Reform Processes in the Security Sector and their Influence on Security Governance

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I.   Introduction

A lack of critical governance structures to ensure adequate democratic governance in Macedonia's defence and security sectors has been a major feature of the country and of other transitioning countries and regions of the Western Balkans, including Albania, Bosnia and Herzegovina, Croatia, Montenegro, Kosovo and Serbia. For most of the 1990s and early 2000s, unreformed security sectors in these countries have plagued democratisation efforts. The commitment to reforming the security sector has long occupied the agenda of the region and has been one of the major phases in the entire process of stabilisation and democratisation of the region. The focus on governance with regard to security and defence sector comes from the long-time effort of the countries of the region to reform these areas by focusing mainly on changes in the defence and security structures rather than on governance and civilian structures that lead these sectors.

Reforms in the security sector have led to new shifts that have had implications for governance. Their impact has increased the demand for more changes, which in turn has re-shaped governing structures that oversee and control the security sector. An issue that until recently has escaped much of the attention of the scholars and analysts is that of governance in security sector and the implications of the overall security reforms for the governance as a whole, and vice versa. This is significant as it is the governance that plays an essential role in the democratic functioning of the security sector.

Through its focus on Macedonia, this section specifically intends to investigate the degree to which the security[2] reforms that occurred in Macedonia (and in other countries of post-communist Western Balkans) have affected the governance structures in these countries. This

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[2]The author uses the concepts of 'defence' and 'security' as synonyms due to the blurring roles of the armed forces and police and other security and defence services in facing the challenges of the new era.

section also intends to investigate how the reform of the civilian governance institutions has affected the functioning of the security sector.

Security sector reforms have been an important pillar of transition processes in the Western Balkans since 1989-91. I define security sector reform in this paper as a restructuring of those elements of the security sector that play a legitimate and exclusive role in exercising coercive power in society to deal with external and internal threats to the security of the state and its citizens.[3] Governance will be understood to mean, as Caporaso[4] and Rosenau[5] note, a system of collective problem solving in the public realm, or the way in which relations are governed among the relevant actors that reside in constitutive units within a system of dispersed or fragmented political authority.

A number of questions regarding the security governance need to be answered. The most general question is: in what direction has the security governance in these newly democratized states been moving? Within this question lies an interesting opportunity to see how the Western Balkan countries have been defining their security governance and reforms. The second question is whether the different degrees of security reform in the Western Balkans have caused any variation in governance among the countries of the region. The records argue that Macedonia and Croatia have experienced a more successful security transformation while others including Albania, BiH, Kosovo, Montenegro and Serbia, have achieved only partial security and defence reforms. It should be interesting to see whether governance forms had a greater degree of convergence in those countries with more successful security transformations than in those with less success. The security reforms in the Western Balkan countries during 1990s and early 2000s provide a unique opportunity to test the strength of the linkage between reform and governance.

This section aims to accomplish the following objectives: first, to discuss the current governance structure in Macedonia and elsewhere in the region with a concentration on the implications on the governance of the unreformed and reformed security sector; second, to examine the design of the reforms from the European governance perspective and analyse the implementation of these reforms. The third objective is to address issues that have arisen from unreformed or reformed security sectors the potential impact of these issues on governance and security reform. This section adopts a comparative approach instead of relying on a single-case analysis. Data used in this paper comes from several sources. The main source of the research is interviews conducted in Macedonia and in other countries. During the research period a number of interviews were conducted with governmental officials, representatives of NGOs and international organisations, experts and members of academia.[6]

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[3] Chanaa, Jane, *Security Sector Reform: Issues, Challenges and Prospects*, in: Adelphi Paper (Number 344), Oxford University Press, Oxford, 2002, at p. 5.

[4] Caporaso, James A., *The European Union and Forms of State: Westphalia, Regulatory or Post-modern?*, in: Journal of Common Market Studies (Volume 34, Number 1), Blackwell, Oxford, 1996, at p. 30.

[5] Rosenau, James, *Governance, Order and Change in the World Order*, in: Governance without Government: Order and Change in World Politics, Rosenau, James and Czempiel, Ernst-Otto (eds.), Cambridge University Press, Cambridge, 1992, pp. 1-29, at p. 4.

[6] All interviews were confidential. Footnoted references to these interviews represent place of interview (MK = Macedonia), and number of interviewee (in the author's research files) (e.g. Interview MK1).

