative as well as strategic requirements, will step up the reform of the security sector in Serbia and Montenegro.

And finally, several words on the role of the non-governmental sector. Experiences in modern democratic states show that it is necessary to have independent civil institutions capable of skillfully taking part in the reform of the security sector. This is even more so in transition states where there is an apparent lack of experts, knowledge and information. All this drives the flow and influx of readymade security solutions, coming from NATO and the Euro-Atlantic community. This does not reduce the capability for revising what has been received, or a creative relationship, where civil (independent) experts could play an important role, but they lack genuine knowledge and crucial information for this role. This is a problem of public and free access to information on the security and armed forces sector. As long as this access is not guaranteed by law, civil society experts will not be able to properly oversee the given sector.

* Tekst in English translated by Vuk Tošić

**Workshop No 2 – Reform of the Police and Secret Services and the Role
of the Committee for Security and Defence in the Reform of Armed Forces**

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INTRODUCTION

I will address you very briefly so that you might have more time for participation and hear as many interesting and probably different experiences as possible. Like Mr. Prelevic said, we have merged two workshops here – one addressing the issue of reform of the police and security service and one discussing the role of civil society in the security sector.

I will give you several comments and offer several questions regarding the reform of the police. First, it is apparent that these issues presently have different statuses in various countries, and when speaking of Serbia and Montenegro, it is a fact that we are the last of the countries to start the reform of the security service and police, i.e. the reform of the entire security complex, including the Army. Of course there were certain circumstances that led to this; practically only in the autumn of 200 did work start in this domain. Even then, at the very beginning we encountered a huge number of questions, some of which appeared to be unsurpassable obstacles, and of such nature that they further affected the rate, direction and course of the reforms. During the afternoon part of the conference there were some very useful comments regarding why the reform process in Serbia and Montenegro were not swifter. Simply there were, and still are, a number of specific security challenges in this area that act as a kind of hindrance to police reform. Additionally there was a truly great and complicated heritage in the interior security sector, which in a specific manner led to reform being significantly slower and significantly less efficient than expected.

We in the non-governmental sector have very different opinions from those of the people that are part of the security sector or police on such issues (police legacy), which is what you will probably hear here, and which is perhaps normal. Also, we have different opinions of what has happened as part of the reforms in the past three years. The non-governmental sector primarily wanted to see decisive reforms

take place, and for the past legacy to be reviewed. However, the reforms have been challenged and postponed for various reasons. It is obvious that in the past three years the Serbian government, for some special reason, did not place the issue of reforming the police and security service on its list of priorities. What happened was that the entire initiative for launching the reforms was ceded solely to the Ministry of Interior, which mostly acted mildly and in cases when it was urged on by international organizations or the relatively poor incentive of civil society, which still doesn't have such strength that it could significantly influence the course of reforms. This confirmed what could be expected – that the police and security services do not want, and cannot be the leaders of their own reforms. I presume that this is also the case with the army, since security structures naturally have great resistance towards changes that would undoubtedly affect their status. The tendency to maintain relations within these services, as well as fear of reform are not easily eliminated, and it is even more difficult to acknowledge mistakes from the past, since they commonly lead to questions as to the possible responsibility of service members.

One of the measures that have been given much attention in the rhetorical part of the reform was how to separate the security services from the police. I assume that there are similar experiences in your countries, i.e. Albania, Bosnia and Herzegovina, Croatia and Macedonia. This has been a difficult issue for all of us in this region, because for a very long period, which lasted fifty years, the functional and even organizational fusion of the security services with the police had been achieved. This tainted the entire police a very unhealthy shade, excessively directing its role towards protecting the order in power, i.e. regime. This even gave the appearance that the police was a political police force. At the very beginning of the reform story we understood this well and an effort was made to transform the security service into a special service called the Security-Information Agency (BIA). In July 2002 a bill was passed according to which the former State Security Service was separated and transformed into the Security-Information Agency (BIA) which is under the complete control of the government.

Even though the process of separation was legally carried out in mid-2002 it has de facto still not been completed, and through various mechanisms in practice there are still overlaps and mixed roles between the Agency (BIA) and the Ministry of the Interior. There are several reasons why this has continued, but I would rather not elaborate on them since I expect that someone else will already do this, if

there is any interest. Mr. Prelevic has already said that the Law on the BIA was passed rather quickly, that this could have been done better and particularly a much better mechanism of parliamentary oversight over state security. However the government at the time did not want to do this, giving in to the logic of the eternal Service, and this will likely have to be done sometimes in the future, i.e. there will be another opportunity to review this.

One of the questions present in the public is how to eliminate the police personnel who have or were excessively tied to Milosevic's regime and violated human rights because of this, or had strong connections with organized crime. Occasionally scandals emerge that prove that the decriminalization of the police have still not been completely carried out. At one point there was a strong initiative from the non-governmental sector for vetting out these people to be carried out. It would help eliminate all those in the ranks of the police or state security service that violated human rights in the previous period. This would prevent them from repeating doing what they had done before. This measure was rather problematic since vetting commonly carries certain painful experiences, and even certain risk for societies where democratic institutions are fragile. The impression is that despite the fact that we passed a bill on this, there is no relevant political will to implement this legislation. In order for such a law to be implemented another law would have to be passed – the law on removing state security service dossiers and granting citizens access to them. In the past three years the government has had different views of this issue. For a while it promised to do this, and then something happened and this issue was swept under the carpet, postponed and definitely remained unresolved. This issue is one of those that will obviously have to be addressed by the new government in the near future.

I will present another thesis, which is rather important for this topic. This is the thesis of community policing and is an issue that is often mentioned in Serbia, Croatia, Bosnia and Macedonia, i.e. all the countries in the region. Community policing is not a complete novelty for us in this region. We had similar concepts and systems that implied that the police would rely on the local community, i.e. citizens, in carrying out its duties. Now the community policing model, which was launched in England and other countries in the 1970s, is being offered as something that is an international standard, something that will bring a great revolution in carrying out police duties, police functioning and its democratization. This concept initially implied absolute acknowledgement that the police force organized in a classic fashion is not capable of carrying out its duties properly, i.e. that there is a

problem with efficiency. This is why a solution was sought that would take advantage of the capacities and knowledge of the local community, and its abilities to overcoming security problems. When this concept is offered here, we encounter a problem that is almost unsolvable – that there is an absolutely centralized police organization. This is truly a great problem for us because the idea of police decentralization is not sufficiently accepted. Also, there are insufficient elements for police decentralization, and also a lack of knowledge on how to lower the level of decision-making in the police and to carry out the internal decentralization, which is a necessary requirement for introducing the community policing concept.

* Text in English translated by Vuk Tošić

Workshop No 2 – Reform of the Police and Secret Services and the Role of the Committee for Security and Defence in the Reform of Armed Forces

Zoran Šami
Parliament of SaM

I have the impression that the basic problem underlying events like this one is that those that are professionally well acquainted with the problems of the functioning of the police and state security prefer to listen and keep quiet, whilst those who are laymen in this domain do not listen and prefer to talk. There are three essential questions or problems that I would like to point out as a laymen myself. The issue is how to organize those services to make them capable of doing their job without overstepping their authority or making a mess.

The first point relates to something that in my opinion is similar to the classical “cops and robbers” game. I have the impression that organized crime is adapting much more efficiently to the new situations, while the corresponding public and state security services – thanks to their background – are displaying inertia and are adapting much slower to new circumstances. Simply put, they are like a large sluggish system, rolling slowly and thus unable to catch the criminals that quickly change the way they operate in crime. This is in fact the first problem.

The second problem has been aptly illustrated in a documentary film I saw a year ago that talked about the way that criminals in the area covered by former Yugoslavia have quickly identified each other and started operating together. This obviously indicates that the security services of the countries in the western Balkans should find ways to operate jointly. In fact, many of the crimes committed in our countries have a cross-border nature, and thus large quantities of drugs that surfaced in Serbia for example will end up in Croatia and vice versa. Evidently, forms of cooperation have to be established, not only verbally but also in practice.

And thirdly, I should like to comment on something that Mr. Prelević outlined in his introduction, and has been taken up subsequently. Namely, I wanted to say something about the chief inspector, or the internal inspector. I think there is a better name for it - Eliot Ness. It's a known story. However, if Eliot Ness is to do his job well, political will and legal grounds are needed, just as much as a legal state ready to back his actions. He will succeed in his endeavors, not

because he is honest or because he is some kind of “ macho man”, but because he is backed by the state and the political will of the state to let him really do his job. Those are the three problems I would like to point out as a layman with regard to the affairs that the police are professionally covering, and on the other hand as a parliamentarian that is aware of all the weaknesses that characterize the actual parliament in our country. I think that the situation is not much better in other western Balkan countries. Evidently, time is needed for their parliaments to acquire the function they have in countries with a longer and more structured democratic tradition.

* Tekst in English translated by Goran Kričković

**Workshop No 2 – Reform of the Police and Secret Services and the Role
of the Committee for Security and Defence in the Reform of Armed Forces**

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**COMMUNITY POLICING ACTION
STRATEGY IN CROATIA²**

**WHY DID THE CROATIAN POLICE DECIDE TO
IMPLEMENT THE COMMUNITY POLICING MODEL**

Relying on the community policing action strategy, the Croatian police are undergoing a transitional process from the classical action model, into a new model of a police close to the citizens, i.e. into a model of police instituted as a public service to the citizens. Along with the changes in the police force, changes to the social community have to be pursued, because crime, public order and the quality of life are not and cannot be problems that are dealt with by the police only. Efficient crime fighting and maintaining an adequate level of public order is possible only by implementing good cooperation between the police and the community (citizens), i.e. by relying on all the community potentials at the local and state level. Preconditions for implementing valid cooperation include the promotion of mutual communication, trust building, and establishing partnerships. The citizens have to be able to influence the police organization (objectives and working priorities, as well at the evaluation of the success in work), and the police organization has to be proactive towards the citizens.

We are still witnessing the fact that most of the communications between citizens and police take place in incidental situations, in connection with crimes and law enforcement, i.e. in situations when citizens demand and expect assistance, and the police expects a certain behavior or specific information. Such a practice must be altered in line with a plan and replaced by daily contacts between police officers and the citizens. On the local level the citizens have to become acquainted with and accustomed to “their” policeman thus establish-

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² This paper is a summary of the Community Policing Action Strategy published in 2003 by the MoI of Croatia.

ing a relationship with the police as an institution. On the other hand, the policeman has to identify with "his" community, and should not be identified by the community members by his police uniform or badge number, but rather directly known (with his full name), and acknowledged for his work and attitude in the community. The police officer and the police organization have to find and establish the channels of communication with the public, and the alteration of the communication style of the police officers thus becomes a first-rate issue for the success of this project. The communication approach of the police officer must not be authoritarian and official, but rather open and adapted to the people he talks to. Mutual contacts, the number and the quality of contacts with the citizens and the creation of two-way communication will directly affect the trust citizens have for the police officer (the police) and the individual sense of security of the citizens. Subsequently this can evolve into a partnership between the police and the citizens, as well as help identify common objectives and ways of implementing such targets.

Therefore, using the community potential, the assistance of the citizens/individuals to the police, the assistance of associations of citizens and of numerous public and state services and institutions, must become the rule rather than an exception. The promotion of such a process can greatly enhance the success of police work in fighting crime, because the number of punishable crimes committed by unknown culprits that are successfully solved depends in more than 90% of the cases on the cooperation of citizens; the reduction of the "dark figures" concerning crime is directly linked to the degree of trust established between the police and the citizenry. Furthermore, the development of such a process will greatly improve police work in solving the problems of the citizens that do not fall into the criminal or misdemeanor segment, but greatly affect the positive perception of police work and of the functioning of a legal state.

The importance of better using community potentials can also be recognized in routine daily activities of the police. In fact, the police alone cannot successfully solve even problems viewed as routine tasks, such as abiding to working hours and breaches of public law and order in catering facilities. A precondition for a successful solution of such problems can be identified in the cooperation between the police and the citizens (filing reports and serving as witnesses), but also with the municipal inspectors, the competent institutions of the cities or municipalities and with the magistrates.

Furthermore, the improvement of cooperation with other bodies and services in charge of public law and order is also an everyday need. The police and other competent services collect, register and analyze enormous quantities of information that are usually not

exchanged. The exchange of such information, joint planning and implementation of measures and activities focused on crime fighting and the enhancement of the safety and quality of life, opens almost unlimited potentials for improving the way things are done.

WHAT IS COVERED BY THE COMMUNITY POLICING ACTION STRATEGY IN CROATIA

For the time being, the Community Policing Action Strategy includes six projects that are mutually related and will be planned and coordinated in their implementation on the ministry of interior level, which should result - in the final instance - with a successful implementation of the community policing model. Each of the projects mentioned above, is to be elaborated through a specific draft project that comprises framework and action guidelines, a strategic plan and an action plan. The drafts of the individual projects are to be prepared by expert work groups specifically established and appointed by the minister of interior, whilst the workgroup for the preparation, drafting and follow-up of the implementation of the Community Policing Action Strategy determines the bases and the deadlines for preparing the drafts of all these projects, and then coordinates the activities encompassed by all six projects.

The following projects are to be carried out in order to implement the transformation of the Croatian police:

1. Reform of the operational – preventive activities of the uniformed police
2. Enhancement and development of crime prevention
3. Organizing community prevention
4. Reforming public relations
5. Reform of police education and the training system
6. Internal democratization of the police

THEORETICAL AND PRACTICAL RELEVANCE OF THE MODEL

A successful implementation of the community policing model requires organizational and structural changes in the overall police organization. The changes in the structure of the basic police forces have been described in the draft of this Project.

The basic objective of the current police activity was to offer the quickest possible and the best possible intervention in situations when citizens require police assistance, and to ensure constant presence in the field, in order to prevent crime and directly identify the need to intervene.

The police, determined to operate as a public service for the citizens, have to add another important component to the police approach, namely the selection of the specific facilities that require supervision within the local community, accompanied by a modification of the approach (communication) to the citizens. A modern policeman must not wonder pointlessly within his area expecting to run into an incident or to be called by the citizens to react to an incident, but must rather visit certain individuals and given places for clearly defined reasons. This is usually referred to as the proactive approach to police duty. It requires the policeman to blend into a specific local community and to establish contacts with individuals. This has to be done transparently to allow the police service to establish ties with individuals and the local community as a whole. This creates the need to connect two social groups, and not only individuals. The new police work model entails the formal involvement of the police – intended as a social institution – into the life of a specific community, which is achieved through the membership of police representatives in given community structures (boards, councils etc.) the involvement of the police in the activities of the local administration and self-government (town and municipal administration etc.), and formal and structured meetings of police representatives and local community representatives. The police acting as a public service, should not be limited to strict police work, but should also include various police initiatives within the local community - connecting the citizens and the police. Objections indicating that such activities have no direct connection with crime and crime prevention are unfounded, because two-way information flow mechanisms are thus established allowing the police to gain data that greatly helps crime fighting.

The democratization process of a society inevitably leads to the fact that the state and public administration are increasingly focused on serving the citizens, i.e. serving the public good, and that they adapt their objectives (action strategies) to the needs of the citizens. Such a process inevitably creates the need for changes in police organization. Citizens are rightfully objecting to the fact that the police are distant from their problems, and the police officers are frustrated by the fact that the citizens that they meet with everyday deny them additional support, and even basic respect. Community policing and problem-solving policing are police work concepts that should have a positive effect on the aforementioned frustrations experienced by the citizens and the police officers.

The community policing concept places crime control, emergency police intervention and law enforcement – in the sense that they are traditionally defined – into a second position, whilst the first position is reserved for different forms of services to citizens, which cannot be qualified as emergency incident-solving.

Such a change of priorities can be justified in several ways. Firstly, by the fact that crime control, emergency police intervention and law enforcement represent police work that accounts for a lesser part of daily tasks faced by the police. If this is so, then there is no reason to direct the primary attention to those tasks, nor should they dictate the police organizational structure and the entire system, i.e. the action approach. Secondly, police cannot ensure full efficiency in the functions listed above. Thirdly, non-crime and non-incident problems constitute the largest portion of the worries and interests of the citizens. Fourthly, and probably most importantly, modern and especially urban living conditions are connected to factors contributing to the appearance of various forms of deviant behavior in urban quarters.

The community policing model does not set new police objectives, but rather leave crime reduction as the primary task for the police, but it does suggest alternative ways of achieving this objective, that should be given greater attention compared to the traditional forms of police work. The community policing concept insists on various indirect strategies for suppressing crime. They include all other police functions that are not *per se* directly connected to the offenses committed and to the culprits.

Finally, it should be stressed that every offense has three elementary components:

- The potential perpetrator,
- A suitable object of attack
- The absence of adequate crime control subjects.

