



CENTAR ZA EVROATLANTSKE STUDIJE - CEAS

napredak, posvećenost, uticaj

FOR A MORE DYNAMIC REFORM OF THE SECURITY SECTOR IN SERBIA

ANALYSIS OF RESULTS OF A POLL CONDUCTED AMONG
NATIONAL ASSEMBLY DEPUTIES, STATE OFFICIALS AND CIVIL
SOCIETY ACTIVISTS ABOUT THE STATE OF AFFAIRS IN THE
SECURITY SECTOR IN SERBIA AND FURTHER REFORM STEPS
THAT NEED TO BE TAKEN

AND CEAS'S RECOMMENDATIONS FOR CONTINUED REFORM OF
THE SECURITY SECTOR IN SERBIA FORMULATED ON THE BASIS
OF THE POLL AND OTHER RESEARCH-ANALYTICAL ACTIVITIES IN
THIS AREA



CENTER FOR EURO-ATLANTIC STUDIES, NOVEMBER 2012

THIS ANALYSIS AND RECOMMENDATIONS ARE A PART OF THE PROJECT
"IT'S TIME: ADVOCACY OF CONTINUED REFORM OF THE SECURITY SECTOR IN SERBIA"
CARRIED OUT WITH THE SUPPORT OF THE NATIONAL ENDOWMENT FOR DEMOCRACY FROM WASHINGTON



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Summary

As a part of the project “It’s Time: Advocacy of Continued Reform of the Security Sector in Serbia” carried out by the Center for Euro-Atlantic Studies (CEAS) from Belgrade and supported by the National Endowment for Democracy (NED) from Washington, USA, CEAS conducted a poll about the way deputies, state officials and civil society activists perceive the state of affairs in the security sector in Serbia, which further reform steps they consider necessary and which main actors they perceive as capable of undertaking or facilitating reforms. The state of affairs has been evaluated numerically and descriptively.

Some of the most interesting findings are:

- *Most respondents have a positive attitude towards EU integration of Serbia as well as toward the possibility of the process to contribute to further reform of the security sector, but respondents are mostly restrained about NATO and the possibility of cooperation with NATO to serve as a catalyst of further reforms. Most endorse cooperation with NATO (within Partnership for Peace and the Individual Partnership Action Plan) but not accession to this organization.*
- *Most respondents maintain that the National Security Strategy and the Defense Strategy of the Republic of Serbia are inappropriate and/or retrograde documents.*
- *Almost all respondents said that the private security sector represented a security threat both to the citizens and the state, primarily due to the lack of legal regulation in this area and the lack of possibilities of control over companies which do business in this sector.*

It has been shown that there are less differences between politicians and civil society activists as well as within the politicians’ group (between deputies and other officials or between opposition and governing politicians) than had been anticipated at the start. They all accept the concept of civilian democratic control over the security sector. However, NGO activists and opposition politicians are more interested in lustration, in greater publicity and transparency of the work of security sector institutions and in solving concretely identified problems than is the case with politicians in power. Moreover, they place greater emphasis on the need for cooperation with NATO or even accession to this organization.

On the basis of an analysis of poll findings, CEAS has formulated recommendations for continued reform of the security sector. Some of the main recommendations are:

- *Intensify the process of EU integration, fulfill obligations under Chapter 31 (Foreign Security and Defense Policy) as swiftly as possible and fully use the possibility of cooperation with the EU within CSDP.*
- *adopt new strategic documents concerning foreign policy, national security and defense*
- *urgently enact laws regulating the private security sector.*

1. Introductory remarks

The goal of the project „It's Time: Advocacy of Continued Reform of the Security Sector in Serbia,“ carried out by the Center for Euro-Atlantic Studies (CEAS) from Belgrade and supported by the National Endowment for Democracy (NED) from Washington, USA, is to exert a pressure on Serbian authorities as well as representatives of the Western international community to place high on the list of their priorities the issue of continuation of a comprehensive reform of the security sector, namely the Army, the police, the judiciary, the security and intelligence services, other agencies performing tasks which affect security and the private security sector. We have set this goal having assessed that the reform of the security sector has never been placed on the top of the list of priorities by political decision-makers in Serbia, given that a series of omissions had been made during the previous process of reform, primarily in terms of selection of staff, lack of harmonization of strategic documents and the amount of reforms that remain to be undertaken in this field in Serbia.

A part of the aforementioned project is a poll inquiring about perception of state in which the security sector in Serbia finds itself, further reform steps that need to be taken and main actors capable of taking or facilitating them. Twenty-five persons have been polled. The analysis of results used the method of quasi-statistical description.

A round table about possibilities of continuation of reform of the security sector will also be held as a part of the project. This report will serve as its main working material.

As far as methodology is concerned, the CEAS did not conduct a public opinion poll, but a poll inquiring about opinions of experts or people included in monitoring and/or creating the security policy in Serbia. The aim of CEAS was to gain an insight into the way the said target groups perceive the existing normative and actual state of affairs in the security sector, further reforms that need to be taken and potential reform actors. The members of the target group were invited, as a part of an open poll, to provide descriptive rather than merely numerical responses and state their views, give suggestions and thus themselves contribute to public discussion about reform of the security sector. The CEAS guaranteed anonymity of responses.