II.   Security Governance in the Region

A.   *Macedonia's and the Western Balkan Specificities*

Following the collapse of the Warsaw Pact and the dissolution of the Socialist Federal Republic of Yugoslavia (SFRY) in 1991, the post-communist Western Balkans, as it became known after 1999, consisted of the following seven countries/regions: Albania, BiH, Croatia, Macedonia, Montenegro, Kosovo, and Serbia. Each of these countries underwent a change of regime; in the cases of the countries of former Yugoslavia, former federal units of SFRY became new independent countries. Macedonia and other countries of the Western Balkans are parliamentary democracies with multi-party representation in their respective national Parliaments and with a popularly elected President. In the 1990s the region experienced one of the worst atrocities in Europe since the Second World War. The signing of Ohrid Framework Agreement in August 2001 that ended the crisis in Macedonia marked the end of wars and conflicts in the region of the Western Balkans. Since then, the countries of the region have had stable governments with reform agenda and an eye toward EU integration.

The reform environment in Macedonia and elsewhere in the region exhibits the following characteristics: first, a lack of public trust in state institutions. Societies lack trust in institutions beyond the family or other highly personalized networks. There is no regime for the methodical, thoughtful processing of information that could foster trust in public offices.[7] Second, there are widespread tendencies for the politicisation of state administration structures. Third, the transition experienced since 1989 has not been able to provide a model of how the countries in the region might evolve as a consequence of structural reforms as there has been lack of continuity in the reform processes and policies.[8] In a reform environment marred with these characteristics, Macedonia, driven by the overall objective of obtaining membership in EU, has designed every aspect of its security and defence policy according to EU preferences. So far, however, governments have faced various difficulties that have hampered the reform efforts despite their successes in instituting broader reform policies that will consolidate democracy and market economy in the country. These difficulties include attempts to reform the security sector and establish stable, legitimate and accountable civilian governance able to design, plan and implement independent security reform policies. Reform attempts and efforts have been hampered seriously by political instability and by fragmentation which has resulted in the above-mentioned lack of continuity in reform processes and policies. Continuous and stable defence and security policies under the guidance of professional civilians stand to be a vital symbol of a unified, stable Macedonia.

Generally, the countries of the region so far have been successful in erecting the pillars for planning security sector reform and restructuring. It is also important to note that they have made rapid progress toward goals set out in their reform policy documents to develop a security sector that is far more efficient and flexible than its predecessor. Moreover, they have been able wisely to tap into the extensive resources of NATO and the EU as well as the desire of Western governments to help develop the Western Balkan nations.[9] This has provided them

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[7] Williams, Kieran, *Introduction,* in: Security Intelligence Services in New Democracies: The Czech Republic, Slovakia and Romania, Williams, Kieran and Dennis Deletant (eds.), Palgrave, London, 2001, at p. 19.

[8] Naimark, Norman M., *Ten Years After: Perspectives on 1989*, in: East European Politics and Societies (Volume 13, Number 2), Sage, Thousand Oaks, Spring 1999, at p. 323.

[9] Keridis, Dimitris and Charles M. Perry, *Defence Reform, Modernization and Military Cooperation in Southeastern Europe*, Institute for Foreign Policy Analysis, Cambridge, 2002, at p. 26.

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

The regional governments have been successful in overcoming obstacles that have stood in the way of the initiation and execution of substantial reforms that would transform their relatively developing countries of the European continent into stable and prosperous nations. The overall reforms undertaken, including those in the political, security and economic sectors, not only have overcome the legacies of communism, but also, to a great extent, have been able to overcome a lack of independent local policy making infrastructures.

B.   Civilian Governance and Security Sector Reform

Governance overcomes the difficulties that arise from a weak state and a fragile civil society and from other confining conditions that constrain reform efforts and derail the process of overall democratic development. Recent challenges faced by the countries of the Western Balkans with regard to the security and defence sector such as the shortage of competent civilian specialists in security and defence policy, economic threats, ethnic hostility and religious intolerance, insecure and inefficient borders, organized crime and corruption, the proliferation of small arms and dual technology, information threats[10] etc., have shown that the undertaken reforms have not been enough to sustain democratic governance in the security sector. It is also apparent that the governance itself has emerged as a weakness of the countries of the region, and that reform in the security and defence sector alone would not be enough to consolidate the governance. Overarching reform undertakings in whole important public spheres, including politics, economy and judiciary will consolidate the reforms. A frequently neglected aspect of security sector reform in the Western Balkans, as Donnelly puts it, is whether the governments are actually competent to decide on and implement a defence and security policy and direct the course of security reforms.[11] For example, the working assumption of Macedonia's White Paper on Defence of August 1998 and related defence planning documents was that threats would emanate from outside the country. The conflict that happened in 2001, however, changed those assumptions and basically stalled defence reform plans as the country was facing not a threat from outside but from inside. Thus, it is in this context that we can understand the significance of civilian governance in evaluating and defining the security interests of and threats to a country.