The attacked object is often suitable for the attack due to the lack of enforcement of prevention measures and activities. The crime control subject is very seldom the policeman, and much more often the housewife, a neighbor, an occasional passerby, a relative or a friend.

According to the social control theory, there are four essential elements of informal social control:

- Involvement of the people in social ties
- The emotional involvement in social ties
- Involvement in community life
- Positive attitude.

These four elements represent the basis for any crime prevention and any rational crime fighting policy. Without then there can be no informal social control, and without it the formal types of social control are very difficult to enact.

HOW DOES COMMUNITY POLICING ACHIEVE POSITIVE CHANGES ON COMMUNITY AND POLICE LEVEL

The key challenge for community policing is to revitalize the old idea that people living in a certain area are responsible for the quality-of-life in that particular territory, i.e. that they can personally contribute to improve the quality. Obviously, this is possible only if people living in a certain area communicate, acknowledge and jointly implement different interests. However, what happens in modern society is completely the opposite. Fearing crime and being fully aware of the numerous risks and problems in everyday life, people become apathetic, they isolate themselves from others and become alienated. Therefore, they stop communicating and cooperating precisely when they should be united and working together. Community policing acknowledges this fact, and sets the establishment of good communications on a local community level as the primary goal. This establishes the necessary precondition for solving problems, which in turn is necessary to ensure security in the overall quality-of-life in a given area. Thus, community policing stops being an exclusive police project and police initiative and turns into a project of the entire community – because it brings back the spirit of togetherness in the community. The question can be raised whether the police are the institution that is supposed to rebuild social ties between people and institutions as well as undertaking reform of social life. The answer to this question is quite simple. It need not necessarily be the police, but within the community policing framework where this particular responsibility lies with the police. The advantage of having the police initiate this major change on the level of the overall social context, lies in the fact that its officers – in virtue of their assignments – are in charge of contacting the citizens and being regularly present in the community; they are in charge – even within the framework of the traditional police model – of handling a certain share of community problems. Furthermore, the police are the institution of the society that enjoys great authority, and it can be expected that the processes prompted by the police will have a greater chance of succeeding.

Obviously, community policing is not a “panacea”, and one cannot expect that the introduction of this approach will solve all

problems within a brief period of time, or that society will be painlessly transformed. What community policing can offer are the first precious steps in many directions:

- Contact-policemen can gather the people living in a given quarter, and unite their efforts to improve the quality-of-life in that particular area. They can also work in the direction of reestablishing direct and personal human relationships, representing the precondition for mutual trust and providing support, which is all necessary to give a community the spirit of togetherness and sense of being a community, rather than a formless group of people simply living together in a given area.
- Once certain areas are made safer and greatly more attractive for living, people would become more pleased, and will experience - on the emotional level - the benefits of participating in local community life.
- By gaining the power to contact directly the police and give the police their suggestions, ideas, advice etc., people will acquire the sense of controlling their life and safety, as well as the sense of personal importance that will further motivate them to jointly solve local problems and improve the quality of life in the area they live in.
- Contrary to the hostile or at least opposing attitude implied by the traditional police system, the community policing philosophy stimulates the police to humanize their interactions with the citizens, and to focus on finding and developing new ways that can help solve the worries and the problems of the community. The decentralization of the police service, which is greatly helped by the lay appearance of contact policeman, and the personalization of the relationship between the police and the “average” citizens, community policing contributes to create an atmosphere of mutual trust and respect, which is particularly important for the development of the overall positive atmosphere in the society.
- Community policing is particularly focused on the most sensitive parts of the population – the elderly, women, children and minority groups. The identification of such groups in order to provide special protection has a promising effect on those groups and all the rest of the population, because it best illustrates the fact that they point of community policing is to serve and assist the citizens. This generates the following way of thinking among the citizens: if the police can show interest for the sensitive population groups, then this must be particularly done by the civil institutions and individuals. In other words, police activities initiate the activities of other subjects and individuals in the community.

- Fear of crime keeps many people trapped in their homes, which deprive them of numerous social and direct experiences, and they fail to acquire the main information about the world around them by direct experience, but rather through newspapers and television. Mass media, in fact, stimulate the perception of the citizens that life in their streets is very dangerous. Community policing does the opposite. It stimulates people to join forces in solving crime problems, and to come out of their homes and face the difficulties. No individual citizen would ever dare tackle such a “challenge” on his own, but the sense of togetherness gives courage to the people and motivates them for changes.
- Community policing is focused on solving problems in the local community. Often enough such problems have their roots in poverty, unemployment, lack of education, social isolation etc.. These are primarily social problems that the traditional police model offers no solutions to, because they do not fall within its competence. However, one should bear in mind that these are – at the same time – risky and crime generating factors, which community policing identifies and places within the scope of its activities. In doing so, community policing has no ambition to correct various social injustices, but it does strive to involve all – including the lowest economic and social levels of society. Such people often lack the sense of control of their own life, and the fact that they are being given importance and a chance to participate in some social activity, has a positive effect in their case.

Community policing also has a positive effect on the development of interaction between confronting social groups, and it is particularly favorable for post-conflict societies. In fact, the basic logic of community policing is the involvement of all, and this inevitably establishes ties even between population groups and categories that traditionally have no contacts, or such contacts are exclusively limited to conflict. The joint efforts to solve common problems give people the chance to get to know each other better, which is good for removing stereotypes and prejudice underlying the isolation of specific social groups.

**INSTEAD OF A CONCLUSION:
EXPECTATIONS AND CURRENT RESULTS OF THE
COMMUNITY POLICING ACTION STRATEGY
IN CROATIA**

We believe that the Community Policing Action Strategy will have effects in the sense of strengthening formal and informal social control. The following text offers several examples that we believe

give sufficient reason to conclude that community policing is a suitable model of police activity in modern conditions of life.

Introducing the personal component in police work

Contact policemen continually communicate with the citizens, which gradually reduces alienation and anonymity. A higher intensity and quality of contacts between the police and the citizens serves to eliminate stereotypes about the police, which in turn reduces the psychological distance between the police and the public. The cooperation between the police and the citizens marks the joint work and the connection of the police with other social services and institutions, thus mobilizing all social potentials.

Police access to greater quantity and quality of information

Community policing gives the public a chance to get to know the police better and helps the police get to know the citizens as individuals. In this way the police can obtain precious information on various incidents, including offenses.

Minimizing the possibility of excessive reaction of police officers in concrete situations

The fact that the citizens and the police officers know each other better, and the fact that they are involved in some sort of interaction results in a certain quantity of reciprocity and stimulates a greater level of consideration in mutual contacts; in the final instance this can mean that the police officer will first exhaust all possibilities before resorting to the use of force pursuant to the Law on Police. There is a crucial difference in the fact that the police officer does not act in such a way not only because of the legal restrictions and the possibility of being reprimanded for breaching them, but because of his personal convictions.

The possibility of police officers recognizing potentially violent and otherwise dangerous persons

In view of the fact that the police officers in the community have the task to get to know the local population as well as they can, they have the possibility – if they have adequate crime fighting training – of timely identifying persons subject to specific personal, social, economic, pedagogic, health or any other type of risk factor.

A more suitable reaction to social problems

In view of the fact that community policing actually represents the police focused on problem-solving, in its contacts with the citizens the police are actually given a chance to become acquainted with those

problems, which in turn improves the possibility of solving them. The police, like any social institution which is bureaucratized and distant from the citizens (institutional anonymity), cannot function as a service of the citizens, i.e. cannot be at their service if it does not know what the citizens actually need.

Stimulating involvement

In view of the intensity of the contacts the police officers and the citizens have, community policing can acquire precious information about the problems and the needs of those particular citizens, and forward them to the competent social services and institutions. Such a process stimulates the solution of the problems of the citizens and encourages them to contact the police for help.

Developing informal social control mechanisms

This involves the practical implementation of the social control theory which specifies that the connection between the population, represents a precondition for the existence of common objectives and common action for implementing such objectives. People will try harder to act positively in an environment that they care about, that they are emotionally tied to and that they see as important for their personal well-being.

The community policing action strategy involves changes in setting the priorities in police work, but also a change in the way it is done. This certainly does not mean that traditional police functions are to be abolished. On the contrary, such functions are now expanded to include other bodies and institutions, associations and citizens and individuals, local government and self administration structures, political parties, the church and the media – basically all those that live and work in a certain area – with the objective to improve the quality of life, eliminate the conditions which favor the appearance and the development of crime, involve all competent authorities to take part in coordinated activities by establishing a partnership with the police. This is in fact the vision of the Community Policing action strategy in Croatia.

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* Text in English translated by Goran Kričković

Workshop No 2 – Reform of the Police and Secret Services and the Role of the Committee for Security and Defence in the Reform of Armed Forces

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THE ROLE OF PARLIAMENT IN THE REFORM OF THE SECURITY SECTOR IN THE COUNTRIES OF THE WESTERN BALKANS

Introduction

If we start with the concept and meaning of parliamentary control as an instrument of achieving insight by democratically elected representatives of the citizens into the degree of violation of their rights and liberties through activities of the state apparatus, it seems that these control mechanisms, i.e. monitoring, are actually the most efficient system of comprehensive protection of basic democratic values. To put it simply, we perceive control as the institutional effort to prevent the situation where those in whose name, and with whose money and for whose sake the state exists, through manipulation or incompetence of bearers of state, and primarily representative power, become the victims of abuse precisely of that institutional power and authority that they created through their resolve and democratic mechanisms, transferring it to the state.

In addition to protecting the rights and liberties of man and of the citizen, i.e. honoring the integrity and dignity of every person, real mechanisms of control at the same time prevent the redirection of the existing security apparatus to protecting individuals, to the domain of protecting the interests of a certain group or certain individual. Unfortunately there are examples of such reversibility in our recent and distant past. By bringing the defense and security apparatus closer to the principle of full appropriateness the relations of confidence and stability in all spheres of individual, national and global life are proportionally increased, which leads to the creation of genuine preconditions for the development of the highest human and social democratic values.

The Present Situation

By analyzing and accepting the achievements of developed democracies, as well as experiences of international organizations in the area of the organization and functioning of national security institutions, and applying the needs and necessities, the Security-Information Agency

(BIA) is presently in the phase of further reform efforts aimed at shaping and developing a modern and efficient security service, in line with Euro-integration intentions, for all the citizens of the Republic of Serbia, following the first step taken in July 2002 when the Law on the BIA was adopted, and separated it from the Serbian Ministry of the Interior. The key objective here was to create basic preconditions for the depoliticization, professionalization and demilitarization of the civilian intelligence-security system.

The mentioned process had a variable intensity considering the social-political environment in which it took place (negative heritage, changed international and security relations, the lack of a defined national security strategy and organized security community, obsolete and inadequate legislation, specific circumstance of a country in transition, modest financial means and damaged infrastructure). However, it was essentially defined as an effort for the key security institutions in the Republic of Serbia, the BIA, to be developed based on the principles of a real democratization and efficient respect for human rights and liberties, complete depoliticization and professionalization, i.e. on the principles of demystification and operational transparency, aimed at integration into global security processes.

If we start with the fact that there is no systemic *Law on Parliamentary Control*, and given the situation where an inherited mechanism, incomplete and inadequate for performing the function of parliamentary monitoring the Agency's activities is applied in the work of the Serbian Parliament Committee on Defense and Security, we could conclude that it is necessary to create a new legal constitution, while concurrently initiating necessary changes and solutions in the general legislation that directly or indirectly applies to the security sector. This stems from the fact that the present arrangement of this Committee has been established in the *Law on the BIA*, chapter four, Control of Operations, Article 17 ("The Agency director shall submit a report on the Agency's work and RS security situation to the National Assembly and RS Government twice a year."), Article 18 ("The Agency shall adhere to the principal views and guidelines of the government regarding the security-intelligence policy of the RS.") and finally Article 19 ("Persons that partake in the control of the work of the Agency, shall protect and maintain confidentiality of the data and information that they obtain in carrying out control processes, including after the conclusion of their term in office.").

For these reasons, the BIA is considering constructions for appropriate solutions that could properly realize the demands for establishing efficient control in three essential domains – parliamentary, judiciary and internal, as well as the sphere of control carried out by the public. A comparative methodology is the basis for these activities at the Agency, and has primarily been created as the result of a large number of bilateral contracts with partner services.

The basic guideline stemming from the *Recommendations of the 1999 Council of Europe Parliamentary Assembly (No. 1402)*, specifically from the section emphasizing the significance and role of legislative and constitutional protection of the rights of individuals, as well as the need for finding a balance between the rights of democratic societies to national security and individuals' human rights. It appears that the full acceptance of the role of legislation, as asserted in the recommendation.

Trends and Recommendations

The Security-Information Agency has in its past participation in the development of a legislative environment, which is necessary for its more efficient functioning and purposeful existence, based its vision of the future frame of operations on the assumption of the necessity for the harmonized adoption of compatible legislation on parliamentary control and the BIA. By formulating the basic concept of legislative framework, the Agency has also projected clear and essential reform goals.

From the aspect of the Security-Information Agency, the following trends appear essentially important:

- eliminating all elements that could possibly oppose the process of complete depoliticization and establishing the firm professional legal relationship with subjects of political decision-making, with precisely determined responsibilities, rights and obligations
- creating effective methods for the implementation of functional mechanisms in all spheres of internal and external control
- formulating a national security strategy and sources of threats to it, as well as clearly defining the tasks that are appropriate for the threats and needs of the state
- creating an efficient and economically justified security system organization
- establishing a balance between the application of necessary measures on one hand and honoring human rights and liberties on the other
- carrying out technical-technological modernization
- complete integration into the international security community
- demystification and acceptance of responsibility to a degree that does not compromise efficiency of the Agency's operations
- breaking with the inherited burden of the past
- establishing a codex of conduct for members of the civilian security sector.

In this respect your participation, as well as the participation of other representatives from professional community and the public, is of vital importance in discussing and analyzing the following solution. This would be the next step in the development of these very important issues for the reform of the intelligence-security system and society as a whole.

* Text in English translated by Vuk Tošić

Workshop No 2 – Reform of the Police and Secret Services and the Role of the Committee for Security and Defence in the Reform of Armed Forces

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REFORMS IN THE POLICE

After it had acquired independence, the Republic of Macedonia initiated reforms in the political, economic and security system as well as in other domains of the society. With this it voiced its determination to introduce new values in all areas of social life by establishing the rule of law in a state basing its existence on democratic principles and guidelines focusing its attention on the individual, the respect and protection of human rights, legitimacy and legality of the actions undertaken by state bodies, including the police.

On the other hand, transition processes have led to changes in the appearance of new forms of criminal activities having a different etiology and manifestations than the previous ones. This led to the appearance of crime characterized by a high degree of violence, organization and professionalism, which in turn led to a rising number of dark perpetrators, numerous second time offenders and the fact that the prosecution bodies failed to discover numerous crimes. Hence, the level of general safety of the population in all domains of society has been reduced.

All the reasons listed above outline the need to establish a new organization and introduce new methods in police work, thus allowing them to confront crime and suppress all of its forms and manifestations. Furthermore changes must also be introduced in the relationship between the public and the police in order to direct all available capacities to the prevention and fight against crime.

The crucial issue is the idea of identifying the needs and defining the grounds for building a modern model of police organization, which would comprise the competence of the Ministry of the Interior of the Republic of Macedonia albeit with a shift of their focus in line with new democratic processes. Within this framework, and in order to ensure an efficient police reform process, a comprehensive analysis of the social-political, economic and security conditions in the Republic of Macedonia is required. Another essential prerequisite is the analysis of the readiness for adequate changes in all areas of police work

and the determination of the basic principles of organization the structure of the Ministry of Interior in accordance with the European standards.

On the other hand, the evolution of the consensual relations between the Republic of Macedonia and the European Union to a higher level, led to the signing of the stabilization and association agreement between the Republic of Macedonia and the European Union on April 9, 2001, as well as the provisions of the Framework Agreement on August 13, 2001. Consequently, the Republic of Macedonia assumed obligations concerning stepwise approximation and association to the European Union. All this implies the need to create an efficient, effective and long-term stable infrastructure for the management and coordination of the complex and extensive process concerning the follow-up on European standards, which include detailed objectives of competences and guidelines. This would eliminate potential obstacles and weaknesses and contribute to the development of activities and their implementation.

An important role in this process is played by the European Commission: acting in line with Chapter seven of the Stabilization and Association Agreement, which concerns the judiciary and home affairs, it has provided technical assistance that enabled the elaboration and implementation of strategy as a prerequisite for a quicker integration of the Republic of Macedonia into the European Union.

The funding of this project has been ensured through the mechanism for rapid reactions within the competence of the European Commission and the European Agency for Reconstruction. The future implementation of this reform within the CARDS program has been planned to take place in 2002-2006.