The formulation of questions included in the questionnaire was determined by several factors. Primarily, our aim was to gain an insight into how selected target groups perceive the state affairs in the security sector in Serbia, the necessary further reform steps and main actors capable of implementing or facilitating them. The questions were formulated on the basis of results of CEAS's previous research-analytical activities and experience acquired by monitoring reform of the security sector and foreign policy of the Republic of Serbia. We reached a conclusion that most instruments designed to measure the scope of reform of the security sector were conceptualized in accordance with requirements and interests of donors mostly interested in only some aspects of reform. Thus, for example, priorities of the EU are reform of the police and internal affairs, while NATO mostly focuses on reform of the defense system. In order to get a full picture of the state of affairs in the security sector in Serbia, we have designed a questionnaire encompassing both quantitative and qualitative indicators. The questions are focused on three groups of actors in the security sector – the police, the Army and the intelligence community. However, in order to obtain a full picture we also asked the respondents to assess compatibility of enacted strategic documents and the situation in private security sector.

In accordance with our research topic – the state of affairs in the security sector in Serbia – we have selected specific target groups. They include public officials, as one group, deputies and other party officials as another and representatives of non-governmental organizations as a third group. The reason for the choice of these three specific groups is their position in the security sector and, concretely, the role and the influence they exert on decision-makers in the process of the sector reform.

While conducting the poll, CEAS encountered a number of problems. The poll was conducted in the midst of negotiations about the new government or immediately after it was formed. The deputies, officials and administrative staff have only just assumed their positions. All respondents were acquainted with urgency of the issue of reform of the security sector and very participation in the poll was meant to entice them to think about this topic.

Some have openly confessed that they do not sufficiently understand the issue of security. Others have tried to respond the best they can, even when answers were partial or reflected a lack of information. The third have ignored the poll or had promised to participate but then denied cooperation. A certain number flatly refused to cooperate with CEAS. A kind of a control group in the poll consisted of activists of relevant non-governmental organizations, as a segment of society which monitors the state of affairs in the sector, but does not take part in the execution of authority. A total of 25 respondents have taken part in the poll, including relevant representatives of the Serbian Progress Party, the Democratic Party, the Liberal Democratic Party, the United Regions of Serbia, the Social Democratic Party of Serbia, the New Serbia, the Party of United Pensioners of Serbia, the League of Social Democrats of Vojvodina and the Strength of Serbia Movement.

In what follows we will present and analyze responses of poll participants and subsequently give recommendations to political decision-makers in Serbia.

We stress once again that results of this poll are not a reflection of the general public opinion. They cannot be used to draw conclusions about attitudes of the citizens of Serbia. Analyzing responses to the questionnaire, especially narrative ones, the CEAS research team has tried to corroborate its basic assumptions and correct them if necessary, comparing them to arguments furnished by the respondents.

2. Poll findings and commentary of responses

2.1. Democratic governance

Functional democratic governance implies efficient and effective transparent governance of the security sector, along with existence of economic, political, legal and financial accountability. Bearing this in mind, the first group of questions in the questionnaire was conceived so as to provide quantitative indicators which pertain to functional democratic governance in the security sector, focusing on the police, the Army (including the Military Intelligence Agency (VOA), the Military Security Agency (VBA) and the Security Information Agency (BIA)).

2.2 Democratic governance – representation of various social groups and women

As a part of the first question concerning functional democratic governance, the respondents were asked to assess representation of various social minority groups (national, sexual and religious) and representation of women in three aforementioned security sector bodies.

Asked about representation of social groups and women, the respondents gave the highest marks to the police, which obtained an average mark of 2.9. The police was marked best for the representation of women, obtaining a mark of 3.2, while representation of social groups obtained an average mark of 2.6.

The Army was marked in this respect with an average mark of 2.1. The representation of women again obtained the higher mark of 2.1, while representation of social groups was marked 2.0.

In terms of representation of social groups and women, BIA obtained an average mark of 1.9, while individual average marks are 2.3 for representation of women and 1.6 for representation of social groups (this is the lowest average mark obtained in this respect among all security bodies).

2.3 Democratic governance - transparency

The second category measured as a part of the first question concerning functional democratic governance was transparency of the work of three aforementioned security sector bodies. We specified financial transparency and transparency in terms of accessibility of information about their work as separate elements of transparency. As a part of this question, we asked the respondents to assess the discrepancy between normative and actual state of affairs, enabling us to tell whether appropriate laws had been enacted but not observed.

The results we obtained show that normatively the best rated in this respect is the work of the police, which obtained a total average mark of 2.8, while its actual transparency deserved a mark of 2.3. Individually, financial transparency of the work of the Interior Ministry normatively obtained an average mark of 2.5, while actual situation regarding financial transparency was graded 1.9. The accessibility of information about the work of the Interior Ministry was given an average mark of 3.1 in normative terms and 2.6 in actual terms.

The normative aspect of transparency is the weakest when it comes to BIA, given that the average mark is 2.2, while the actual aspect of BIA's transparency was rated 1.9 on average. Financial transparency of BIA obtained an average mark of 2.2 in normative terms and 1.9 in actual terms. The normative aspect of accessibility of information about BIA's work was marked 2.3, while actual state of affairs in this respect deserved an average mark of 2.0.