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[10] Donnelly, Chris, *Reshaping European Armed Forces for the 21st Century*, in: Think Piece, NATO Publications, 13 September 2000, Available online at: http://www.nato.int/docu/articles/2000/a000913a.htm. (Last accessed on 9 November 2007).

[11] The countries of the Western Balkans have not yet been able to develop the sufficient capabilities on the part of the government to design and implement the required reforms. See also Donnelly, Chris, *Reform Realities*, in: Post Cold War Defence Reform: Lessons Learned in Europe and the United States, Gyarmati, Istvan and Winkler (eds.), Theodor, Brassey's Inc., Washington D.C., 2002, at p. 131.

C. Interdependence of Governance and Security Sector Reform

Although security sector reforms began in all Western Balkan countries soon after the revolutionary changes of 1989-91, there are important differences to be observed in this regard. It has not been an easy task to determine the appropriate role of the security sector in the political governance structures in the region. Establishment of governance structures has been most successful in the Balkan states of Macedonia and Croatia. Just as questions remain about the extent of the security and political transformation,[12] there are doubts about the security governance structures. However, notwithstanding the above differences, the path of civilian governance reform in the security sector has followed a remarkably similar pattern all over the region.

It was an overall expectation that the initial reforms undertaken in the security and defence sector immediately after the 1989-1991 changes would be enough to streamline the security and defence sector actors and to ensure their proper behaviour in the newly established formal democratic environment. However, the process of reform in the security sector did not progress as smoothly as it may have seemed to both reformers and observers at first glance. Generally, little changed in the practical aspects of the work of the security sector; the initial reforms, in Barany's words, hardly amounted to more than cosmetic changes.[13] This was most evident in the continued dominance of the former state security and intelligence agencies in the security and defence sector even after 1991, a problem that continued to dominate the agenda of the countries of the region until recently.

The reform of the intelligence services and their placement under proper civilian democratic control has also become an issue in the recent stage of reforms in Macedonia. It took the country's greater rapprochement with NATO to attract the attention of the international community to the workings of the intelligence community in Macedonia, for the intelligence sector was supposed to reveal to NATO what measures had been introduced to protect intelligence sources. However, insufficient reforms in the intelligence services all over the region has proven a general lack of capability on the part of civilian security governance structures to institute overall and comprehensive reforms in the security sector.

At the beginning of the reforms in the region, a big problem was the lack of expertise in security reforms and in governance. Politicians were ready and willing for reform, but did not have a clear vision of the scenario.

The governments of the countries of the region have been unable economically and socially to meet the demands of the security sector, particularly the demand for conscripted soldiers, sufficient maintenance of barracks and other responsibilities. Just as an illustration, the operation of an army barrack for a single day costs the government of Macedonia around €10,000. In a country where unemployment has been around 38 per cent, this amount burdened the country's budget.[14] The impact of these myriad shortcomings was felt in almost all countries of the

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[12] Barany, Zoltan D. *East European Armed Forces in Transitions and Beyond;* in East European Quarterly (Volume 16, Number 1) New York, March 1992, at p. 15.
[13] Barany, Zoltan D. *East European Armed Forces in Transitions and Beyond*, at p. 16.
[14] Interview MK1.

region. With deteriorating economic and social conditions in the region, a military comprised of conscripted soldiers[15] has not been able to contribute to nation building.[16]

Security developments since the end of the Cold War have greatly affected the security sector in the region. The security sector in the region, including the one operating in Macedonia, was given new assignments while being asked to perform routine tasks in a different manner. Today it is quite common for the defence units of a country to be involved in security rather than solely in defence actions.[17] This is evident as the country is finishing the process of changing from a border control based on the military to police-based border controls.[18] This transformation is shifting the military from its role as a defender of territorial integrity to protector of the citizens. This is also more evident in the increased participation of the militaries of the region in missions of peacekeeping, or peace enforcement, and disaster relief.[19] Also, through the 1990s and early 2000s the countries of the region have been facing an increase in new, non-military asymmetric threats such as organised crime and corruption, which require specific responses that traditional defence-based armies are not able to perform. So the key question in the changed environment is whether the civilian governance structures reflect this change. The degree of shift varies from one state to another depending on the dynamics of national, legal and administrative frameworks and on overall democratic development.