With this in mind, in March 2003, the Ministry of Interior of the Republic of Macedonia established a working group to tackle the implementation of the police reform process. The working group comprising 14 members had been finally shaped in January 2004. Their basic and only task is to implement the police reform process. Along with the working group, a strategic body had been established to monitor the implementation of the reform process. It should be stressed that the development of the organizational scheme of the Ministry now involves 12 subgroups.

The working group prepared a document on police reform based on the draft strategy for police reform that had been previously prepared. Those documents, in fact, had been drafted by the European Commission's Judiciary and Home Affairs Team (ECJHAT) in February 2003.

The implementation of the reform process, especially in the Ministry of the Interior, constitutes an extensive and complex process,

requiring – amongst other things – political support in all of its phases. Such political support had been provided by all the political structures and all the levels of political decision making, starting from the Ministry of the Interior, and the government of Macedonia to the Parliament of the Republic of Macedonia, which accepted and approved the Police Reform Strategy in August 2003. In practice, this secured political support which will create the future conditions for a successful implementation of the reforms.

Having been given indispensable political support, the reform Group, operating as a working body of the Ministry in charge of reform implementation, drafted the National Action Plan for the implementation of the Police Reform Strategy. It has been accepted in January 2004 by the Strategic Body as a document that will ensure clearly defined dynamics of the activities related to the implementation of the police reform process.

Talking about the police reform strategy, we have to list the basic objectives to be achieved, i.e. the conditions that should enable the harmonization of the organizational structures of our Ministry with European standards in the police domain and for the fight against all forms of criminal activities, as follows:

- **efficiency in police activities**
- **organization, professionalism and effectiveness in operations**
- **technical-technological equipment**
- **responsibility and rationalization of the employees, and**
- **police as a service to the citizens.**

Striving toward these goals, police work will contribute to enhance the quality of life and the sense of security, which will, in turn, represent one of the reasons for the citizens to be pleased with the work and the attitude of the police. Along with the initiated reforms, the Ministry of the Interior will also tackle and implement issues concerning the internal structure of the organizational units of the Ministry, the modification of the existing regulations, the creation of the conditions for valid staff management in the Ministry, the continued improvement and development of professional staff, and the analysis of the material and technical needs of the new organization.

Furthermore, these reforms will allow the decentralization of the police service, both on the national and local level, which will create the conditions for introducing community policing, which represents – amongst other things – one of the important criteria for achieving European police standards. Along with decentralization, the Ministry will be characterized by transparency in its activities, respect of deadlines and information – elements that did not characterize these services in the previous period.

Amongst other issues, the police reform strategy includes the question concerning the number and the composition of the Ministry of the Interior personnel. Honoring the provisions on the ethnic communities living in the Republic of Macedonia contained in the Framework Agreement signed in Ohrid in 2001, and adhering to the general policy of the Parliament and of the Government of the Republic of Macedonia, the Ministry of the Interior started recruiting members of other ethnic communities – in particular ethnic Albanians – for its staff. It currently represents 14.65% of total personnel, and the trend suggests that this number will increase to 18.18% by the end of 2004; it is noteworthy that in the Ministry of the Interior there is a similar growing trend in the presence of members of other ethnic communities living in the Republic of Macedonia.

With regards to the decentralization and the composition of the Ministry personnel, it has to be said that the Ministry of Interior is striving to achieve European standards. They also concern the relationship citizen - policemen. Bearing in mind the current situation in the country and in the Ministry, we believe that with the ratio of one:300 we have achieved the necessary standards.

I would like to illustrate to you the new organizational structure of the Ministry of the Interior of the Republic of Macedonia, which will hopefully be implemented as of January 22, 2005 – a date now perceived as the practical launch of this reform.

In fact, the future Ministry of Interior will comprise:

- **the Department in charge of coordination, international cooperation and public relations**, acting as an executive body of the administration in charge of ministerial activities and the activities having a political aspect.
- **the Public Security Directorate**, which is to comprise consulting services, services in charge of strategic and conceptual planning and general working standards.
- **operation services** (Central Police Services, Border Police and Regional Police Services), in charge of the operational activities of the Ministry, implementation of concrete activities and realization of the basic Ministry functions, namely the fight against all forms of criminal activities.
- **the Police Academy**, tasked with the training of the necessary personnel needed by the Ministry and other state bodies, organizations, institutions and legal persons in accordance with security requirements, and with the preparation of a modern and comprehensive educational system and qualified staff. Furthermore, this institution will enable acquisition of professional degrees – specialists, and academic degrees – M.A. and PhD.

1. **The Department in charge of coordination, international cooperation and public relations includes:**
 - a. **Public relations Press Center**
 - b. **International Cooperation and Euro-integration Division.**
 - c. **Internal Control and Professional Standards Division**
 - d. **The Section for administrative affairs encompassing: Legal Affairs Division, Personnel Division, Technical and Material Equipment Division and Logistics Division.**

2. **The Public Security Directorate, managed by the director comprising:**
 - a. **On-duty situation center**
 - b. **IT and Information Unit**
 - c. **Operations Unit**
 - d. **Crime Unit**
 - e. **Traffic and MV Unit**
 - f. **Border Affairs Unit**
 - g. **Training Center.**

3. **The Operation Services comprise:**
 - a. **Central Police Services, which include**
 - *Press and Public Relations Office*
 - *Administrative Affairs Division*, which comprises the Legal Affairs Unit, the Personnel Unit, Finances Unit and Logistics Unit;
 - *Special Squads Unit*, comprising the Rapid Deployment Squad, Special Assignment Squad, Special Tactical Operations Squad and Operational Surveillance & Documentation Squad, Canine Squad, Helicopter Unit and Negotiation Team;
 - *Organized Crime Unit*, comprising Financial Crime Division, Antiterrorism Division, Drug Trafficking Division, International Police Cooperation Division, Violent Crimes Division, Crime Analysis Division, Special Investigation Techniques Division, Witness Protection Unit, Search Unit, Work Quality Control Unit;
 - *Forensics Unit*, comprising the Criminal Identification Division, the Crime Laboratory Division, Operational Equipment Division and the Work Quality Control Unit;
 - *IT and Telecommunication Unit*, comprising the IT Division and the Telecommunication Division;

- *Material and Technical Equipment Unit*, comprising the Maintenance and Construction Division, the Weapons and Equipment Division and the Motor Vehicles Unit;
 - *Civil Affairs Unit*, comprising the Administrative Procedure Division, the Aliens Division, the Fire, Explosion and Dangerous Materials Protection Division.
- b. Regional Police Services**, comprising several organizational units:
- *Coordination and Control Unit*
 - *Internal Affairs Division*, comprising the Public Relations Office, the On Duty Operations Center, the Analytical Research Section, the Operational Affairs Section, the Crime Section, the Traffic and Motor Vehicles Section, the Administrative Affairs Section, the Prevention Unit, the Police Station, the Traffic Safety Police Station, the Train Safety Police Station, the Administrative Affairs Unit and the Fire Fighting Unit.

c. The Border Police

In line with the strategic objectives and the interests of the Republic of Macedonia for full EU and NATO membership, determined to preserve national and regional peace and stability as part of the overall reforms in the security sector, as well as to secure safe and controlled borders according to the recommendations of the European Union and based on the obligations stemming from the Stabilization and Association Agreement, the Government of the Republic of Macedonia passed the decision to form an inter-ministerial group for the drafting Integrated Border Management document, representing a strategic document containing all the segments related to border management.

In fact, on December 22, 2003 the Government of the Republic of Macedonia adopted the national strategy, which created the conditions for further development of this project. I would like to point out that this entire project has been supported and implemented by the European Agency for Reconstruction within the CARDS program. The continuation of this project, as well as its scope and activities will be in line with the adopted National Strategy for Border Management and the CARDS program. The important thing is that due attention is being dedicated to include the harmonization of legislation, the forming of border police and the development and enhancement of bilateral and multilateral cooperation. The Ministry of the Interior constitutes a precondition for all these activities, because it is in charge of repairing its own program for the forming of professional border police,

which is supposed to be part of the National Strategy for Integrated Border Management.

I would like to stress the large number of regional and international initiatives that the Ministry of the Interior of the Republic of Macedonia has contributed to, and in particular the Ohrid conference on Border Security and Management which played an important role in accelerating the implementation of the Integrated Border Management process.

In the domain of international cooperation, we can also quote a large number of projects that the Ministry of Interior is participating in and playing an important role in their implementation. Among them, one of the most important is the Border Cooperation Project between the Republic of Albania and the Republic of Macedonia, sponsored and coordinated by the Danish government. I also have the mention the initiative for migration, asylum and border control, and the work of the state team for Macedonia, which is based on the agreement on partnership set up by the Mministries of the Interior of Macedonia, Bulgaria and Denmark, as well as the involvement of the ministries of interior of Norway and Sweden.

The basic function of the border police is to control and supervise state borders, control the stay of individuals in the border zone, organize the border régime, control persons and transport means of crossing the border, identify persons that committed crimes, study and analyze factors contributing to the breach of the state border régime, place and maintain border signs, act according to international agreements and conventions signed by the Republic of Macedonia, take part in the solution of border incidents, as well as a number of other activities pertaining to the Border Police.

The successful implementation of all these functions falling within the authority of the Border Police personnel training is imperative. In fact, training started on February 1, 2004 and it shall continue until 2006, namely until the optimal number – 300 well-trained border policemen – is achieved.

Nevertheless, we have to say that we require the assistance and support of the international community to carry out this major and important project. In fact, the international community would have to ensure the education and training of personnel, the means and the classrooms for specialized training, the equipment and other technical devices needed, the monitoring of the system and the supervision of the state border, the refitting and refurbishment of the existing facilities, radio and telephone communication networks, IT system and other necessary equipment.

Indeed, we might say that the practical implementation of the “integrated Border management” project is to begin in the second half

of this year along the border with the Republic of Greece, which will mark the launch of this project. By the end of 2005 we expect Integrated Border Management to be in place along our borders with all neighboring countries.

d. Police Academy

The existing institutions dedicated to the training of specialized staff that the Ministry requires, served the previous system in their form and their curriculum. The need has arisen to abolish them but also to establish new systems for training staff for the security sector. With the modernization and the introduction of new training concepts, new institutions would allow the preparation of new staff compatible with the changed conditions of social life. With this in mind, the Assembly of the Republic of Macedonia passed the Law on the Police Academy (“Official Herald of the Rep. of Macedonia 40-2003”) which established the Police Academy as an advanced education state institution providing the institutional framework for the training of staff needed by the security sector.

In line with the Law mentioned above, the Police Academy has the following bodies:

- Academic Council
- Council of the professors - instructors,
- Academy Administration, and
- The Director.

With the passing of the Law on the Police Academy, the conditions have been created to establish the Police Academy as an advanced education state institution for the security domain, tasked with the training of staff needed by the Ministry of the Interior, and by other state bodies, organizations and legal persons, enabling the profiling of police culture and professional capacities.

The course of studies at the Academy has a duration of four years, the post-graduate studies for specialists lasts one year, the M.A. and PhD. courses last two years, and the basic police officer training is carried out in twelve months.

When we speak about the Police Academy project, we cannot avoid mentioning the OSCE. It has provided material-technical and educational support, without which this project would not have had its current implementation dynamics.

I hope that my presentation has successfully illustrated the reforms pursued by the Ministry of the Interior of the Republic of Macedonia. This reform will allow us to attain European standards representing the condition for the realization of our strategic goals, i.e. our membership in the European family of nations.

* Text in English translated by Goran Kričković

Workshop No 2 – Reform of the Police and Secret Services and the Role of the Committee for Security and Defence in the Reform of Armed Forces

Gordan Malić
Journalist, Croatia

I would like, first of all, to make a few comments on the previous statements of Croatian participants, from the point of view of a person who faces the problems of security on a very practical level. Only recently I had a 24-hour special police escort because certain persons from the political-criminal milieu threatened my life somewhat more seriously than they usual do...

I must admit that this police escort, for a time, solved my parking problem in the unbearably overpopulated zone of Savska street, but it felt rather miserable in the remaining part of my life. Thus, after a few days, in the name of my wife, I thanked the police officers, considering this kind of “protection” superfluous and, in effect, the reverse side of terror over my freedom and privacy I had been exposed to on the part of a group, well known to the police.

This certainly accredits me to also say something on the reverse side of “Europeanization” of the Croatian security sphere and the commendable intention of establishing closer rapport between the local community and the police, I experienced myself.

Preparations for entry into the community of European countries seem to be developing on parallel tracks: in the ambitions plans and prospects of our power-holders and in the reality of the prevailing political and social relations we occasionally, quite unprofessionally, refer to with such words as monopoly, bribery, corruption, violence, or rather overtly – mafia clans... Certainly the most important, and to me already infamous, in the mythology of “entry into the EU” - created to facilitate the societies to shed the old myths and delusions - is the phrase “introducing the European standards”.

It sounds just about like this: once we have installed electricity, a water supply and telephone lines we will install the European standards, following the latest instructions from Brussels. A part of it is the restructuring of the police, discussed a minute ago by a colleague from the Ministry of Interior of my state. However, the fact is that these European standards are not installed because our political elites, or rather our state authorities, have reached the stage of maturity when only a minor transitional adjustment is required to transfer from the post-war Balkans, bloody as it was, to the well-being of EU democracy. We are, actually “introducing European standards” because we are

forced to do so and have precious little time – and the timing seems to outrun our actual possibilities, while the deadlines for negotiations on entry of the EU are approaching fast. That is why, for instance, the project of restructuring the Ministry of the Interior, i.e. “the community policing” works in a way that the community, i.e. I myself, seem to have the right to some justified fears. The Ministry of the Interior started this restructuring in the year 2000 and that, in a way, provided an ideal pretext for a purge. In other words, the transformation of the police may serve to carry out a political purge, which is precisely what we see repeated these days, and drastically so.

Nevertheless, the former minister of the interior, Sime Lučin, did introduce some European standards into the Ministry. It was transformed in a highly modern way. The infamous special units no longer have the huge number of members we were all a little afraid of, not knowing which political current they will side with, intervention units have been introduced, followed by community policing and so on. However, I have once objected to the leading men in the Ministry that they have envisaged a very modern transformation of the police with displaying any fears for the criminal factor. That is interesting. The question is why are they not afraid of the transformation. Well, because they are not afraid of the police. Incidentally, this is not about the numbers of police officers at all, but rather the authority of the institution deriving from the authority of government or the structure of power, which is largely corrupt.

I have just heard that within the transformation of the Ministry of the Interior, a reduction of the number of the policemen is planned. Ostensibly, it would be ideal to have one policeman protecting three hundred citizens. Certainly, if the policeman was honest. Until that happens the citizens’ trust in the police will be non-existent. The latest surveys carried out by my weekly, for instance, reveal a remarkable mistrust of the citizens and the public in the repressive part of the state administration, primarily the judiciary, as well as the police and secret services. According to research findings of international organizations, Croatia is still a highly corrupt country.

For these reasons, the transformation made so far, failed to increase the efficiency of the police, and I think that the task of the police is in the first place to be efficient, rather than likeable. That is why the Croatian police needs another action, that of “police policing”. Only after that comes the community policing. During the four-year functioning of the former authorities, from 2000 until 2004, a major increase in crime was registered. That is now evident. Crime growth is noted in all spheres in the 2002-2004 period. In the early 2004, thus at the beginning of this year the crime rate in Zagreb is one hundred per cent higher. During the first three months of this year,

there have been more than 30 murders, 10 of which were done by professionals, which, too, is 100 per cent more than the previous year. For the first time we here see the things, which only yesterday we attributed to our neighbours in the east: kidnappings of Croatian generals' sons, blackmailing of wealthy families, racketeering of influential industrialists, showdowns with journalists and terrorist activities against certain publishers in Croatia. Things like that have not happened before, at least not in such proportions, and certainly not before the "restructuring". Therefore, this story of the reform ambitions and advances achieved through transformation has its reverse side which is very banal, not to say of the street. Here is an example. Only recently the Croatian papers flashed the headlines breaking the news that the son of an influential retired Croatian general was kidnapped. The news itself was shocking to the public. We extradited the generals to The Hague before, but their families were not affected. Soon, the police processing the case stated its version that the general did not cooperate with the Ministry of the Interior. Now, that is a problem for community policing. The general whose son had been kidnapped was not cooperating with the police. The question is why? It was soon revealed that it is because the general knew well what kind of police he was dealing with. It turned out that the police circles, the investigative police circles general Zagorec was forced to cooperate with, leaked the information directly to the kidnappers' lair¹. Thus, the question is would you, if you were in this community, cooperate with that kind of police. I believe that the phenomenon of corruption and bribery is in effect the crucial problem for defining the security situation in my state. We are no longer speaking about political abuse of secret services or the police, or only of the dominating influence of various clanish and ideological lobbies on the operation of the state administration, but rather of the classical social phenomenon of corruption particularly marked in the state administration. The state administration today, practically paid nothing, employs de-professionalized, politicized personnel which cannot find jobs in serious firms, large private companies or in a proper market. This kind of a state administration is the easiest to corrupt – the people who work in it are both underpaid and uncertain of how long they will manage to keep their positions with the approaching elections etc. I have not noticed that the problem of corruption was even once seriously addressed by parliamentary committees, especially by the committee for national security. During the 14-year mandate of the parliament I think that only two or three

¹ General Zagorac told me that he did not cooperate and the head of the police in charge of the case also told me so. In the end they agreed that it is because the police leaked the data and the investigation against the people who sold the information to the kidnappers is under way.

corruption investigations were initiated. It is interesting that it is concerned about everything, the personnel, the budget, but not the corruption in the state administration, repressive apparatus, police, judiciary, and secret services.