The Army stands in the middle between them, having obtained an average mark for normative aspects of its transparency of 2.5 and 1.9 for the actual state of affairs. An average mark for the normative aspect of the Army's financial transparency was 2.4, for actual situation regarding financial transparency it obtained a mark of 1.7. The normative aspect of accessibility of information about the Army's work was rated 2.6 and the actual situation in this respect obtained a mark of 2.2.

The data suggest that the greatest discrepancy between normative and actual state of affairs can be observed when it comes to transparency of the work of the Army, with the negative difference of 0.6.

2.4 Democratic governance – public civilian control

The third category we measured within functional democratic governance section is democratic and public civilian control over the security sector, as one of the most important prerequisites of a successful reform of the security sector. As a part of this category, we focused on parliamentary control, cooperation with the media and civil society, control exerted by judicial and executive branches of government as well as oversight conducted by independent regulatory agencies. Since we wanted to ascertain whether the discrepancy between enacted laws and their implementation exists and if yes, to what extent, we once again asked the respondents to assess both normative and actual state of affairs within each category.

According to the data we obtained, the normative aspect of democratic public and civilian control over the work of the police is rated with the best total average mark of 3.5, while actual public and civilian control over its work was marked 2.7. Therefore, there is a notable discrepancy between normative and actual state of affairs, amounting to as much as 0.8. The normative aspect of parliamentary control and oversight was given a total average mark of 3.5 and actual parliamentary control and oversight were rated 3.2. The normative regulation of cooperation with civil society was marked 2.8 and actual state of this cooperation was marked 2.4. The normative regulation of judicial oversight over the work of the police was rated 2.8 and actual state of judicial oversight obtained a mark of 2.7. The normative aspect of the oversight of the executive authorities was marked 3.3, while actual state of affairs regarding the oversight of the executive authorities over the work of the police was marked 2.9. The control exerted by independent regulatory bodies of the Interior Ministry was normatively marked 3.1, but actual state of affairs obtained a mark of 2.6.

The normative aspect of democratic and public civilian control over the Army was given a total average mark of 2.8 and actual civilian control over the Army was rated 2.3. The normative dimension of parliamentary control and oversight were rated with a total average mark of 2.9 and actual situation regarding parliamentary oversight over the Army a mark of 2.0. The normative regulation of the Army's cooperation with the media was marked 2.9, but actual cooperation obtained a mark of 2.6. The normative regulation of the Army's cooperation with civil society was marked 2.6 and actual cooperation was marked 2.4. The normative aspect of the oversight of executive authorities over the Army obtained the mark of 3.0, while actual situation regarding executive oversight over the military was given a mark of 2.7. The oversight of independent regulatory bodies over the Army was normatively rated 2.7, but actual state of affairs was marked 2.4.

The total average mark for normative aspect of democratic and public civilian control over the work of BIA is 2.5, while total average mark for actual situation regarding civilian control over the work of BIA is 2.0. The normative regulation of parliamentary control and oversight was rated with the total average mark of 2.6, and actual situation regarding parliamentary control of BIA an average mark of 2.3. The cooperation with civil society from the normative aspect was marked 2.1, while actual cooperation was marked 1.7. The normative aspect of judicial oversight of the work of BIA was marked 2.4, while actual judicial control over BIA

obtained a mark of 1.9. The normative dimension of the executive authorities' oversight over the work of BIA was marked 2.8, but actual executive oversight earned the mark of 2.5. The normative aspect of the oversight of independent regulatory bodies over BIA was marked 2.8, while their actual oversight was marked 2.0.

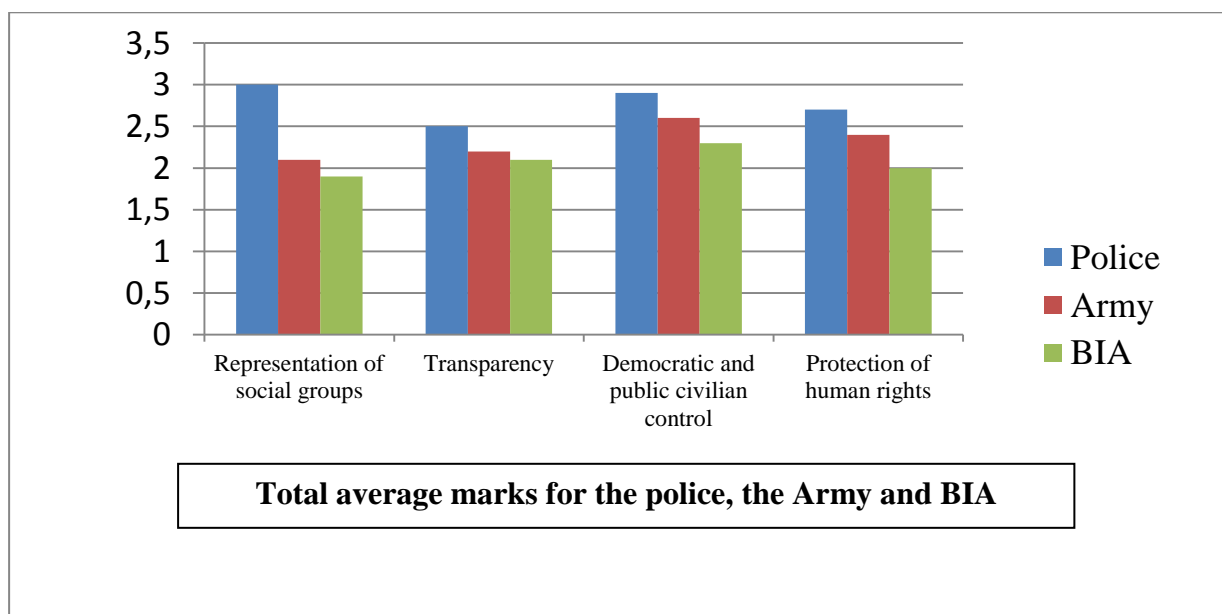
2.5 Democratic governance – protection of human rights