D. Case Study: Security and Defence Accountability System

While different parts of the state, including the legislative, judicial and executive branches of the government of Macedonia and other governments of the region, have slightly different roles in security matters, they share the common but separate responsibility of maintaining a functioning security and defence sector. A brief examination of the system accountability in the countries of the Western Balkans shows that the countries of the region have come a long way in their efforts to establish democratic oversight of the defence and security sector. We are witnesses to a system of power sharing that provides checks and balances against political abuse of the security sector. The laws of these countries, although some may lack clarity, have

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[15] Currently all countries of the Western Balkans, except Macedonia, have obligatory military service.

[16] Interview MK4.

[17] Fluri, Philipp H, Anders B. Johnsson and Hans Born, *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices, DCAF and Inter-Parliamentary Union*, in: Handbook for Parliamentarians, Geneva Centre for Democratic Control of Armed Forces, Geneva, 2003, at p. 53.

[18] The countries of the Western Balkans have gradually undertaken reforms in changing their border protection system from a military organisation with a conscripted staff into a police organisation with purely professional staff. The most recent example is that of Macedonia, where the country's authorities on 1 May 2004 started with the transfer of the border protection authority from the army to the newly established border police.

[19] For instance, to the UN peacekeeping operations, as of 31 May 2004, Albania contributes with three military observers; BiH with 19 civilian police and 14 military observers; Croatia with 22 military observers and four troops; and Serbia-Montenegro with eight civilian police, nine military observers and six troops. For more information on this, check UN, *Peacekeeping Monthly Summary of Contributors,* UN, New York, 2004. At the International Security Assistance Force, peacekeeping mission of NATO in Afghanistan, Albania contributes with 22 soldiers, Croatia with 47, and Macedonia with 18 soldiers. For more information, see NATO, *NATO in Afghanistan Fact Sheet*. Available online at: http://www.nato.int. At the SFOR mission of NATO in BiH, Albania is contributing (with six commissioned officers, six non-commissioned officers and 57 conscripts). The countries Albania and Macedonia are also part of the US Coalition "Operation Iraqi Freedom", where they contribute by dozens of members.

established a hierarchy of command and control for the security and defence sector in peace-time.

In theory and in legal documents, it is defined and regulated that the executives in all countries exercises direct control from the central government to determine the budget, the general guidelines and the priorities of the activities of the security services. The legislature exercises parliamentary oversight by passing laws that define and regulate the security services and their powers. The judiciary both monitors the security sector and prosecutes the wrong doings of servicemen through civil and criminal proceedings whenever necessary. In practice, the countries of the Western Balkans, influenced by the continental European traditions, tend to emphasise the executive aspect of oversight. The legislative and judicial aspects of oversight as important pillars of the system tend not to be favoured in the countries of the region.

Democratic and civilian control of the security and defence sector in Macedonia is exercised through the president, government, sobranie (assembly), the security council, and the ministers of defence and interior. The basis of democratic and civilian control is derived from the constitution of 1991 and from the defence law of May 2001. Between the constitution and the defence law, the rights, responsibilities, and relationships between the president, sobranie, and the government (ministries of defence and interior) in the area of the security and defence in peacetime, crisis and war are defined. However, its practical implications have not been as simple as it stands in the constitution and the defence law. There is growing concern about the gray constitutional framework that does not adequately define competencies between the government and the president. This provokes political mistrust and allows both unproductive competition and duplication of efforts in the security sector reform processes.[20] The constitutional framework in Macedonia as it stands allows for the functioning of the independent military establishment. That means that, to a great extent, the army feels protected from the pressure for political change through the possibility of a direct link with the supreme commander.[21] Therefore, it is of major importance establishing the proper relationship of the general staff to the president and to the government based on consensus.[22]

It goes without saying that responsibility for the decision to go to war is clearly and unambiguously defined and vested in the hands of the executive branch, and subject to the approval of parliaments. This is the case in all the countries of the Western Balkans; however, the problem that has appeared, despite tightly drafted constitutions and legal frameworks, is the allocation of prime responsibility in emergency circumstances, and the organization of the chain of command and level of authority between political and military circles. Currently in the region, many problems in security sector result in part from the scarcity of legitimate civilian or military security and defence experts, as Simon puts it, which are capable of making the defence and security case to their legislatures and broader public.[23] Ministries of interior and defence, particularly, need responsible and capable civilian personnel to fulfil security policy-

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[20] Baxter, James, *Lessons of NATO Involvement in the Balkans – Military Stability and Security Sector Reform*. Paper presented at conference *"Securing Peace: NATO's Role in Crisis Management and Conflict Resolution"*, Brussels, 16 October 2003. Available online at: http://www.nato.int/docu/speech/2003/s031016i.htm (Last accessed on 20 July 2004).