Out of all this it turns out that the political elites lack the will to deal with corruption, since they would thus have to deal with themselves. During the Croatian Democratic Union times, “the former HDZ”, especially while the deceased president Tudjman was still in good health, the velvet dictatorship had a form of dealing with corruption. Everything that happened, and was too much in the eyes of the dictator, had to be taken care of. Today, we do not even have as much as that, or at least the whims of the leader, only collective indifference. I will mention a simple example of how the “legal state” functioned under Tudjman, in dealing with war crimes. In the one instance when the state in the HDZ era expressed its will to deal with the war crimes – some time at the beginning of the war in 1991 – a group of members of the reserve police units were arrested as they were suspected of liquidating a Serbian family in Zagreb, or its surroundings. The case is in our part known as the “Zec” family case. As soon as they crossed the threshold of the police station, they made a full confession, police files were filled with the most bizarre, brutal details of the murder, starting from the taking of the family to the execution to the very act, and even the liquidation of a minor girl. All of this went on record. The question is why? Because the murderers – the police officers – were shocked by the fact of arrest. They were shocked by the reality that the state would apply repression against them who, among other things, plundered and murdered children for that very state. Therefore, at that particular moment they were afraid of state authority, or the authority of president Tudjman. So the investigator of the Zagreb police who interrogated these people was no longer the policeman making an inquiry, but the State, and then also Tudjman, personified. This situation is today impossible to envisage. Today, everyone’s defence is silence. The state very rarely, if ever, shows this kind of authority. Today we have an unbelievable phenomenon that even the liberal civic circles, the NGOs, sometimes advocate recourse to repression, and not repression as terror or state revenge against dissenters, but organized repression targeted at certain segments of organized crime and corruption in the state administration. That does not happen and that is why all this European make-up is false and pathetic. That is a new Balkan travesty. We are really hardly the ones who decide our admission to the EU, but we certainly decide as what kind of people we will be when we enter the community. The former is clearly our greater concern.

* Text in English translated by Ljiljana Nikolić

Workshop No 2 – Reform of the Police and Secret Services and the Role of the Committee for Security and Defence in the Reform of Armed Forces

Saša Janković
OSCE Mission to SaM

I would like to briefly point out that parliamentary committees deal with two basic issues that hamper parliamentary control of the security services. In fact, in view of the nature of parliamentary committees, they are specialized bodies that are more focused than the Parliament and this makes it possible to elect their members among Parliament deputies having adequate previous knowledge and interests, which they can expand very easily during their political activities.

The other problem concerns the issue of secrecy, which has been repeatedly pointed out here. Evidently, in view of the nature of their work, defense and security committees are presented with data that might undermine national security as well as ongoing operations if they were to be revealed to a broader group of people. The problem of secrecy is usually solved by setting up the corresponding committees through the election of a limited group of people that will have access to confidential information, and by swearing in the committee members to preserve the secrecy of the data they have been presented with or that they have gathered. In this sense, along with all the laws that have been mentioned here, another law should be passed or provisions should be added to existing laws capable of protecting the secrecy of confidential information presented to the committees.

Along with this, I would like to underscore another element that has been discussed here today. It concerns yet another condition for the success of the security sector reform that we have failed to mention until now. People working in the security sector have to grow accustomed to reform. Obviously our security institutions include individuals that have breached the law or security service ethics in the past, and they have to be identified and removed. However, I am certain that many of the men working in the security sector have already grown accustomed to the values we are discussing here, and the others should be helped to follow their example. All positive efforts coming from the security sector itself must be supported

with determination to allow the reform to continue in the desired direction.

With this in mind, being a representative of the organizer, I can only hail the fact that in all the events organized by the OSCE in this sphere, the representatives of the State Security of Montenegro, of the Security Information Agency, of the Military Security, or the Military Intelligence and of the corresponding departments of the Ministry of Foreign Affairs have always been present.

* Text in English translated by Goran Kričković

Part III

DEMOCRATIC CIVILIAN CONTROL
AND PUBLIC MONITORING OF THE
SECURITY SECTOR

Workshop No 3: Parliamentary and Budgetary Control

Saša Janković
OSCE Mission to SaM

“Parliamentary and budgetary control” is an issue which has quintessential importance in implementing the controlling role of the Parliament in the security sector. During one of the previous roundtables, organized by the OSCE mission for the parliaments of Serbia, Montenegro and the State Union, we dealt precisely with this topic because the control of the budget is one of the most important tools the Parliament has in carrying out oversight. It’s more than certain that you will be voicing differing opinions on how the budget can be used to exercise control. However, we should not limit ourselves to the control aspect of the budget, since it would be very useful to discuss the question of the budgets in general, in view of the importance they have in the security sector reform.

Instead of making an introduction, I will make a few notes on the specifics of the State Union of Serbia and Montenegro where the functioning of the Army is managed on the level of the State Union, although it does not have its budget on that level; in fact the Army budgets are practically determined on the level of the two member republics. During the previous local events which dealt with this issue, the question was raised how can the Parliament of Serbia and Montenegro exercise its control function in the budgetary sphere if the budgets are coming from the member republics.

* Text in English translated by Goran Kričković

Workshop No 3: Parliamentary and Budgetary Control

Neritan Ceka
Parliament of Albania

The experience of controlling the budget for the army, police and intelligence is also a new experience for Albania. The ministers, the minister of the interior and the minister of defense, are not happy with sharing the total budget since the committees are trying to provide a kind of opposition to the government, so in the case the ministers, the minister of the interior and the minister of defense, are not happy with sharing the total budget. I think this is a problem, not only for us, but also for all our countries. This sector is surviving, so there are no budgets to support some policies as in western countries. The best way perhaps is to support our committees, to support some policies through the budget, to invest more in, say, the police for the sectors fighting organized crime and trafficking, or in the case of the army a greater budget for units that will be adopted under NATO structures, i.e. what we are doing with our special forces in the military rapid intervention force. Our work is not really budget policy but rather mainly to have more money for the police, army and intelligence services. And another thing that we are doing and where we have experience is inspecting some of their activities: how they are investing and using the money they receive from Parliament. And we had some kind of investigation by our committee for public order regarding the case of issuing new passports in Albania, where the press alleged that they had misused funds they receive from Parliament. We then opened the way for serious investigation with some serious consequences for misuse of funds. And we also checked the special budget the intelligence services have in each country. One could say that it was taboo until now, a sector nobody dared to investigate. Our Committee has a small group to also investigate how they are using this kind of classified budget. This I think is a new experience, and until now we used only our members of parliament. We did not have the experience of also using experts from other sectors until now, to also invite people that can work for Parliament and be independent. Perhaps this will be one of the aspects we might address in the future.

* Edited by Vuk Tošić

Workshop No 3: Parliamentary and Budgetary Control

Stjepan Pocrnja

Permanent Committee for military issues, Bosnia-Herzegovina

I will try to provide some clarifications concerning the budget and financing of defense in Bosnia-Herzegovina. To do so, I will briefly return to the presentation I delivered yesterday in which I tried to offer a review of the overall reforms of the defense sector in Bosnia-Herzegovina. Among other things, I stressed that the specifics of Bosnia-Herzegovina lie in the fact that the defense domain – due to certain constitutional solutions – is in the exclusive competence of the entities, with only a small part of this important state and social segment being covered by the authority of the Presidency of Bosnia-Herzegovina. This was the only coordination of defense in this field covered by both entities. New solutions are now focused on an approach transferring an important share of the defense domain within the competence of the state administration. For the time being we have settled the budgetary issue in such a way that the overall defense budget for Bosnia-Herzegovina consists of three parts. There is the state budget which concerns only the defense institutions on the state level. In the present phase, it concerns the Ministry of Defense of Bosnia-Herzegovina, the Joint Staff of Bosnia-Herzegovina and the Operational Command, whilst the other structures belong to the entities. Consequently we have two parts of the budget, namely the state budget and the entities budget. According to his role, the defense minister of Bosnia-Herzegovina should coordinate and plan the overall budget for the defense together with the defense ministers of the two entities. I think I should also say a few words about the very specific approach used in adopting the budget. The state parliament and the parliaments of the entities first approve their shares in the overall budget, obviously according to the usual Parliamentary procedure. The Parliamentary Assembly of Bosnia-Herzegovina has to be fully informed about the overall defense budget, and carry out the oversight of the budget and other forms of supervision together with the parliaments of the entities, in accordance with the provisions of the Law on Defense. Here we had the opportunity – in line with the solutions concerning the budget within the overall reforms – to take

note of certain experiences acquired by the parliaments in other countries of the region so we can try to implement them back home and Bosnia-Herzegovina. And I believe that our work today will prove very useful to us in Bosnia-Herzegovina although, to be honest, I believe that the presentation delivered by our colleagues from the state union of Serbia and Montenegro offered nothing that would encourage us.

* Text in English translated by Goran Kričković

Workshop No 3: Parliamentary and Budgetary Control

Talat Xhaferi
Parliament, Macedonia

I would like to begin with a few brief remarks about parliamentary control and how this process is being implemented in our country, and how I think it should be carried out, i.e. what we should be striving for. Since 2002, the current Parliament has been operating according to the new Rules of Procedure, which incorporates the amendments and the provisions of the Ohrid Agreement. The Parliament operates bilingually, namely in Macedonian and Albanian. I can say that in the past two years the most important documents passed concerned defense and security. The National Concept has been adopted along with a number of important and essential laws based on it. Generally speaking, as far as parliamentary oversight is concerned all projects are argued by the minister heading the corresponding ministry, and in this regard we are way ahead of you – mostly due to different conditions in which we operated in the previous period.

However, I believe that oversights should be structured in a way that the control function reaches all the way to the lowest control level, namely that the practical implementation of what has been approved by the Parliament is verified. Lamentably, most of the people believe that the role of the Parliament consists in passing laws and then waiting for reports from the competent ministry about enforcement of such legislation. I believe – on the contrary – that our control function should occasionally extend to the point of verifying how a given law is applied in practice. I will offer an example. Last year we passed the Law on Amnesty for citizens of the Republic of Macedonia that avoided military service since 1990. The committee that drafted that particular law – and that I was part of – reached the conclusion after three months that the provisions are not being implemented the way we planned, and not in line with the initial idea of the parliament. To verify this, we visited regional units and talked to the heads of those units, reaching the conclusion that they were not interpreting the Law in accordance with the basic idea of the legislator, but were giving it a personal interpretation. Consequently, we decided to introduce amendments to the Law in order to explicate its basic idea and to ensure that it is interpreted and applied in an identical manner throughout the country. We succeeded in doing so, and this is in fact the control function talked about.

When we discuss the involvement of independent experts, non-governmental organizations and all other international community entities present in Macedonia, I can say that they were all involved in the work of the committee. However, we went one step further in the sense that we take on these projects in a draft version and then bring in – during the fine-tuning phase – the independent experts, NGOs and international community entities so that they can provide their vision of this project. Thus the project is involved into a program, which is submitted to the government, and after being reviewed by these sectors, it comes back to the committee where it is filtered once again and then presented at the plenary session. Compared to oversight, in the plenary session, as members of parliament, we enjoy a rather professional status, although certain conditions, i.e. preconditions for professional work are still lacking. Although infrastructure might be missing, we still receive all the materials on time, at least 20 days before the plenary session – in accordance with the Rules of Procedure. At least 10 days before the plenary session the committee has to convene, five days before the plenary session amendments can be submitted either individually or in the group. During the plenary session the government can at any time present an amendment which then becomes an integral part of the Law.

The same approach is used by our Parliament when budgetary issues are concerned. I can say that there are no secrets concerning the budget. Recently we passed the Law on Classification of Data, which anticipates the possibility of using security certificates for certain members of the Parliament and Government, that might have access to specific data concerning the budget. However, I believe there is a negative aspect of our budget policy – the fact that we discuss budgets on an annual basis, which means that we have neither short-term nor long-term budgetary projections. Nevertheless, we as Members of Parliament have certain possibilities in this regard, and I believe that with these projections – bearing in mind the dynamics of our work – we will have, within a reasonable time, both the short-term and long-term projection of the budget. This means that we will be in a position to exercise direct control over a given project, i.e. programs presented by the Ministry of Defense or the Ministry of the Interior. In this sense, there is an independent government body - the State Auditing Agency, established by the Parliament. The activities of this specific body cover 70% of budget users, and it presents an annual report to the Parliament representing yet another step ahead in budgetary control.

* Text in English translated by Goran Kričković

Workshop No 3: Parliamentary and Budgetary Control

Vladimir Bilandžić
OSCE Mission, SaM

Talking about parliamentary approval and oversight of state budgets, obviously including the funds spent on defense, I believe that – as it has been observed – this is not only an issue of political will, but even more an issue of political obligation of the members of parliament towards their voters and the taxpayers. Without commenting the situation of any particular country in the region, I should like to point out that the governments in many of the so-called transition countries, within the framework of economic reforms, insist on a particular practice which has long been in use in market economy countries, namely that all the taxpayers have to fill out their tax reports and pay appropriate taxes into the state budget within a set deadline, pending legal sanctions. Consequently, the least that those taxpayers and voters are to expect from their parliaments is that their elected representatives control the spending of those funds, which - in this instance - they have paid from their own pockets. Consequently, the members of Parliament must be aware that this is their duty not only with respect to their office, but also as an obligation to the people that voted for them.

Secondly, budget control, i.e. the control of military budgets, is also an international obligation for countries, and I particularly have in mind OSCE member countries. All the countries that have representatives here – parliamentarians, executive officials and experts – are members of the OSCE and are bound by the Vienna document about trust building measures and the Code of Behavior on political-military aspects of security. For example, one of the provisions states that all participating countries must ensure is that legislative bodies approve defense expenditures, show restraint in military expenditures bearing in mind national security interests, and ensure openness, or transparency as it is usually referred to, i.e. public access to information related to the armed forces. Therefore, this is a very clear obligation. Although this OSCE document, as well as its other documents, are not legally binding, this is nevertheless a political obligation. Secondly, participating countries have a certain deadline after the approval of the state budget (three months), to present this budget for inspection to the other participating countries. Consequently, it would be absurd to exchange rather detailed information on the military budget with other

countries, whilst at the same time the members of Parliament of this particular country ignore the structure of the budget. It would be illogical if other countries, namely the other 54 OSCE participating countries, were to have available information about this budget, whilst the public of a given country has no information about it, or the budget has not been previously discussed by the parliamentary committees.

This issue must be taken more seriously. It is not by chance that in many countries that have a longer parliamentary experience the budget is considered to be the most efficient tool in the hands of parliaments. It is used to influence not only the spending of funds, but also the defense policy of a given country, the security strategy and the planning of priorities in this domain. Having no intention of commenting on the situation in any particular country, I should like to point out that these are international obligations accepted in international relations and that consequently they should serve as specific guidelines for acting on the interior level.

Bearing in mind that the situation in many countries in the region is very specific, and having heard Mr. Pocrnja and his presentation about the budget in Bosnia-Herzegovina, I should like to hear something more about a particular aspect related to the approval of the budget on the level of the state of Bosnia-Herzegovina. I am interested in how the budget is formed, what are the sources of state income, whether they represent contributions coming from the entities, are there maybe customs duties or taxes on the state-level, or is the budget formed from some other sources.

* Text in English translated by Goran Kričković

Workshop No 4: Control by Civil Society, the Public and the Media

Milorad Timotić

Centre for Civil-Military Relations

THE ROLE OF CIVIL SOCIETY IN THE REFORM OF THE ARMED FORCES

This brief presentation will primarily be concerned with the efforts made by the Center for Civil-Military Relations to play an active role in the reform of the security sector, to the extent in which this is realistically possible for a nongovernmental organization. Even in normal, peaceful social and political circumstances, NGOs cannot exert an excessive influence on the course of the reform of the security sector, and this was particularly difficult in our local circumstances marked by war.