Considering the fact that human rights are inalienable, that everyone is entitled to them and that members of military forces are primarily citizens, even though armed forces make a part of institutional and social structure, the fourth part of the first question inquired about the respondents' assessment of protection of human rights of employees in the security sector as well as citizens in their contacts with security sector representatives.

The findings indicate that in the area of human rights protection the police once again obtained marks higher than the other two sectors, scoring an average 2.8 for the normative aspect and 2.5 for the actual state of affairs. The normative dimension of human rights protection of police force members was marked on average 2.9 and actual human rights protection of members of the police was marked 2.4. The normative aspect of protection of human rights of citizens in their contacts with the police was marked 2.8 on average, while actual human rights protection of citizens *vis-a-vis* the police was marked 2.6.

The human rights protection within the Army in both normative and actual dimensions obtained an average mark of 2.2. In the field of human rights protection of the Army members the average mark of 2.6 was given to the normative aspect and the average mark of 2.2 for actual state of affairs. The normative regulation of citizens' human rights protection in their contact with the Army was marked 2.5 and actual observance of their rights was marked 2.3.

The normative regulation of human rights protection within BIA obtained a total average mark of 2.2 and actual observance of human rights by BIA obtained an average mark of 1.9. The normative dimension of human rights protection of BIA employees obtained an average mark of 2.4 and actual observance of their rights was marked 1.9. The normative regulation of human rights protection of citizens in their contact with BIA representatives obtained an average mark of 2.1 and actual observance of citizens' rights was marked 1.8.



2.6 Measures crucial for continuation of reform

The second question referred to continuation of reforms in security sector institutions, namely the Army (including VOA and VBA), the police and BIA. The respondents were asked to cite at least three measures they consider crucial for continuation of reform of these institutions. The responses varied depending on the groups of respondents.

2.7 Continuation of reforms – the Army (including VBA and VOA)

Further professionalization, modernization, organizational upgrading and acquisition of better technical equipment were cited by respondents as crucial measures that ought to be taken to continue reforming the Army. The Army should be small, mobile, well equipped, efficient and appropriate to the needs of the state (especially in order to respond to contemporary security threats such as terrorism). Its members ought to be well educated, trained and financially well provided for. A large number of respondents also mention the need for greater financial transparency of the work of the Army, better cooperation with the media and civil society and better oversight of competent parliamentary committees over the Army. Some of the measures emphasized by the respondents are that the Army should observe recommendations issued by independent regulatory bodies and better protect human rights of members of minority groups (the Bosniak national minority was particularly singled out). Most respondents emphasized the need to strengthen cooperation with the EU (in joint missions abroad). More than half of the respondents endorse cooperation with NATO, but only a very small number endorse seeking a membership in that organization, while around 30% of respondents oppose any cooperation with the NATO alliance. The difference in answers between deputies and party and public officials on the one hand and non-governmental activists on the other is pronounced. While the former emphasize aspects of professionalization and organizational-technical upgrading of the Army, the latter mention the importance of transparency of the Army's work, cooperation with the media and civil society, representation of women and minorities and protection of human rights of Army members.

Two military security services, VBA and VOA, were treated by most respondents as a part of the Army, proposing the same measures for the Army and for these services as its parts. However, some respondents have provided an interesting separate answers and suggestions concerning existence of as much as two military services. They stressed the need to clearly define their areas of jurisdiction and authority, to depoliticize and modernize them and establish firmer internal and external parliamentary oversight over their work and, last but not least, relinquishing their police powers. Some also mentioned lustration and the need for these institutions to appropriately re-organize.

There are various opinions about the future of VOA even among officials of the ruling parties. Some respondents think it should be abolished as a part of a broader reform of the security sector and replaced with a unique civilian-military service. Other advocate its reforming, upgrading of its infrastructure and technical equipment and training of its staff „for organized and planned monitoring of crises in regions where national forces are or can be engaged in multinational operations... as well as for development of the Army's interoperability.“

Unlike VOA, there is no disagreement among respondents about the necessity of existence of VBA, but there is some disagreement about which reform steps ought first to be taken. All agree that VBA should relinquish its police powers, that the target of its activity should only

be military officials for the sole purpose of their counter-intelligence protection, as well as considerably stronger parliamentary oversight. Furthermore, some of the respondents maintain that special measures allowed to be applied by VBA should be defined more precisely, as well as the actor (a court or a minister) entitled to authorize them. On the other hand it was also emphasized that all these reforms ought to be preceded by a lustration process.

2.8 Continuation of reform – the police

The measures which the respondents proposed for reform of the police concern primarily its relationship toward the citizens. They include faster police response to citizens' requests, better communication and cooperation with citizens (the concept of „local community police“ was mentioned as well as overall decentralization and better cooperation with local communities), stifling of corruption, transparency and greater representation of women and marginalized groups. The need to further professionalize and depoliticize the police was mentioned as well as the need to „demilitarize“ it (not only from civil society activists but also from politicians), along with its lustration and re-education. Some responses stressed the necessity to reinforce cross-border police, legal regulation of the private security sector (precisely in the context of questions about the police), greater autonomy of the police's internal control (SUKP), international and regional cooperation and introduction of an institution of „ministerial accountability.“

2.9 Continuation of reforms – BIA

The need for greater parliamentary control over BIA is reiterated in all responses and there is no difference between politicians and civil society activists in this respect, or between politicians from the ruling coalition and the opposition. However, the politicians (deputies, party and public officials) put much greater emphasis than activists on the importance of parliamentary control (for example: „The Parliament should be the main pillar of control“), more effective work of competent parliamentary committees and similar bodies, while civil society activists put more emphasis on control exerted by independent regulatory bodies or civil society organizations, including „better cooperation of BIA with the media.“ The politicians have provided more comprehensive answers and more detailed suggestions, at least when BIA is concerned. They maintain that complete reorganization of BIA is necessary, both territorial, conceptual and in terms of human resources. Separating BIA from the police should be continued and, in accordance with the Constitution, its police powers ought to be relinquished. BIA's main area of activity is considered to be counter-intelligence activity as well as fight against organized crime, terrorism and (in one response) against „weapons of mass destruction.“ Depoliticization, prevention of political and clan-associated misuse, lustration and/or opening of secret services files is also mentioned by several respondents. On the other hand, activists particularly stress „greater transparency,“ „enhanced integrity“ and other steps related to disbursal of funds and fight against corruption.

2.10 Continuation of reforms – conclusion

The respondents have given very comprehensive answers to this question. It has been shown that between politicians and activists, as well as within the group of politicians (between deputies and other officials and between opposition and ruling politicians) there are fewer differences than had been anticipated at the start. Everyone accepts the concept of civilian democratic control over the security sector. However, activists and opposition politicians are more interested in lustration, publicity and transparency of the work of security services and

in solving concretely identified problems. Moreover, they more frequently emphasize the need for cooperation with NATO or even accession to this military alliance.

2.11. Bringing the Constitution and strategic documents into line

The third question referred to the respondents' assessment of the extent to which the Constitution and strategic documents (the National Security Strategy of the Republic of Serbia and the Defense Strategy of the Republic of Serbia) are brought into line and the extent to which they contribute to continuation of a successful reform of the security sector.

2.12. Public Officials

The first group of respondents consisting of public officials mostly assumed a positive attitude towards the Constitution and strategic documents of the Republic of Serbia. The criticism was aimed at individual shortcomings of the said documents. The Constitution was criticized mostly because according to its provisions the National Assembly controls the work of security services but not the work of other actors in the security sector. Furthermore, according to the Constitution, the National Assembly adopts a Defense Strategy, but not a National Security Strategy, which is a constitutional provision considered problematic. The Constitution was also criticized for not containing provisions about the National Security Council.

The National Security Strategy was mostly assessed as insufficiently aligned with the Constitution, but the respondents have not stated in which areas the Strategy and the Constitution are not aligned, that is, where the greatest discrepancy lies. One group of answers can be said not to have specifically criticized the content of the National Security Strategy but to have expressed a general attitude that strategies enacted in Serbia, including the National Security Strategy, remain a dead letter and are not a living political concept, that is, that there is no real intention to truly implement proclaimed goals.

Most respondents among public officials assessed that the Defense Strategy is sufficiently aligned with the Constitution, without providing more comprehensive or detailed explanation or commentary. However, it was observed that a group of respondents has failed to reply to the third part of the third question.

2.13. Deputies and other party officials

During the analysis of answers to this question it became clear that two types of answers were provided – one saying that the Constitution was appropriate and aligned with the national interest of the Republic of Serbia and the other saying that the Constitution is retrograde i.e. that it blocs Euro-Atlantic integration of the Republic of Serbia. The deputies and party officials of the ruling coalition were mostly the ones who expressed a positive attitude towards the Constitution, while representatives of the oppositional political parties were mostly neutral or critical towards it. The regularity was also observed that right-wing or nationalistically-oriented political parties mostly had a positive attitude towards the Constitution, while parties of liberal or civic orientation have had a negative relationship towards the Constitution.

Most respondents reserved greater criticism for the National Security Strategy, regardless of political orientation they subscribe to. Most agree that it is necessary to enact a new National Security Strategy. However, motives for enacting a new strategy are different. One group of respondents is critical of the Strategy because it is inappropriate i.e. state-centric, because it enumerates threats do not truly endanger the security of Serbian citizens and because it is not in line with the process of Euro-Atlantic integration of Serbia. The other group of respondents criticize the Strategy for the very opposite reasons – for not sufficiently protecting the Serbian national interest and because the list of threats should be revised so as to allow greater state protection.