It should be noted that taken from the theoretical perspective, we can identify two types of control, oversight and influence on the security sector. Theoreticians define them as the horizontal and vertical control and oversight. The vertical control takes place along the line of the state institutions – starting from the parliament, which plays a key role in this sense, and then going through the supreme commander, generally the president of the republic or the monarch, all the way to their bodies for the management and the command of the armed forces. The government – the executive power represented by the minister of defense who is a civilian – is the key operational body in the implementation of the democratic civil control of the armed forces and in creating indispensable coordination between the parliamentary committee for the defense and security and the supreme commander in the General Staff of the Army, as well as with the other government bodies involved in the defense preparations of a society. This entire institutional ring has to function harmoniously, and steps have to be taken to reduce the internal competition and conflicts of interest to the lowest possible level in order to allow the armed forces to develop in accordance with the needs of the society and in correspondence with the existing security environment.

The horizontal democratic-control of the armed forces is carried out by the social institutions and organizations having the interest to affect their development. In this regard the media rate first followed by

the nongovernmental organizations. In most of the European societies the church and the religious organizations come third, the independent scientific-research institutes are in the fourth-place and they are followed by the unions, especially in those countries where union structures are permitted in the army. In some European countries there is also the institution of the ombudsman, which can play an important role in democratic control. In line with the actual degree of democratization of a society, all the institutions and organizations listed above acquire an even greater role in the democratic control of the armed forces, in their reform and their sizing.

After these brief theoretical-methodological remarks, I will speak more specifically about the efforts of the Center for Civil-Military Relations to exercise a certain influence on the course of the reform of the armed forces in Serbia and Montenegro.

The Center was founded in 1997 and has undertaken various activities since, focusing on the diffusion of information for the professional and general public concerning the essence of existing civil-military relations in Serbia and Montenegro, the weaknesses that became sharply manifest during the war, and about the possible direction of the steps to be taken for overcoming them.

Since the primary goal of this meeting is to enable the exchange of experiences between the participating countries, I will also list some of the activities of the Center for civil-military relations, that might prove interesting to those attending this meeting.

Until now, the Center for Civil-Military Relations has undertaken various activities to contribute to the training of civil experts for the oversight of civil-military relations. To help the exchange of experiences between the countries of the western Balkans, I shall list some of the undertakings implemented by the Center in this domain:

1. Between February 1 in April 6, 2000, during the rule of Slobodan Milošević, the Center organized and carried out – in cooperation with the Media Center Belgrade – 12 seminars-workshops for young reporters. Those seminars dealt with civil-military relations in the democratic-control of the army and the police, in what was then the Federal Republic of Yugoslavia. The purpose of the seminar was to introduce the reporters to the meaning and the political significance of civil-military relations, as well as to the mechanisms and procedures for the democratic civil control of the army and the police in developed democratic societies. The primary intention of the seminars was to prompt the interest of the reporters for this segment of social life, and to help them specialize in reporting on civil-military relations. The seminars have been organized in Belgrade (three seminars) and in nine other cities throughout Serbia and Montenegro. In the questionnaires circulated among the participants at the end of seminars - gen-

erally young reporters from Central and local media - they assessed the seminars as very useful from the perspective of their professional interests. The presentations delivered at the seminar and the analysis of the answers provided by the questionnaires have been published in a compilation of papers, in English and in Serbian, and delivered to the seminar participants and other interested parties (nongovernmental organizations and educational institutions).

2. Firmly convinced that the outcome of the security sector reform depends, amongst other things, on the knowledge of the principles and of the purpose of democratic control of the armed forces, in 2003 the Center structured a project for a series of seminars entitled "Education for Democratic Control of the Armed Forces". The project entailed 10 seminars in Serbia and Montenegro, designed for young reporters from local media, young activists of political parties, officers of the internal affairs services and of the Army of Serbia and Montenegro on the local level, activists of nongovernmental organizations and post-graduate students of the Civil Sciences Faculty. The Belgrade office of the Freedom House Foundation, agreed to finance these seminars. In fact they had taken place between March 1 in April 14, 2003 in eight cities throughout Serbia as well as in Tivat and Podgorica in Montenegro. The participants that attended the seminars revealed great interests for the topic and actively participated in the debates. The presentations made by the speakers that appeared at the seminars, have been published in a collection of texts/manual entitled "The Purpose of the Reform of the Security Sector" in Serbia and Montenegro. This manual has been published in 1000 copies and distributed to the users, and it has also served as basic literature for other seminars.

3. At the end of 2003, the Center drafted a project for 20 seminars dealing with the "Reform of the Security Sector in Serbia and Montenegro". The seminars were intended for individuals working in the Ministry of Defense, the General staff and the high command of the Army of Serbia and Montenegro. The British Embassy in Belgrade accepted to finance these seminars and they have taken place between April and June 2004 at the Ministry of Defense, the General Staff and in 18 commands and units of the ASaM. The seminars were attended by 430 officers and civilians. The evaluation questionnaire distributed at the end of each of the seminars revealed that the participants gave a positive assessment of the topics, organization and performance of the seminar. Furthermore they welcomed such an opportunity to hear systematized and organized information on current issues of army and security sector reform, and to present some concrete questions about the effects and the implications that the reform might have on their status.

4. In Serbia and Montenegro there is a lack of awareness about the importance of the reform of the security sector, and consequentially no public pressure is exercised to force the political leaders to accelerate it. Consequently, reporting to the public in an adequate way, would increment the transparency of the entire process and raise the level of public awareness about the importance of the reform of the armed forces and assigning them to democratic control. Bearing in mind all these issues, the G17 Institute and the Center for Civil-Military Relations organized a two-week interactive spring school for young managers entitled “Reform of the security sector in Serbia and Montenegro – school for young decision makers 2003”. The school encompassed all the relevant target groups – the Ministry of Defense, the ministries of interior of the two republics, the three parliaments, independent and professional media, nongovernmental organizations and students and researchers from corresponding faculties and institutes.

5. The two-week school had been completed in the first half of March. At the end of this course, a questionnaire/test had been filled out by the individuals that attended the course to measure the increase of knowledge, and to acquire data on their assessment of the organization and the success of the school. Both dimensions of this questionnaire provided interesting results. The participants gave a highly positive evaluation of the school in all aspects – 80 percent of them were very satisfied, 20% were satisfied, and no one selected any of the remaining options. Having successfully completed this school, the Center proposed that seminar training courses be held on regional grounds.

6. At the end of 2002, the Center prepared the project entitled “Workshop for the Democratic control of the Army of Serbia and Montenegro”, anticipating 10 seminars to be held throughout Serbia and Montenegro. Seminars took place in Subotica, Novi Sad, Kikinda, Kragujevac, Kraljevo, Novi Pazar, Niš, Zaječar, Podgorica and Tivat and were completed in mid-April 2003. The seminars were attended by activists of political parties and nongovernmental organizations, members of the local military commands and internal affairs secretariats, postgraduate students and reporters. All the participants have shown great interest for the topic and took active part in the debate. For example, in Tivat a battleship commander from the Navy Corps Command took active part in the seminar and in the debates. He stressed his personal support and the support of his command to the idea of democratic control of the armed forces in Serbian Montenegro. In Valjevo two members of the secretariat of interior took active part in the debate.

In most of the cities local media reported on the seminars, and in some cities (Valjevo, Kraljevo, Zaječar, Tivat, Novi Pazar, Kikinda) interviews with the lecturers have been published. At the end of the seminar, a questionnaire was distributed to the participants offering them the possibility of assessing the quality of the organization and performance of the seminar. The votes given by the participants were extremely favorable.

7. In 2003, the Faculty of Political Sciences of the Belgrade University introduced a new course entitled “Global and National Security”. The main purpose of the course is to offer the students adequate knowledge on the modern meaning of national and global security and to prepare them for working in the new security sector. At the beginning of 2004, through the cooperation of the Center for Civil-Military Relations and the Faculty of Political Sciences, a one-year course specializing in security has been introduced by the same faculty, to prepare experts for working in security institutions. Plans have been made to develop this specialist course into a postgraduate curriculum to educate experts in the defense sphere.

8. In cooperation with the “Mreža” TV Production Group from Belgrade, the Center produced a TV program entitled “Who controls the Army of Yugoslavia?”. The program was completed in June 2002 and broadcast by two TV stations in Belgrade and several regional TV stations. The program helped increase the public awareness about the importance of the civil-military relations in Serbia and Montenegro. It also pointed out the main problems in the domain of democratic civil control of the armed forces in Serbia and Montenegro.

9. Working once again with the “Mreža” TV Production Group from Belgrade, late in 2003 the Center completed a series of six 35-minute programs entitled “Who is Guarding the Guards?”. The series covers the various aspects of the role the army has in modern society, and special accent has been placed on civil-military relations and civil control of the armed forces. The series has been broadcast by TV B92 and TV Montena in Montenegro, as well as by some regional TV stations.

10. The Center’s web site, launched in 2001 with the support of the Dutch Embassy in Belgrade, comprises several educational modules: analyses, surveys, presentation of books published by the Center, news and press clippings about security sector reform in Serbia and Montenegro, the principal laws regulating the security sector in SaM. Informing the visitors about the current activities of the Center, the site also covers and informative and educational role and contributes to raise the awareness about the importance of the reforms of the Army and of the security sector.

11. To better coordinate the efforts related to the reform of the security sector in SaM, and following an initiative launched by the British defense envoy in Belgrade, the Information Forum about the security sector was established at the beginning of 2004. The Forum involves representatives from several embassies in Belgrade (British, American, Norwegian, German), international organizations (OSCE, USAID, UNDP etc.), ministries of defense and foreign affairs of Serbia and Montenegro, and nongovernmental organizations endorsing the reform of the security sector. Amongst other things, the forum strives to coordinate and support the efforts of NGOs, embassies, and ministries in the domain of training of experts for civil-military relations in the reform of the security sector in Serbia and Montenegro. Actually, the Forum is a focal point for the representatives of the main factors involved in the reform of the security sector. Until now, the forum has also served as a place for exchanging useful ideas and views.

Several of the previously mentioned activities indicate that civil society stakeholders involved in well-planned activity programs, can successfully help the reform of the security sector and promote a more positive attitude of the public towards it.

* Text in English translated by Goran Kričković

Workshop No 4: Control by Civil Society, the Public and the Media

Momo Švarika
Expert, B&H

I believe that the issue of the role of the civil sector and media in the reform of the security sector is very important for recognizing the achievements, i.e. the functioning of democratic civil control in this area. The civil sector, non-governmental organizations and the media perform a very important corrective function in every democratic society, and their role in the shaping the military budget and parliamentary control of the security sector as a whole should not be disregarded. I believe that the starting point for discussing the greater influence of the civil sector and media in this domain should be the creation of a new relationship where there would be no exclusive or unlimited right of individuals or state institutions to declare everything and anything classified in this area. Legal norms should precisely state what, under which conditions a secret should be kept from the general public, and who and how, and following which procedure can declare certain information, data or facts classified. In this case the starting point would be the adoption of a law on free access to information. This would allow media, and thus the general public, access to information and data that are in the possession of institutions and bodies. This would end the monopoly on information that state institutions have had so far, and which granted them a monopoly on forming public opinion. We have had bad experiences during the previous period when everything was declared classified and reporters had either to be well connected with the sources, i.e. holders of information which implied private illegal channels, or to painstakingly investigate for years in order to discover something that essentially didn't have to be a great secret.

The law on free information access was passed in Bosnia and Herzegovina, but the practice is slow in changing. It is not a pace that would satisfy the needs of the times, but there has been progress. We must admit that regardless of the fact that the media were sometimes opposed to the process that they were driving, the media played a positive role in creating a new political and democratic environment in the period following the war. The media contributed considerably to creating a positive atmosphere where the government is held accountable, not only through the systemic institutions but to the general public and citizens. Quite a lot of truths have emerged thanks to the writings and

the creation of a space for free media writing, and the media played a positive role in this case. I believe that the case of Bosnia and Herzegovina in the period after the war is very interesting. In the first years following the war there was a trend for the media in the entities to continue the negative tensions that were caused by the war, and negative issues in one entity were criticized in the other entity – and not in the one where they were occurring. However, this practice is far behind us and there is a more positive trend. Media report on events in the entire area, and media in one entity report on the negative issues in their own entity, not only negative things that happen in the other entity.

The question is raised as to where the problem is with communication with military and police institutions, i.e. between the security sector and the media. I believe that the problem lies in the fact that communication has been reduced to statements and written information by authorities for media contacts. In fact, this is a good practice since media contact is regular and represents a positive quality compared to complete isolation. It had earlier happened to a limited extent, on a case-by-case basis, that someone from this sector would address the media in connection with a holiday or some special date. Now it is customary for press conferences to be held weekly, and more often when needed, where the work of these institutions and present events in this sector are discussed. Whether this is enough is something that is open for debate. In any case I believe that this is not enough. This is necessary and desirable, but not enough. The first positive thing that the law offers reporters is free access to sources of information. They are granted the right to seek data and information, to freely research sources and not wait for information to be generated by authorities based on data, and given as official information to the extent that it chooses, depending on the interests of state policies. Of course the level of unrestricted free access to all information will never be achieved, particularly in this domain, but it is important for this situation to change in such a way that the smallest quantity of data and information are closed to the public as classified.

The second problem, regarding relations between the media and the security sector is that editors disregard this area and address it primarily when reporting on scandals and negative cases. These claims could be based on the experiences in the Republika Srpska, although the situation in the BiH Federation is similar, yet somewhat better. In the Republika Srpska the security sector and defense issues are mostly handled by inexperienced reporters or those that have very little work experience. I don't think that they should not be included, and I believe that you cannot become a top journalist overnight, but a beginner has the chance to learn to write about it only when he is well

acquainted with the area. There are very few experienced journalists engaged in covering the security sector. Perhaps this is why there is a lack of analytic reporting on these issues and the integral approach to the security sector. The partial, scandalous and superficial approach to the security sector has created a very negative atmosphere where anyone can be an expert on the security sector and write about security issues. I believe that in order for anyone to analytically approach the issues in this sector and investigate them, they must at least have good background knowledge. There is no need to know everything, and this is not expected, but a person can research and address these issues only with fundamental knowledge of this area. However, it is unacceptable that in most editorial boards of daily and weekly newspapers published in the Republika Srpska these issues are handled by young people with insufficient journalist experience, and even less experience regarding the security sector, which is complex in itself. I believe that in the past two or three years the international organizations that are present in Bosnia and Herzegovina, primarily the OSCE, have made a big effort to educate novice journalists, i.e. journalists that are involved with the security sector, in order to create conditions for new, significantly different journalistic work, as well as an analytical and better approach to this sector.

It is interesting to follow the role and conduct of media in Bosnia and Herzegovina, in getting to the bottom of the so-called scandals involving the armed forces. Two scandals in Republika Srpska had strong influence on the public and illustrated that our media are not powerful enough to independently investigate and act as an independent correction for the authorities. These were the scandals concerning illegal arms exports to Iraq, in violation of the United Nations, i.e. Security Council, embargo, where the Orao company from Bjeljina was involved, and the eavesdropping that was carried out by the military intelligence service of the Republika Srpska Army. These scandals were current early last year and led to political dismissals and the disbanding of the RS Supreme Defense Council by the UN High Representative of BiH. The media helped and significantly contributed to informing the public of the details relevant for shedding light on these events, but the fact remains that these scandals emerged in the public when the international element present in Bosnia and Herzegovina provided this information. The media could not discover these events by themselves, nor did they generate public pressure on the authorities to admit that there were illegal activities, as is common in western democracies. The media acted subsequently when the international mediators had already publicly launched the information.

However, it is interesting that even in the media there is a clear divergence on some issues. Different media report differently on the

same issue, one defending the process, the other criticizing it, and both citing the same facts. We had the case of the extradition of the so-called Algerian group accused of terrorism to US prosecutors. This was the extradition of citizens of Bosnia and Herzegovina, who obtained BiH citizenship in some unclear (or at least controversial) process. These were actually foreign citizens that came to Bosnia and Herzegovina during the war or after the war, and international warrants had been issued for their arrest. In this particular case, part of the media, public and civil sector strongly criticized the government for extraditing the group to the US authorities, claiming that this was a violation of basic human rights. On the other hand, some of the reporters, media and public entirely justified the action of the authorities, believing that they are on the trail of the struggle against terrorism, and that Bosnia and Herzegovina should join that effort.

Another case is the analysis of the 2000 military budget in both entities. This budget was the subject of analysis carried out by experts from international organizations in BiH and determined that in that year the military budget had been exceeded in both entities by between 160% and 190%. Reporters did not write about this topic at all, since it is customary for the budget to be exceeded and for no one to be held accountable. This is unacceptable for future relations in this area because military budgets and controlling them is one of the postulates of democratic control of armed forces in civil society.