The respondents from this group have mostly failed to answer the question concerning the National Defense Strategy. Rare answers mostly contained critical attitudes stating that the Strategy is not fully in accordance with strategic orientation of the Republic of Serbia to be militarily neutral regarding existing military alliances i.e. that the said military neutrality is not at all mentioned in the Defense Strategy.

2.14. Civil society representatives

This group of respondents was mostly critical towards the Constitution. In the greatest number of cases, the Constitution was criticized for its focus on Kosovo and is experienced as an obstacle in the process of Euro-Atlantic integration of Serbia. The Constitution is considered retrograde and blocking the reform of the security sector.

The Security Strategy is considered by civil society representatives to be outdated, retrograde and out of sync with contemporary challenges, risks and threats to security of Serbian citizens. The Strategy is also criticized for putting state security to the forefront, while neglecting human security.

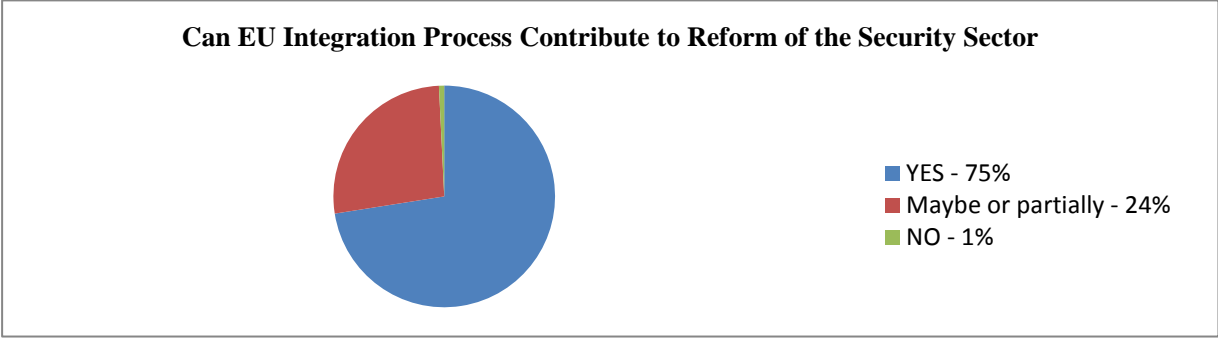
The respondents from this group mostly said they were not sufficiently acquainted with the Defense Strategy. Some said that the Strategy was not appropriate and that the new one ought to be enacted, but have not stated the reasons for such an attitude.

2.15. EU integration and continuation of reform of the security sector

All respondents replied in the affirmative to the fourth question: „Can the EU integration processes contribute to continuation of reform of the security sector? Why and how?“ They consider that the European integration process can or has already largely contributed to reform of the security sector. The civil society activists as well as individual officials (not merely those who belong to the opposition) maintain that the EU pressure on countries aspiring for membership significantly accelerate the reform of their security sector due to significant incentives (some even believe that without such pressure no reforms would have been initiated in the first place because even under existing EU pressure, reforms unfold too slow and are often merely declaratory). However, politicians also stress other positive aspects of the impact of the EU: emphasis on Chapter 23 in accession negotiations, monitoring, annual progress reports, suggestions about concrete reform moves and financial support to reforms.

However, the EU's most significant contribution to initiation of reforms are good examples provided by EU member states themselves (in the words of one respondent they represent „a

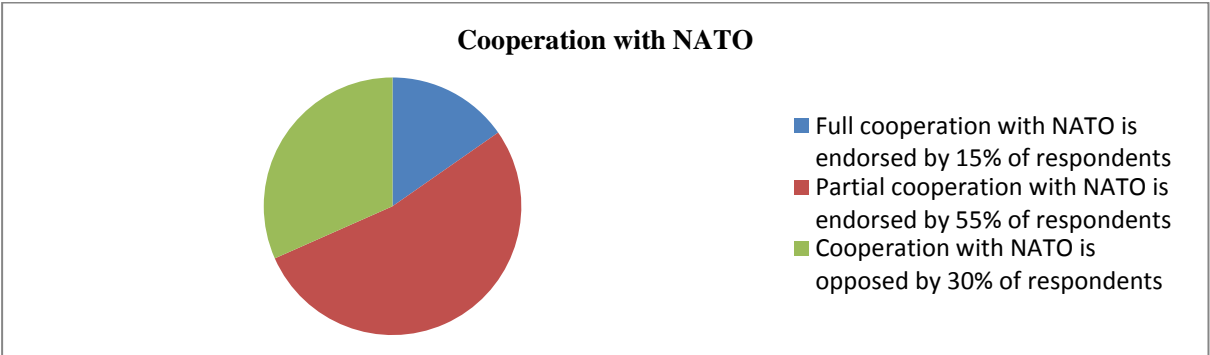
superior system“). The EU integration process makes Serbia search for solutions in the reform of the security sector which affirm positive values of observance of civic and human rights and principles of democratic oversight over this sector.



Some respondents have placed an emphasis on conditions under which EU integration can contribute to continuation of reform of the security sector. For example, if the changes encompass „the whole society“ or if EU integration is accompanied by integration into NATO. Some estimate that the EU integration process can make a significant contribution to reform of security services, but much less to reform of the Army. Some specified in detail the areas in which cooperation with the EU can bring improvement: from legal harmonization to cooperation under CSDP and participation in joint missions to cooperation with Europol in the fight against organized crime and human trafficking.