* Text in English translated by Vuk Tošić

Workshop No 4: Control by Civil Society, the Public and the Media

Sašo Kuzmanovski
Ministry of Defence of Macedonia

In this meeting, I represent the nongovernmental organization “Democratic Balance” even though I work for the Ministry of Defense. Lamentably, Ljupče Arangelovski PhD, the most important member of our NGO will not attend this meeting. He usually has the task to nicely package what we are involved in because it is very important how you present to the public what you do and how it is subsequently used and assessed. I will briefly mention something that has already been discussed, and I will begin with our introductory notes, because military-political and not civil-political relations are involved here. Maybe this is because the political sphere permeates the civil one. If we consider the notion and the attitude of military-political relations from the perspective of Western democracies, then it is understood that the civil sector should be encompassed by the political sector. In my opinion, what is particularly important for institutions such as the Ministry of Defense as well as for NGOs and for the public, is the question who and when is supposed to provide information. For example, different information cannot be distributed by one and the same person (for example, the spokesperson of the Ministry of Defense). This greatly depends on the importance of the information itself. The level that will attract interest when information is divulged has to be predefined.

My next note concerns the issue that you organized a seminar about, namely the need to reform the military. I believe that all the unknown aspects concerning the financial implications and excess personnel, as well as all those things that have to be transformed, may lead to inconsistent or inefficient seminars or workshops. Over the past two days I have not received the impression that a right course or direction for the reforms in Serbia and Montenegro – in the security sector – has been found. This is why caution is needed in presenting the reform, especially to those that might be losing their job in the immediate future. Furthermore, there is another thing related to all that has been said concerning the bugging scandal, namely a similar scandal unveiled in Macedonia and 2001 concerning the symbiotic ties between the media, the NGO’s and the political parties – sometimes the opposition and sometimes the ruling parties. For example, when the scandal broke out, the media did not directly distribute the infor-

mation about the bugging, and this was done by the former opposition leader and current prime minister, Mr. Branko Crvenkovski. This means that NGOs, the public and the media have the need to be “protected”. If we correlate all this, then we can also raise the question who is to be informed and how, and who is to inform whom. This may be balanced or better arranged if an information strategy is adopted – as it has been done in Macedonia. It can concern specific issues, for example the question of Euro-integration or NATO integration. The information distribution strategy has to provide answers to several questions: the question of the approach that the media will use, the question of the interest group to be targeted with such information, the question of collecting feedback, and then all this is followed by the drafting of a work plan.

In connection with the remarks made about the CF agreement on arms control, I have to say that the current situation requires that you be invited to sign it, even though you might be already prepared for the signing of the agreement. In brief, first you receive an invitation and then you actually sign the agreement (CF is the agreement on weapons control). This might involve limitation of essential weaponry inside the country and limitation of essential weaponry in the region. Actually, it does not entail only this, because an extensive interpretation of the documents can involve the destruction of surplus weapons, which in turn involves environmental protection and a series of mechanisms that have to be respected. It really is not that simple. I should like to use this opportunity to mention the fact that sometimes reporters write first and then ask questions. I expected it would sound much better if the reporter were to contact the Ministry of Defense spokesperson and tell him that he plans to write about a certain issue, asking him for his opinion about it. And to finish, I must note that I believe cooperation and exchange of experience to be probably the only way to get out of this situation.

* Text in English translated by Goran Kričković

Workshop No 4: Control by Civil Society, the Public and the Media

Jovanka Matic

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MEDIA REPORTING ON MILITARY TOPICS

For a year now, the Centre for Civil-Military Relations has been conducting research into the media reporting on military issues. The guiding premise behind this research is the belief that the possibility of the media to play an active part in the democratization of social relations depends on the degree of their professional autonomy, as well as the specialized knowledge of journalists and their understanding of the society's needs in a changing social environment. Therefore, one of the specific objectives of this research is to assist journalists with improving their professional standards of reporting, i.e. help them to better inform the public, bearing in mind that an informed public is indispensable for a democratic society. The research provides the journalists with an impartial and analytical description of their professional performance through the eyes of the general public, or rather from the point of view of its need to know about the workings of the country's defence system and its transformation – about the current situation in the Army, the accomplished changes and their consequences, as well as the next steps in the reform, including also the difficulties perceived in that process.

The research covered the four most important TV stations in Serbia and Montenegro (TV Belgrade, TV BK, TV B92, and TV Montenegro), four daily papers (Politika, Večernje Novosti, Danas and Vijesti) and four news weeklies (Nedeljni Telegraf, NIN, Vreme, and Monitor).

The findings indicate that the media in Serbia and Montenegro have insufficient resources for proper coverage of military topics. Despite the fact that all analyzed media gave large publicity to defence and army related issues, they were more of a channel for the promotion of official information and views on the security sector and its reforms, than an independent research instrument which critically evaluated the policy and decisions of relevant authorities. The media generally marginalized opposing views, and failed to launch a public debate on controversial issues of importance to the public.

Media structuring of stories on military topics appears quite similar and displays a number of common characteristics.

First, most media accounts of military topics are very brief. These, as a rule, short stories (a few lines or less than a minute, or often even 30 seconds) refer to events or personalities, and only occasionally take a thematic approach to matters of importance for the process of army reforms. The imperative of fast and concise informing in this field is often attained at the expense of the contents. This is particularly the case of official statements, given without an indication when and where they were made, on what occasion or for what purpose. Without the necessary contextual information, the meaning of the story is often entirely lost.

Second, media reports on military topics are agency news more often than authorial accounts of journalists. Over 50 per cent of newspaper articles and TV program segments originate from news agencies. Due to the fact that the media predominantly relies on agencies offering the same news to all concerned, media features on military topics are largely similar. All outlets refer to the same topics, recount the same events and carry the statements of the same personalities. The media therefore lack the plurality of public voices, which is extremely important for the development of democracy.

Articles authored by journalists specialized in covering the army and the defence sector and those of non-journalist experts are the fewest. Heavy reliance on agency-provided information reflects the absence of journalists specialized in writing about the security sector and consequently substantially affects the quality of reporting. Even those journalists who have the required knowledge of the army lack the matching understanding of civil-military relations, indispensable for proper coverage of security sector reforms.

Third, an overwhelming majority of media stories addressing army topics (about 80%) are predominantly factual and rarely take an explanatory or analytical approach. The prevalence of factual information is only expected and natural in both the daily press and TV news programs. However, this information is predominantly presented in the form of a simple news story of a single event, topic or personality and moreover refers to a single source. The authors of these factographic stories rarely venture to offer different views or, when they do, tend to avoid, rather than highlight their potential controversies.

The media reveal a remarkable absence of analytical approaches to reporting. The TV, in particular, lacks interviews, reportages, comments and analyses. Analytical reporting requires the explanation of events, their interpretation in the context of other processes and developments and should indicate problems as well as possible solutions.

The analytical-interpretative approach is necessary for public understanding of army reform, since it is a new transition process. On the one hand, it involves many novelties that need to be explained to the public, while on the other, it cannot be presented only by focusing on individual events.

Fourth, the media rarely bring up a military topic of their own accord. They generally cover the events organized by powerful social actors precisely in order to attract media attention. Thus, the media seldom initiate public communication on a specific issue, event or statement or draw the attention of the public accordingly.

The predominance of reports on pseudo-events (events intended to attract media attention) enables those who organized them to convey to the public exactly the messages they consider important, at a time of their choice and with the issues deemed desirable for the purpose. This way, some matters receive large publicity while others remain invisible unless the media choose to launch them into the public sphere. On the other hand, the relevance of reporting on pseudo-events for the public is questionable.

Fifth, media stories on military topics are generally presented from the official point of view. Public voices speaking about the army and the defence are in the first place those of the officials, and moreover from the very top of the political hierarchy (prime minister, or the ministers for defence, foreign or internal affairs, etc.). One of the reasons for the obvious domination of the official views of military topics and problems is the highly intensive activity of the MoD in Serbia and Montenegro in the public promotion of military issues and its own activities. The Defence Ministry has made a major advance seeking to make its views known to the public. However, this increased openness of state sources failed to elicit active reaction of the media who merely passively conveyed the information without making a professional effort to create a balance by responding to the intensified state activity with their own analytical stories or presentations of views offered by actors or independent experts outside the state and military structures. The latter are in any case extremely rare. In consequence, the media picture of the defence sector remains within the frameworks of the official state interpretation and promotes its non-problematic aspects. The picture so drawn can hardly benefit either the public or the army.

Sixth, most media stories focus on few military topics, but disregard the key aspects of the most important issues for the security sector reform. During the past year, four specific topics were dominant: the reform of the army, the war legacy or the issue of war crimes (especially in relation to the trials in The Hague), entry into the “Partnership for peace” and the participation of the army in international peace-keeping missions. The order of their priority was somewhat different depending

on the analysed media outlet. Other military topics of importance to the public – such as e.g. the social and economic position of the army, current situation (the army's defence readiness), attitudes of army members towards the past, regional security and the approach of the young to the army etc. – received scant attention.

The media presentations of the army reform process were largely similar, producing a highly simplified, incomplete, unbalanced and remarkably affirmative and optimistic picture of the reforms. The views revealing the process as a time-consuming and complex effort bound to be accompanied by a lot of difficulties were generally pushed into the background. The media only rarely addressed the problems of the reform process – the financial part of it, priorities of reform moves, ways to deal with the army's redundancies, difficulties and resistance to reforms, etc. – and instead insisted on the positive evaluations of the reforms, especially if coming from foreign actors.

Seventh, the media have not played an active role in the public debate of controversial military issues.

A number of issues revealed as controversial for both the general public and army members at the very outset of the research period – different concepts concerning the desirable numerical reduction of the army, attitudes towards the country's accession to the PfP and NATO – were simply ignored by the media, or else presented as non-problematic, marginalizing the opposing views.

The recent ICTY's indictment of the four generals, two of whom are army commanders accused of war crimes, also elicited both a political and public debate. This media gave this topic huge publicity, but acted more as a channel conveying the official views on the subject than as a forum or an actor of a serious dialogue. The avalanche of information (with the notable exceptions of the daily *Danas* and the weekly *Vreme*) failed to reveal an effort of the press to seriously analyse a single one of a host of related issues – the pros and cons of the extradition, trials before domestic courts, the meaning of command responsibility, the state's policy towards The Hague, The Hague's approach to Serbia, etc.

The issue of the army's participation in peace missions abroad was also one of the topics which, for a time, divided the public, and especially the political sphere. The media were the main arena of a highly intensive public debate with two opposed views. However, despite the large publicity, the media were once again passive reporters of the political conflict rather than active players uniquely positioned to ensure an equal exchange of arguments in the public debate or helper in forming an informed majority opinion based on analytical insight into the various aspects of the problem.

* Text in English translated by Ljiljana Nikolić

Part IV

III Panel – Security Dimension of Regional and Euroatlantic Integration

Dr. Branislav Milinković
Ministry of Foreign Affairs of SaM

1. Although by Euro-Atlantic integration we primarily imply NATO and its Partnership for Peace program, the OSCE also has a very strong Euro-Atlantic dimension. It is often overlooked that in addition to all the European countries, the US and Canada are full members of the OSCE.

The most distinguishable mark of the OSCE is its comprehensive approach to the security concept. It is based on the conviction that security cannot be reduced only to its military component, but that it is a concept that implies economic and environmental issues, as well as democratic development and protection of human rights, but also the complex problem of fighting terrorism. CSCE/OSCE is actually the first international organization that has recognized that international security implies such a wide-ranging approach. From the very beginning, with the adoption of the Helsinki Final Act in 1975, the OSCE has had “three baskets”: political and military, humanitarian, and economic and environmental. Today these are three dimensions of the OSCE. The political and military aspect has many similarities with what is taking place in the Partnership for Peace. The full implementation of the commitments and standards from the political and military aspect of the OSCE is the correct way to join this program, because these are similar issues, particularly in the domain of security sector reform. Finally, as far as the role of parliament is concerned, I would like to emphasize the OSCE parliamentary aspect. In addition to the government aspect (meetings of government representatives in Vienna and field activities of OSCE institutions and missions), the OSCE also has a parliamentary aspect. The OSCE Parliamentary Assembly also has its committee on security issues. I will divide my presentation on the OSCE approach into sections: normative, institutional, operative and regional approaches, and particularly cooperation of Western Balkans states within the OSCE.

2. First I would like to address the normative approach, or documents and standards that full members of this organization must respect. The 1975 Final Act contains measures for improving mutual trust in the area of military security. These are measures such as those of announcing military maneuvers to other members or on exchanging military observers. These measures were gradually separated in the 1990s, and this led to the Vienna Document on Confidence- and Security-Building

Measures. This document contains stipulations on exchanging military information, mutual visits during which checks are conducted as to whether information given to other members are true and accurate, keeping regular military contacts between member-countries, as well as certain regional measures. There have been interesting novelties in the domain of transparency of planning national defense and national security strategy. In addition to distributing national doctrines and defense strategies, the countries often opt to present them to delegations of other member-states at meetings of the OSCE Forum for Security Cooperation.

When we speak of the normative approach, one should note that the most important OSCE document for security sector reform is the Code of Conduct on Politico-Military Aspects of Security. This document was mentioned yesterday when colleagues from Bosnia and Herzegovina said that they based their program for democratization of the security sector and adapting it for joining the Partnership for Peace program, on the stipulations in this document. The Code of Conduct on Politico-Military Aspects of Security has 42 articles, in ten sections. The first six sections contain the familiar OSCE principles, such as the right to choose the security arrangement, the right to neutrality, right to prohibit imposing military domination or the principle of international cooperation in fighting terrorism. The main part of the Code of Conduct on Politico-Military Aspects of Security addresses the position of the security forces, and not only the military, but also the police and other security structures in democratic society. Sections seven to ten elaborate the principles of democratic control and democratic use of armed forces. The basic principles contained in these provisions are superiority of civil over military aspects, democratic and parliamentary control and the principle of transparency. An important principle is the political neutrality of the military. This also includes stipulations regarding respect of international humanitarian law in all operation where security forces are used, stipulations on the human rights of members of the armed forces, and stipulations on the recruitment system.

One should note that since 1999 there has been a customary practice of giving an annual report by filling a special questionnaire on how the member states are fulfilling their obligations contained in this Code. So far three conferences have been held where the practical implementation of the Code has been evaluated – in 1997, 1999 and 2000. At the last conference it was agreed that the aforementioned questionnaire should be additionally expanded to include detailed responses on what the countries are doing in the aspect of international cooperation in the struggle against terrorism.

In addition to the Code, it is important to mention several documents that have been adopted within the OSCE. The OSCE document on small and light arms (2000), with which the organization wanted to

react to the new type of security threat, which was reflected in uncontrolled proliferation of small and light arms. This document attempted to normalize registration of this armament, its stockpiling as well as destruction of unregistered weapons. Here too the questionnaire model was established. The member countries filled out questionnaires and distributed them among themselves to show what they were doing and how they were cooperating. For example, I will mention some documents that were adopted in the politico-military sphere, such as the Principles for transfer of commercial armament, Principles of non-proliferation and the Mechanism for consultations in the event of unusual military activity.

3. When speaking of the institutional aspects the basic issue is to determine which institutions within the OSCE primarily address politico-military issues. I have already mentioned that this is foremost the Forum for Security Cooperation, the body established at the Helsinki summit in 1992, which convenes once a week at the level of the state representatives to the OSCE. Its mandate includes negotiations on measures for building confidence and security in order to harmonize certain documents and monitor their implementation. It appears that in the past few years, it is precisely this body that has increased its significance, since it is increasingly fitting the main development of political debates within the OSCE, which revitalizes the significance of the politico-military aspect. On the other hand there is a specialized Conflict Prevention Center as part of the OSCE Secretariat, which handles politico-military aspects of security. For example this is where the questionnaires on how the member states are fulfilling the stipulations of the adopted OSCE documents.

The institutional approach could also include the regular holding of the OSCE Annual Security Review Conference. The fact that the United States have initiated this practice supports the thesis that even the greatest military power in the world also acknowledges the OSCE potential in the domain of politico-military aspects of security, despite claims that it disregards all security arrangements outside of NATO. The first such conference was held in June 2003. It discussed general issues of security problems, including those regarding conflict prevention and crisis management, as well as "classic" military-political issues, such as the present issues regarding the fight against terrorism.

Finally, even though this could be mentioned as part of the normative approach, the latest document adopted by the OSCE, at the ministerial meeting in Maastricht in December 2003, should be mentioned. This is the OSCE Strategy to Address Threats to Security and Stability in the Twenty-First Century. This document was created over a period of several years, particularly in 2002 and 2003. The strategy mentions old and new security threats. The old ones include so-called "frozen conflicts" and conflicts between states; while the new ones include terror-

ism, as well as threat regarding economic-environmental challenges, but also those in the domain of intolerance and xenophobia.

4. When I speak of the operative OSCE approach, I imply activities in the field, which are primarily the activities of the OSCE missions, which is how citizens recognize this organization in countries where missions are active. All the countries of the Western Balkans have OSCE missions that cooperate between themselves. One of their activities is this meeting. Each of these missions also handles politico-military OSCE aspects in some way. For example the OSCE Mission to SCG has among other things been very active in projects involving small and light arms. This Mission also has an extremely competent and engaged advisor for issues of building confidence and security, Dr. Vladimir Bilandzic. The OSCE Mission to Bosnia and Herzegovina is also very active in the reform of the security sector, the OSCE Mission to Macedonia is helping in the realization of the Ohrid Agreement, and the one in Croatia has helped in the realization of the project of destroying antipersonnel mines in line with the Ottawa Convention, while the mission in Albania has also addressed issues of small and light arms.

5. I will close with a brief observation on how the countries of South East Europe use the OSCE as a platform for mutual cooperation. In the past two or three years our countries have started holding regular consultations, among other things because they share common views on many issues within the OSCE, by having OSCE missions in their territory. Additionally the EU has launched a rather intensive process of regular monthly consultations within the OSCE with countries that are participating in the process of stabilization and association, i.e. countries of the Western Balkans. The EU has noted the choice for progress in fulfillment of obligations agreed with the EU in the process of stabilization and association to be observed through “the eyes and ears” of the OSCE missions in the field.

Finally, I consider very important the cooperation that the five countries of the Western Balkans have developed in preparations for the OSCE ministerial meeting in Maastricht in December 2003. From the very beginning of the negotiations we shared the opinion that our region should be represented in the final documents of the OSCE ministerial meeting. Through our joint approach we drew the attention of the other delegations and as a group of five we were more revered than we would have been individually. We achieved for a statement with a very positive tone be adopted, titled South East Europe as a Region of Cooperation. This implies not only cooperation between the countries of the region but also their cooperation with international organization that are active in the region. I believe that it is important for the topic of this meeting that this statement welcomes the efforts that the countries of the region have made so far in the domain of security sector reform.

* Text in English translated by Vuk Tošić

III Panel – Security Dimension of Regional and Euroatlantic Integration

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STABILIZATION AND ASSOCIATION PROCESS - EU REGIONAL APPROACH

I would like to start by recalling what the Balkans looked like in the previous period. It was a region torn apart by conflicts and wars, resulting in a large number of victims and refugees. For all of us living in this region, it was a difficult ten-year experience we came through in different ways. It was a hard one even for those who had to watch things happen, not only because it is painful to see the sufferings of other people in one's immediate or more distant environment, but also because, no matter whether it had to do with another country or another international organization, it was difficult to preserve the identity of a democratic actor if there is nothing one can do to help, stop or prevent such things from happening. The fact that they did happen in various parts of the region during the past ten years or so, put to the test the abilities, primarily of international organizations, to address this problem in a comprehensive and strategic manner. I will try to say something about EU motives in tackling this problem, which will reveal that the EU regional approach treats security as a derived issue. I must point out that the EU regional approach is not primarily security-conscious, but represents its attempt to use our wish to join the EU to "make" us observe some order, fulfil the conditions which are economically, politically and otherwise largely devised so as to apply to all countries of the region. These conditions are integral not only in regional terms, but also in terms of their approach to security, since they observe the economic and political dimension and thus attempt to put the countries and issues together. This is a way to respond to the fact that the conflicts and problems of the previous decade spilled over from one country to the next, transforming from one manifest form to another.

One of the first regional initiatives was the Royamont initiatives launched during the French presidency of the EU. It was not conceived as an exceptionally ambitious undertaking, but rather to assist the projects in the sphere of civil society, media and culture, aimed at

supporting the Dayton Accords. The Royamont initiative has remained operational to this date. It is concerned with inter-parliamentary cooperation within Table II of the Stability Pact, and is largely indicative, being the first to signal the future direction of the EU regional approach. The next step in the development of EU regional strategic thinking was the adoption of a document on the EU regional approach in 1997. It was much more concrete than the Royamont initiative and put forward a set of conditions that Western Balkan countries were expected to meet. The conditions have not undergone much change, which means that we have been hearing about them to this date. They are related to the respect of human and minority rights, as well as democratic principles, good neighbourly relations, a functioning market economy and observance of peace agreements where existent. Aware that some of these conditions sound just fine but are difficult to realize, the EU is trying to break them down into smaller parts and quantify them as well as to tie in their fulfilment with specific incentives, e.g. by linking the respect for human rights and democratic principles to a practical measure of renewing trade preferentials, eligibility for assistance or continuation of economic cooperation. And so it goes for every single thing. The next step, the final and most important in our case, was taken in 1999, during the NATO bombing of Serbia and Montenegro when the EU developed the process we now refer to as one of stabilization and association (SAp), essentially it enhanced the regional approach of 1997. The vital elements of the 1997 regional approach remain valid and have not been changed, except for greater emphasis on conditionality, both economic and political, along with the regional cooperation requirement. Therefore, the conditionality structure, substantially stronger so far, is simply an attempt to keep the countries of the Western Balkans on the right track and give stability to the whole region by stabilizing the economic and political circumstances. All this is to be achieved, over more or less the long term depending on the country concerned, by opening the prospect of EU membership. All countries of the region obtain the status of potential candidates, but are expected to demonstrate appropriate dynamism in fulfilling the given conditions.

I would like to make a brief review of these conditions and demonstrate what distinguishes them from those applied to the countries of Central and Eastern Europe. The initial three conditions of the regional approach, also applicable to Central and East European countries are, first, the respect for human and minority rights and the rule of law and functioning of democratic institutions. The second condition is the functioning market economy. This means an economy, which is open and functioning and has the mechanisms for identifying specific abuses, as well as those sanctioning such abuses should they

occur. The third condition, and the last one of the set adopted in Copenhagen in 1993 - also intended for Central and East European countries - has to do with the adoption of the *acquis communautaire*. This implies something, which I believe, is today highly important for Serbia and Montenegro, as well as for all countries of the Western Balkans, namely the ability to shoulder the responsibilities of EU membership. This condition, in my view, does not have to do only with the famous *acquis*, a body of legislation on 90-100,000 pages, which ought to be translated, adopted and then complied with in order for a country to join the EU, but also to something which is much more important - the need to adopt a compromise as a manner of solving important issues in society. The European integration stands precisely for the overcoming of difficult and sensitive issues by compromise, as was e.g. the case of creating the Coal and Steel Community, which by linking the coal and steel production sectors, crucial for war industry, provided the solution for French-German problems and thus precluded a future war between France and Germany. Or, the implementation of the agricultural policy during the time of De Gaulle, the admission of United Kingdom, resolution of various other issues and finally the adoption of the Single European Act, the establishment of the single market in 1992 and the proclamation of the EU. Quite simply, a compromise should be adopted as a way to deal with outstanding issues. That is, in my opinion, really essential for Serbia and Montenegro, as well as all countries of the Western Balkans wishing to make faster progress towards the EU.

However, there are two specific conditions, additional to those required of Central and East European countries. First, it is the need to establish intensive regional cooperation, which I believe is not hard to understand. The EU simply does not think that Western-Balkan states within the EU should expect Germany, France, Italy or any other country - Malta, too, one day – to give them more than they are prepared to offer each other. Thus, intensive regional cooperation, and a constructive approach to solving the outstanding regional problems are indeed required. No matter how strongly we wanted to join the EU and notwithstanding the EU wishes to stabilize the region on a lasting basis, the Union does not wish to do that by importing the above-mentioned problems. I believe that if the region were to enter the EU with these problems still unsolved, their destructive potential would soon reflect on the functioning of the European institutions, the budget and all other things. The second condition, most often referred to as highly sensitive, is the one of compliance with the signed peace agreements, and cooperation with The Hague tribunal on that basis. This set of conditions makes the backbone of the stabilization and association process. Some of them appear “simple” at first sight. Not one of

us would say that he/she objects to the respect of human and minority rights. But, if you just happen to be present at any of the technical negotiations between a candidate country and the European Commission – initially referred to as the Consultative WG, now the Promoted Permanent Dialogue in our case – you would see that in concrete talks even these relatively harmless general conditions turn into vital matters the state may not be ready to apply at that particular moment or even in the longer term. Gradually, they become transformed into conditions for security sector reforms, and then army reforms and, as is currently the case with Serbia and Montenegro, transfer of competences from military to regular courts. Thus the Commission in these technical talks finds the ways to translate whatever may seem a fine general point no one would refuse, into a specific obligation every government must fulfil and should never forget. On July 2, 2003, Serbia and Montenegro already had the first meeting of the Promoted Permanent Dialogue devoted to justice and internal affairs. The meeting brought about recommendations that the bodies of this country should adopt. After that, the European Commission started every subsequent stage of the talks with a question about the recommendations meanwhile adopted by the domestic judiciary and internal affairs. Thus, there is no possibility to forget a single one of these conditions. In order not to make this exercise resemble a teacher's efforts to make his students learn their lesson, the EU also provides assistance. In the case of our region it is the CARDS - Community Assistance for Reconstruction and Development - programme. That is the most generous international assistance we receive and derives from multi-annual indicative programmes. At this moment the indicative program for 2005/2006 is under consideration. There is also a regional CARDS programme, aimed at financing specific regional schemes such as those in the security sphere. For instance, in November 2003, under EU pressure, all countries of the Western Balkans adopted action plans for fighting organized crime, as a follow up to a conference held in London in November 2002. Furthermore, the regional CARDS programme currently finances a project related to visas, asylum and migrations. The EU is resolute to emphasize its regional component, as it believes that the program should be viewed within the context of redressing the consequences of conflicts and problems we had in this region. This means that the EU tends to finance such projects and at the same time ensures that they have a regional dimension and serve the purpose of solving a broader previously identified regional problem. The EU does not hesitate to stress the importance which things like that have for the success of each individual country within the SAp. Thus, it does not hesitate to make the point of the importance of speed in concluding a Stabilization and

Association Agreement, and the opening of negotiations for a country's accession to the EU.

The question is how the EU tracks the fulfilment of conditions "assigned" to the countries of the Western Balkans. First, the annual SAp report the Commission publishes for all five countries of the Western Balkans, is expected in late March of this year. In addition, pursuant to the conclusion of the Thessaloniki summit, the report shall this year, be accompanied by a draft document on European partnership intended for all Western-Balkan countries. By contrast from the Report, which is exclusively a Commission document, European partnership is a paper adopted by the EU Council, and therefore requires consultation among EU countries. European partnership shall offer a set of streamlined EU recommendations to each of the countries concerned. This should outline how countries should act in order to approach the Union. It means that the objectives remain the same for all countries, only a fair number of recommendations shall be specific: in the case of Serbia and Montenegro specific to the structure of the State union, for example, the progress achieved so far in practical reforms in each of the sectors. At this point we should note that the longer we travel along the road called SAp, the better the EU learns how to impose new conditions. The document on European partnership, as the Commission is always ready to stress, will now have a firmer structure, as they put it, and the implementation of recommendations will be linked with future incentives. That is precisely what we have recently heard in Serbia and Montenegro as a condition for the release of the next CARDS program tranche of 270 million euro for the fiscal year 2004. Therefore, the EU learning from experience, understands that we have been known to "slip out" and continues to find ever-new possibilities to "force" us into applying the recommendations. In that sense the European partnership will not comprise new recommendations but shall only systematically arrange the things we have already heard, and perhaps establish a stronger link between incentives and implementation.

This whole process is not always easy and, at times as there are quite specific things which make it difficult or pose a challenge for those involved. Sometimes it is burdened by things not necessarily liked with a candidate country: for instance, EU relations with other countries with respect to certain issues - e.g. the USA and the issue of the International Criminal Tribunal - figure from the point of view of relevant attitudes of future EU members. Or, the Union's relations with other organizations such as the CoE, NATO, "Partnership for peace", all of which have their own membership conditions. In addition, there are also the international financial institutions with their requirements which are not essentially of a political nature. However,

it often happens that macro financial EU assistance is made conditional on a specific arrangement with an international financial institution. It so happens that unless an agreement is reached with, e.g. the World Bank, macro financial assistance goes lacking. Actually, the approval of macro financial assistance in Serbia at one point of time depended on agreement with the IMF and the Paris Club of creditors. Still, what I think should be emphasized, and also the reason why the EU remains the main factor in stabilizing the region, is the reality that now all of its countries have democratically elected leaderships and that they all consider accession to the EU one of their most important foreign policy objectives. Therefore, the EU remains the most important factor for stabilizing the region in the long term. It has the strategic, long-term policy to pursue this objective. Sometimes we may say that it would be better to do something in this or that way but, by contrast from the USA where, specifically in the case of Serbia, you learn what else is required for certification every year, with the EU you know what needs to be done, there are no surprise factors. All the things that we hear now and may look like new conditions to us, derive from the five conditions we have known from the beginning. Furthermore, the EU is certainly the most generous in providing assistance and our obligation to comply with its conditions is therefore the largest. I repeat, the road we have taken will be neither be easy nor simple. It has to do with the all-comprising approach of the Union, whereby it avoids dealing with individual countries' problems by seeking to adopt a strategic approach, integral with respect to the region as well as to the problems, and to address both the countries and issues as a whole.

In conclusion, I would like to point out that the Western Balkan countries ought to be aware of the fact that by May this year the EU shall have ten new members, meaning new external borders and thus a number of new problems the EU will have to focus on. In addition, the decision on countries of the Western Balkans and their advance in the SAp will, from that time on, be taken with the participation of ten new members. This might mean that this could follow the rule that the youngest professor in school is always the most demanding, having recently passed through the experience himself and is disinclined to lower his criteria or show lenience. The EU will also have a number of new neighbouring countries and hence the need and interest to stabilize them in a way. Since the EU wishes to help us out, it is certainly in our interest to "press on" and thus qualify for speedier advance in that process.

Closing of the Conference

Miroslav Hadžić

Centre for Civil-Military Relations

Please allow me to briefly reflect on the key issues that have emerged during this conference. Conference participants have agreed upon the theoretical and political postulates concerning the idea of security sector reform.

These include the initial, and actually the central and pillar thesis that radical reform of the “inherited” security sector is one of the key prerequisites for establishing sustainable and functional democratic order. This thesis was convincingly backed not only through theoretical insights during the discussion but also by the presented experiences in the countries of the Western Balkans. It is also indisputable that the ultimate purpose, and thus the only measure of reform success is the security of the individual citizen. Only this kind of security can be the basis for the required security of the specific society or state to be achieved.

This leaves unresolved the issue of whether the citizens of the countries in the Western Balkans have already recognized the potential and actually measurable benefits that are to be gained through the reform of the security sector. An answer requires that we determine for citizens in what manner and form has the need for carrying out the reform of this sector and the armed forces been presented and proven. In other words, it should be assessed whether and to what extent the citizens have been informed of this concept. It would also be interesting to determine whether this reform part of their daily thought process, i.e. whether it is at all on their list of social and political priorities.

It can responsibly be said that this depends on the way reform issues have been communicated to citizens. Let me remind you that the key mediators are the media and civil society, in addition to parliament and political parties. Through public engagement they are expected to assist the people in recognizing the possible benefits to be gained from the reform of the security sector. This is particularly important for the citizens of the Western Balkans, who in the past 10-15 years have, due to the will of others, had the opportunity to experience first-hand the consequences of the lack of personal common security. The state institutions and powers tasked to maintain security had become the generators of its deficiency as well as the responsible

parties for the risk and threat born by their own citizens. Ultimately they joined in the destruction of their own state, crushing those that only yesterday were their compatriots. To make things worse, the security of most of the citizens in question has not significantly increased following the wartime creation of (uni)national states, i.e. following the Euro-Atlantic (military) intervention in the spreading wars.

War did change the circumstances of their national existence, but this did not eliminate any of the central causes of their chronic lack of security. With the conclusion of the conflict, these causes, which had in the meantime been supplemented with the consequences of war, were transformed and condensed into security risks of the post-socialist transition. It is at this point that the countries of the Western Balkans critically differed from the transition states of Central and Eastern Europe. This is why in the Western Balkans it is not just a matter of transition from an authoritarian (socialist) to a pro-democratic order. As we know, the problem is much more complex. This is about the challenges and risks of democratic transformation in a post-conflict society. In order for a society to leave behind the legacy of authoritarianism, it first must overcome a war suspended and prohibited by foreign intervention.

Therefore it is not surprising that in the countries of the Western Balkans the concept of security sector reform has additional meaning and requires extra effort. This is even more so because in these countries the given reform was not primarily motivated with the desire to adapt the existing security sector and armed forces (military, police, secret service, para-police forces) to the radically new and different geopolitical and security environment in the region and/or global community, and thus enabling them to provide an effective response to new security challenges, risks and threats. The countries of the Western Balkans and their citizens still face the task of post-war normalization of their societies and armed forces. This would be accomplished by relieving the political, military-police and secret services of the extra power that they gained during war. Only after these tasks have been completed can we arrive at the sufficient and necessary conditions for organizing a modern armed forces subordinated to democratically elected civil authorities.