2.16. Cooperation with NATO and continued reform of the security sector

The next question was: „Can cooperation with NATO contribute to continuation of reform of the security sector? Why and how?“ The respondents were much more hesitant and less optimistic than when EU integration was concerned. More than one half of respondents endorse „some“ kind of cooperation with NATO and maintain that it can contribute to continuation of reform. The conditions under which it can do so cited by various respondents are diverse and sometimes contradictory.



The attitudes about Serbia’s possible membership in NATO are in most cases negative. Some maintain that cooperation with NATO can be useful „only if the state is sincere in its approach towards it.“ Others, on the other hand, due to history of Serbia’s relations with NATO, especially the 1999 war and policy of most NATO member states towards Kosovo, demand that there be a „reciprocity“ in relations or recommend that cooperation be „unobtrusive.“ Many stress that cooperation with NATO is a necessity or that it is synonymous with regional cooperation, since Serbia is surrounded by NATO members. Some

notice that we cannot accede to the EU without acknowledging the fact that the EU closely cooperates with NATO although all EU member states are not necessarily members of NATO.

According to the respondents, Serbia can gain a lot by cooperating with NATO, from general modernization of the security sector, to advancement of training, modernization of armament and military equipment and financial savings due to joint use of numerous defense capacities and resources with NATO partners (if cooperation were to be transformed into the accession process) ensuring observance of certain standards and „prevention of arbitrariness“ as well as permanent guarantee of the country’s stability.

The answers to this question reflect a difference in attitudes of civil society activists and opposition politicians on the one hand and state officials and pro-government politicians on the other. While the former (with only one exception) unambiguously agree that cooperation with NATO can contribute to reform of the security sector, others are more restrained and prone to express a conditional agreement with this attitude. Even though both primarily emphasize modernization, organization-technical and indirect financial benefits of cooperation with NATO, the former are more inclined to also mention value dimension as well as possible civilizational and political benefits („stability“) of cooperation with NATO.

2.17. Conditions for the work of deputies

Asked how they assess conditions for the work of deputies and members of parliamentary committees, the respondents have provided different answers, from negative ones (for example: „There are no conditions for the serious work of deputies, which reflects the relationship towards the Assembly as an institution“) to dissatisfied ones (for example: „The conditions are not satisfactory, since they do not allow even minimal conditions for creative work and essential role of a deputy“), to moderate ones (for example: „They are mostly good“) to those expressing full satisfaction (for example: „I have solid conditions for work, which enables me to appropriately go about my tasks“). The deputies of the ruling parties mostly assess working conditions as good, while opposition deputies mostly consider working conditions inappropriate.

The deputies have failed to specify what they object to and what should be improved in order to enable better quality of their work.

2.18. The private security sector

The last question urged the respondents to assess the state of affairs in the field of private security sector in Serbia and the work of agencies for physical-technical security, highlighting existing problems and giving recommendations.

2.19. Public officials

This group of respondents mostly said that they are not sufficiently familiar with the situation in the private security sector. However, those who responded to this question mostly said the greatest problem was a lack of legal regulation of this sector. Serbia is the only country in South East Europe which does not have a law which comprehensively regulates the work of agencies for physical-technical security. The respondents also said that it was necessary to increase cooperation between the police and agencies for physical-technical security in terms

of training, coordination of joint work but also in order to control their work and issue working permits.

2.20. Deputies and other party officials

The respondents in almost all cases said that the greatest problem was a lack of legal regulation of the private security sector. Among other things, they cited the lack of parliamentary control over this sector as well as the lack of control exerted by the Interior Ministry. The problem of licensing was also mentioned, as well as the issuance of working permits.

2.21. Representatives of non-governmental organizations

The said group of respondents also said the greatest problem was a lack of a law regulating this area. The problem of low salaries in the said sector was also mentioned, as well as a lack of professionalism of its staff, insufficient training, inexistence of licenses and the lack of coordination among such agencies and the police.

3. Conclusion and recommendations

Even though Serbia as a state is no longer the main actor which undermines the security of citizens of Serbia, as it had been under the Milošević regime, as well as the fact that since 2001 progress has been made in reforming the security sector, primarily due to fulfillment of obligations towards the Hague Tribunal, our findings suggest that the state of affairs in the security sector in Serbia requires further intensive work on their advancement. There are still many challenges which are mostly multi-sectoral.

Financial transparency in the security sector is not at the satisfactory level. The state does not encourage citizens to become actively included in public discussions about reform of the security sector. To a large extent, deputies are disinterested in conducting control and oversight over the security sector. The National Security Strategy and the Defense Strategy are obsolete, state-centric and do not address contemporary security challenges encountered by a developed democratic state. Finally, Serbia is still the only state in the region of South East Europe which has not legally regulated the private security sector.

On the basis of analyzed responses and conclusions reached by CEAS in the course of its work and its starting assumptions, what follows are recommendations for measures which would contribute to successful continuation of reform of the security sector in Serbia.