On several occasions during previous discussions it had been emphasized that the lack of democratic awareness in the local citizenry is one of the reasons for the slow and difficult reform of the security sector in the Western Balkans. It is not unwarranted to once again reiterate the veracity of this claim. Even more so, this claim is based on the premises of vulgar communist enlightenment and the still fresh seedlings of communist beliefs. Communist ideology, let us recall,

was based on the illusion that it is possible (but also acceptable, even through use of force) to quickly and easily change the awareness of people; and that this could be done by putting them into a continuous ideological drill in a repressive political frame, in the name of higher historical objectives, and with the intention of creating “a new type of people,” – specifically unconditionally loyal subjects of oligarchic socialism willingly to be subjugated to the apparatuses of state force.

This certainly does not contest the need for further development and diversification of the steps required for transfer and internalizing knowledge on security already available and affirmed in the framework of European civilization. This is just not a simple and unidirectional transfer, but a creative development and modification tailored to suit the specific culture and tradition, as well as the needs of the given society. I fear however, that the desire to quickly change the awareness of the people cannot yield the desired results. This could also end in the “production” of a new type of believers, who could also become converts again tomorrow. A testament to this are tragic experiences of the second Yugoslavia, where yesterday’s fine communists and defenders of the common state became its greatest opponents overnight.

It is thus advisable to investigate the concealed reasons for this slow acceptance of the new thinking and practice in the countries of the Western Balkans. Judging according to previous discussions, one of the important obstacles in the dominance of political thinking at the heart of the “security dilemma.” I will take the liberty to recall that according to this notion the primary protected entity is the state. The armed forces are the main means for achieving security. In line with this, the security of the state, regardless of its undemocratic characteristics, is the main and thus indisputable objective. Only a large and well equipped armed forces can guarantee the achievement of sufficient security. The application of this concept in authoritarian societies ultimately leads to the abolishment of personal and family security in the local population, as proven by the experiences in socialist regimes.

I believe that the extended domination of traditional opinion is directly derived from the fact that the security profile of the Western Balkans, and thus South East Europe, is crucially determined by the long-term effect of basic contradictions and disproportions. All this also includes hidden generators and causes of potential clashes, i.e. challenges, risks and threats to the security of individual states and the entire region. The present demands for the further reorganization of the Western Balkans and creating new states testifies to this. They in fact are derived from hidden, conflicting and mutually counteracting territorial desires of the existing or emerging states. And in places where the conquering or renaming of territories exists, the inevitably

state-centric and military-centric views of security prevail. Additional reasons for postponing democratic reforms, including reforms of the security sector, are then derived from this context, in the name of achieving national goals.

This is why I believe that the present peace in South East Europe, and particularly in the Western Balkans, is less the result of the desire and will of local actors, and more the fact that those involved (US, NATO, EU) are holding the keys to regional security. True, they have given countries in the region an opportunity to together create a firmer foundation for achieving regional security, following the imposed cessation of war.

One should add that we are witnesses, and that we perhaps are not sufficiently aware, of the perverted return of the security dilemma to the present way of thinking and practicing security.

It appears that the new opinion of security today, following the upsurge during the 1990s, particularly in Euro-Atlantic circles, has been thoroughly shaken, if not abandoned, on account of the terrorist strike in the US. If the next world war is an antiterrorist war, the creation of a concept and managing preventive war has imposed a great dilemma on all those that today are redefining national security strategies. One could express this simply this way: is it advisable for a state to abandon the old concept of security, thus disposing of its armed forces and any semblance of security self-sufficiency because of an uncertain, difficult and expensive integration into the Euro-Atlantic community. This is scenarios is made more difficult because in principle and in reality chances have increased that a given state for various reasons could become the target of a new preventive war or any other interventionist undertaking.

This is further substantiated by the fact that the US preventive war against Iraq caused new conflicts among Euro-Atlantic allies. Let us recall that their mutual and unfortunately, primarily ideological differences have started. Therefore what is in question is the attempt to divide states from the same interest, cultural and civilizational sphere into allies and opponents – following the principle “who is not with us is against us.” This is why the conflict between the “new” and “old” Europe requires additional thought and research. This is particularly true of countries of the Western Balkans as they want to shape their new security identity. However, this is also extremely demanding when facing the needs and projections of the European Union and Euro-Atlantic community (NATO). This is why it is very important for them to reliably know what are the prospects for the EU and what are its future security capacities. This also requires that they have knowledge of all the crucial points of future EU development. This same demand applies even more to the place and role of a changing

NATO. All this unavoidably leads to the revision of the present and forecasted conduct of the global superpower - the United States of America (USA).

However, there is no evidence that the countries of the Western Balkans today have sufficient insight and parameters upon which they could more reliably predict security developments not only in the globalized world community, but also in their region. To make things worse, it appears that even those that are setting the course and tempo of security changes in the global community know this.

The countries of the Western Balkans should certainly not be prevented from continuing their search for their own security. Let us briefly go back to the previous discussion on the need to change the awareness of citizens. The mentioned countries do not have time to wait for most of their inhabitants to recognize or learn about personal or family benefits that will occur when and if they become secure, i.e. to understand and accept that the police, military or secret services, regardless of on whose behalf or for what reason they are active, must not do whatever please, etc. In any case, the experiences of modern societies remind us that it is necessary to reorganize the security sector through the constitution and laws while particularly following the principles of justice and separation of powers. The exercising of the legal state would then further promote and develop the citizens' awareness of the essential importance of their personal security for democratic order.

Allow me to give a brief illustration. The citizens of Serbia and Montenegro, for example, no longer have the time to wait for their political and other elites to agree on national interests and priorities. The duty of these elites is namely to guarantee sustainable security to the citizens, society and the state. For this purpose they must first create and adopt a new constitution and laws, and include in them the procedures and instruments for democratic civil control of the armed forces. This should reduce the possibility for their arbitrary internal and/or external use. There can be no successful reform of the security sector and armed forces without new constitutional and institutional solutions. More so, since it is only the normative reorganization of the security sphere that can create the necessary requirements for reinforcing the emerging democratic order.

All this certainly requires a change of the social, psychological and professional organs of the "inherited" armed forces. During the discussion we had the opportunity to mostly learn about the qualitative indicators of the reforms of the armed forces in the region. We, however, did not learn whether it is possible, and if so – how, to change the dominantly theoretical security matrix of members of the "inherited" armed forces. This is even more important since these are armed

forces that were created and shaped in a war that had a very strong ethnic and religious character. This is essentially the problem of adapting the armed forces to the needs of a democratic society. More precisely, we still do not have an answer as to whether, to what degree and at what tempo, the members of the present armed forces are willing to adopt the values of a democratic society. Only then could we reasonably expect for them to accept a new and different role of the armed forces in their society, i.e. to become the willing participants and bearers of their reform. This point brings together the greatest challenges of the security sector reforms, primarily because the tempo with which the officer corps adopts democratic values directly and crucially influences the success of the ongoing social reforms. This means that they can be expected to become devotees of democracy only when and if the stated reforms provide visible and measurable political, economic and social benefits for the citizens and society.

Therefore, this is yet another item where the idea and practice of security sector reforms in the countries of the Western Balkans differ from similar efforts in old and/or new democracies. This is how the local bearers of reform are on a type of political seesaw: the security sector reform requires previous democratic reconstruction and social reform, and the latter is not possible without the radical and pro-democratic reform of the security sector and armed forces. Post-October experiences in Serbia and Montenegro confirm that even the initial requirements for democratic order cannot be created without radical reform of this sector, i.e. that the lack - postponement and/or feigning - of such reforms is the main obstacle to the quicker and more effective democratic transformation of society. The main problem is that in a postwar society, reforms cannot and should not be carried out separately - first social reform and then the security sector, or vice versa. In other words, this is a simultaneous and thus difficult undertaking and task.

This is why changes that have occurred in the SCG armed forces mostly resemble reorganization for modernization. Some arguments could be found to back the claim that this is the initial phase of professionalization. However, there is insufficient evidence that would justify the attribute "reform" for the past changes. Benevolent interpretation of the ongoing change could be taken as a preparation for the reform of the military, police and secret services. However, the radical reform of the SCG security sector and armed forces will be possible only when the home society adopts and implements European standards in civilian life. This on the other hand requires a different environment of culture and values to be created, which would be appropriate for adopting basic values and universal achievements of Euro-Atlantic civilization.

This is supported by the following illustration. Events in Serbia and Montenegro show that in the local public the issue of human rights has still not been ideologized. Namely, the true materialization of these rights, particularly in the armed forces, is constantly postponed in the name of higher, national and state objectives. Quoting a poor political heritage and difficult socio-economic situation, is aimed to draw attention of the local public to “gaining or completing the state” or taking care of this or that important task. It is therefore no surprise that on such a list of political priorities there is not enough space, time or will to establish a culture of human rights. Their strict protection remains a secondary objective of democratic reforms – something that is allegedly also easily achievable at a later time. This is backed by the revived belief that the story of human rights is actually a (ideological) prank with the purpose of covering up the imperialist aims and interests of global powers (USA). This is facilitated by the numerous human rights violations during the NATO aggression against FRY/Serbia and the preventive war in Iraq, which are used in local political exchanges as an additional alibi argument. Nothing can change this, even the fact that all those whose human rights were unfortunately violated, know very well that this is no ideology. However, it is difficult to expect for military or police officers to be partial to honoring or protecting them in a place where the ruling elites have a careless view of human rights. It is more likely that they, as future members of integral state institutions, would more easily opt to violate human rights in the name of higher goals.

This brings an issue that we have not yet addressed to the focus of our discussions, one that is the essential part of the notion of security sector reform. This is the use, as well as the difficulties of the depoliticization and de-ideologization of the armed forces, especially those that have a wartime origin. There are reasons to suspect the claim that the depoliticization of the armed forces in the SCG has been completed, despite their nominal exclusion from politics. A crucial piece of evidence is the continually increasing discord between the declarative and actual, the promised and the achieved in undertaking reform. The verbal mimicry of the ruling elites increases accordingly. The armed forces elites adopted the new speech, and grasped its vocabulary – democracy, legal state, market, integration – with the same rate that the (new/old) political elites adopted them. The heads of the armed forces juggle phrases of operability (with NATO), democratic control, security sector reform, etc. frequently and without any difficulty. Thus in the spring of 2001 military generals publicly stated that they (the Army) are in favor of civil control, and then called on the new authorities (DOS) to control them – not taking into account that both sides have different thoughts of this “syntagma.” This is why it is necessary

to continuously check what is hiding (whose and what interests and aims) behind the verbal loyalty to reforms and Euro-Atlantic standards. To make things more difficult, it appears that there is a concealed re-ideologization of parts of the armed forces going on in Serbia and Montenegro, particularly the Army. It appears that there is a creeping and anti-constitutional, clericalization of (part) of the officer corps. The ultimate consequence is the maintenance of the ideological, black-and-white, thought matrix. We cannot know in advance who, when, how and in what way values will fill this matrix – at one point communism, then nationalism left, and now (anti-modernistic) xenophobia. The survival of such a matrix keeps the military and other parts of the armed forces in an ideological plane, and does not eliminate the possibility of their future (repeated) misuse.

In the end, let me say several words on security cooperation and integration, i.e. the prospects for security normalization and stabilization of the Western Balkans (South East Europe). It is often overlooked that South East Europe has economically, politically and security terms never been constituted as a region. The modern history of the Balkans states that its configuration and state composition has always and ultimately been decided by great powers. Therefore, always in cooperation with local participants, who in following their state and national interests always reached for strong and useful foreign allies. Following the disintegration of the block structure, it turned out that the US (NATO) and Warsaw Pact were the true guarantors of the (seemingly) regional security. Their presence prevented interstate and/or internal (armed) conflicts. This is why the disappearance of foreign security support in the case of Yugoslavia, together with internal reasons that emerged from the fall of socialism and the failure of a country, inevitably led to war. It is therefore sensible to claim that the full integration of the region into the Euro-Atlantic community will be made possible once the countries of the Western Balkans find and create autonomous procedures for achieving individual and common security.

The parliaments of the countries of the Western Balkans could and should play a crucial role in this venture. Here I primarily have in mind the need for every state (nation) to publicly and politically generate its war balance, and leave behind its war baggage. Even more so, since the war legacy represents the main obstruction to starting true security cooperation in the region, and without absolution of the war baggage there can be no credible proof of the strategic choice of any country for regional and Euro-Atlantic integration. Only once the local parliaments give political assessments of merit, based on serious research and that establish the true reasons for the eruption and spilling over of the Yu-wars, will it be possible to perhaps speed up and additionally

promote regional cooperation. Until this has been done, the parliaments will continue to be nominally the key, and actually the mock institution where only decisions passed in partisan centers (interest groups) are legitimized and legalized. I am convinced that these are the main reasons why parliaments have so far had a secondary role in the reform of the security sector. Here I have in mind the example of Serbia and Montenegro. Serious researchers have already shown that all three local parliaments have been made powerless. The power therefore lies outside of them. They do not adopt strategic political and security decisions. It is no surprise then that parliamentarians behave primarily, like party foot soldiers, instead of being the (co)creators of normative and strategic frameworks for democratic and security development of society. This is why it is difficult to prove that the parliaments and their members have an additional role in controlling the armed forces and security sector.

This aforementioned passivity can partially be explained with the lack of genuine knowledge not only regarding the reform of the security sector, but also parliament's role in it. This deficiency can be reduced through continuing cooperation not only between the parliaments but also between other, governmental and non-governmental institutions in the countries of the Western Balkans. This is why it would be useful to find new forms, contents and topics for further bilateral and multilateral cooperation among parliaments represented here, and in connection with ongoing security sector reforms. It would be particularly useful, as stressed in the workshops yesterday, for meetings to be organized with parliamentarians from modern democratic societies. This would be a unique opportunity for local parliamentarians to learn from their colleagues whether, how and how much they control their armed forces, particularly secret services, i.e. to what extent they actually influence budgets for the military, police and secret services.

I believe that I will not be wrong in the end, if relying on the course of the Conference I point out that our main topic, which we have addressed over the previous day and a half, can and should be broken down and put into action. In line with these special fields and forms of cooperation among parliamentarians of the countries of the Western Balkans on security sector reform could be defined.

* Text in English translated by Vuk Tošić

List of Participants

International Conference THE ROLE OF PARLIAMENT IN SECURITY SECTOR REFORM IN THE COUNTRIES OF THE WESTERN BALKANS

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- Shaban Memia, *Vice-Chairman, Parliamentary Standing Committee on Public Order*
- Astrit Bushati, *Member of Parliament*
- Gazmir Bizhga, *Member of Parliament*

BOSNIA AND HERZEGOVINA

PARLIAMENT OF BOSNIA AND HERZEGOVINA

- Zoran Spasojević, *Chairman, Committee for Defence and Security Policy*
- Branko Zrno, *Deputy Chairman, Committee for Defence and Security Policy*
- Seada Palavrić, *Member, Committee for Defence and Security Policy*
- Adem Huskić, *Member, Committee for Defence and Security Policy*
- Boško Šiljegović, *Member, Committee for Defence and Security Policy*

STANDING COMMITTEE FOR MILITARY ISSUES

- Stjepan Pocrnja, *Secretariat, Standing Committee for Military Issues*

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- Momo Ševarika, *Parliamentary Defence Expert*
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PARLIAMENT OF CROATIA

- Karmela Caparin, *Vice-President, Committee for Gender Equality*
- Marin Jurjević, *Member, Committee for Foreign Policy*

- Niko Rebić, *Member, Committee for Interior Policy and National Security*
- Katarina Fuček, *Vice-President, Committee for Information, Reporting and Media*

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- Mladen Nakić, *Ministry of Defence*

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- Zoran Pusić, *Member, Civil Committee for Human Rights*
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- Zoran Šami, *Member of Parliament*
- Tarzan Milošević, *Member of Parliament*
- Aleksandar Žurić, *Member of Parliament*
- Miodrag Iličković, *Member of Parliament*
- Aleksandar Nikolić, *Member of Parliament*
- Toplica Đorđević, *Member of Parliament*

- Ranko Kadić, *Member of Parliament*
- Velimir Radojević, *Member of Parliament*
- Miljan Laušević, *Member of Parliament*
- Aleksandar Pravdić, *Member of Parliament*
- Milan Jeličić, *Member of Parliament*
- Gordana Perišić, *Secretary, Commission for Intelligence Agencies Control*
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- Petar Vico, *First Advisor and Director, Department for NATO, Arms Control and Military Aspects of Security*
- Vladan Lazović, *Third Secretary, NATO Department, Arms Control and Military Aspects of Security*
- Marko Samardžija, *Third Secretary, NATO Department, Arms Control and Military Aspects of Security*
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