- It is necessary to adopt a coherent Foreign Policy Strategy of the Republic of Serbia in which the priority would be given to EU integration, cooperation with NATO with possibility of membership and regional cooperation.
- It is necessary to adopt a new National Security Strategy of the Republic of Serbia and a new Defense Strategy of the Republic of Serbia and align both with the new Foreign Policy Strategy of the Republic of Serbia.
- It is necessary to intensify the process of EU integration, fulfill obligations from Chapter 31 (Foreign and Security Policy) and fully use possibilities of cooperation with the EU under CSDP.

- It is necessary to continue strengthening the role of the National Assembly and strengthen capacities of deputies to take part in democratic and civilian oversight over the security sector.
- It is necessary to adopt a new comprehensive law on physical-technical security and private security and military companies.
- It is necessary to fully use the possibility of cooperation with NATO, offered by the Partnership for Peace and eliminate obstacles for realization of the Individual Partnership Action Plan with NATO.
- It is necessary to more precisely define the area of jurisdiction of the Military Security Agency (the Army's counterintelligence service) and eliminate areas of jurisdiction overlapping with those of BIA.
- It is necessary to more precisely define and regulate areas of jurisdiction and procedures for exerting democratic civilian control and oversight over the work of BIA.
- It is necessary to relinquish police powers of the intelligence and security agencies.
- It is necessary to introduce organizational changes to the work of the police, particularly those associated with police presence in communities, namely decentralization, reduction of hierarchical level of command, team work and inclusion of volunteers.

Belgrade, November 2012

ABOUT CENTER FOR EURO–ATLANTIC STUDIES

The Center for Euro-Atlantic Studies – CEAS is an independent, atheist, socially oriented left liberal think-tank organization, founded in 2007 in Belgrade. With its high quality research work CEAS generates precise analysis in the field of foreign, security and defense policy of the Republic of Serbia. Simultaneously, CEAS publicly promotes innovative, applicable recommendations and creates practical policy whose aims are:

- Strengthening of the socially oriented, left liberal democracy in Serbia*
- Adopting the principle of precedence of individual over collective rights, without disregard for the rights which individuals can only achieve through collective action
- Development of the of the concept of transitional justice and the establishment of mechanisms for its enforcement in the Western Balkans region, exchange of positive experiences, emphasizing the importance of mechanisms of transitional justice for a successful security sector reform in post-conflict societies in transition towards democracy;
- Acceleration of the processes of Serbian EU integration and strengthening of its capacities for confronting global challenges through collective international action.
- Strengthening cooperation with NATO and advocacy for Serbian Atlantic integration
- Strengthening a secular state principle and promoting an atheistic understanding of the world,
- Contributing to the erection and preservation of a more open, safe, prosperous and cooperative international order, founded on the principles of smart globalization and equitable sustainable development and the international norm of ‘Responsibility to Protect’

CEAS fulfils the mentioned activities through various projects assorted in four permanent programmes:

- Advocacy for Serbian Euro-Atlantic Integration
- Security Sector Reform in Serbia
- Transitional justice
- Liberalism, Globalisation, International Relations and Human Rights

CEAS is an active member of the REKOM coalition which gathers more than 1,800 civil society organizations, individuals from all the countries stemming from the break-up of former SFRY. Among them are also missing persons’ parental and family societies, veterans, news reporters, representatives of minority ethnic communities, organizations for the protection of human rights, etc. The REKOM coalition suggests that governments (or states) establish REKOM, an independent, inter-state Regional Commission for the Establishment of Facts on all the victims of war crimes and other heavy human rights violations undertaken on the territory of the former SFRY in the period 1991-2001

During 2012 CEAS became an associate member of Policy Association for an Open Society – PASOS, the international association of expert non-governmental organizations (think-tanks) from Europe and Central Asia which supports the erection and functioning of an open society, especially in relation to issues of political and economic transition, democratization and human rights, opening up of the economy and good public governance, sustainable development and international cooperation. PASOS now has 40 full and 10 associate members, amongst which is the prestigious European Council on Foreign Relations from London - ECFR, and, until now, only the Belgrade Center for Security Policy - BCBP, from the non-governmental sector in Serbia.

During the same year, the Center for Euro-Atlantic Studies became the first civil society organization from the region of South-Eastern Europe to join the International Coalition for the Responsibility to Protect – ICRtoP as a full member. The coalition brings together non-governmental organizations from all over the world to collectively strengthen normative consensus for the doctrine of Responsibility to Protect (RtoP), with the aim of better understanding the norm, pushing for strengthened capacities of the international community to prevent and halt genocide, war crimes, ethnic cleansing and crimes against humanity and mobilize the non-governmental sector to push for action to save lives in RtoP country-specific situations. Among the prominent members of the Coalition are organization such as the Human Rights Watch - HRW and the International Crisis Group – ICG.

*Social liberalism claims that society needs to protect freedoms and equal opportunities for all citizens and encourage mutual cooperation between government and market institutions through a liberal system. In the process of evolution, it agrees that some limitations placed upon economic affairs are needed, such as anti-monopoly laws in the fight against economic monopoly, regulatory bodies or legislation concerning minimum pay. Social liberals believe that governments can (or must) cater for the comfort, health protection and education through revenue gained from taxes, so to enable the best use of the populations' talent. Furthermore, liberal-socialism fights against extreme forms of capitalism and communism. It also vows for calmer anti-clericalism and religious freedom.



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