[21] Jovanovska, Slobodanka, Interview with James Baxter, *To Macedonia is needed an Army of 6,000 soldiers*, In: Utrinski Vesnik (daily), Skopje, 29 December 2003.

[22] Simon, Jeffrey, *NATO and the Czech & Slovak Republics: A Comparative Study in Civil-Military Relations*, Rowman & Lttlefield Publishers, Oxford, 2003, at p. 239.

[23] Simon, Jeffrey, *Hungary and NATO: Problems in Civil-Military Relations*, Rowman & Lttlefield Publishers, Oxford, 2003, at p. 95.

making functions and to ensure that the ministries maintain real civilian and democratic oversight of the security and defence sector. Though efforts have been made to overcome the difficulties and existing problems by training a corps of civilian defence and security professionals, for instance by appointing outside advisers to the parliaments' committees on defence and security,[24] little progress has been made in developing a viable civilian security and defence community that would be able to adequately conduct oversight of the military, police or intelligence services. The primarily politically appointed civilians within the ministries of defence and interior do not have a level of technical expertise comparable to their military or police counterparts,[25] nor do they have a staff of trained civilian professionals to assist them. As a result, the staff of the ministries of defence and interior has not effectively assumed the policymaking function required to ensure standards of democratic and civilian control and oversight.[26]

BiH, for example, did not have established clear command line until recently. Both entities of the BiH, Muslim-Croat Federation and Republika Srpska, passed the necessary constitutional amendments to allow the establishment of a unified military command for the country for the first time following the end of hostilities in 1995. Previously, the two entities had had their own armed forces with separate entity commands. They were linked by weak central institutions, such as the steering committee on military matters, which mainly had an advisory role and which, until recently, was the only military institution at the state level. The new amendments adopted in fall 2003 transferred the authority of Muslim-Croat Federation and Republika Srpska armed forces supreme commander from the entities' presidents to the country's joint tripartite presidency and established a single minister of defence of the country.[27] The two armed forces have a common general staff, the same uniform and flag, but remain ethnically distinct.[28] These reforms were also endorsed by Bosnia's central government and parliament under the legislation (defence law) passed on 1 December 2003.[29] Time will show whether this success achieved on paper will be able to be replicated well enough in practice to provide the country with the possibility of establishing a stable and coherent system of civilian and democratic control over the security and defence sector. The establishment of this system will stand as a vital symbol for the viability of the state of BiH.

Budgetary control of the security sector, which in all Western Balkan countries has been entitled to the legislative,[30] in spite of being, theoretically, a main pillar of oversight. Despite the

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[24] OSCE and Geneva Centre for Democratic Control of Armed Forces have hired two outside experts who will help the Commission on Defence and Security of the Parliament of Macedonia.

[25] For example, usually briefings to the commanders-in-chief (i.e. presidents) in the region are usually made by military or police personnel rather than the civilians. This fact brings to the light that the problems with democratic and civilian control arise primarily from the disparity in technical knowledge and experience between defence and security civilians and their uniformed military counterparts.

[26] Interview MK.

[27] Hadziosmanovic, Amra, *Bosnia Adopts Key Defence Reform*, AFP news agency, 1 December 2003.

[28] AFP news agency, *Bosnian Serbs Move Towards Defence Reform,* 6 November 2003.

[29] Reuters, *PfP Membership in Sight for Bosnia after Defence Reform*, 2 December 2003, at p. 1.

[30] In Albania a budget management office was established in October 2000. The defence policy document has been published outlining defence requirements until 2008. The ministry of defence is responsible for the budgeting process. In Croatia, the defence budget is proposed by the government and then submitted to the parliament. In Macedonia, the ministry of defence prepares the proposal that then goes to the ministry of finance. At this stage, dialogue is established with other ministries to match the country's capabilities. Then the budget is submitted to the government. Once eventual corrections are made, the budget goes to the parliament. The minister of defence presents the proposed budget to the committee for internal policy and defence. After the vote, the budget is drafted into a decree by the president. For more on these, see Fluri, Philipp H, Anders B. Johnsson and

general expectation, the legislature has not been improving its budgetary oversight capabilities. Currently the legislature decides only on the total amount of the defence budget, but not on its structure. Another important difficulty with regard to security and defence budgets, as is the case in Macedonia, is that once the budget is approved, it is returned to the ministry of finance and resources are distributed to each of the ministries. Within the ministry of defence or the ministry of interior, resources are retained at the ministry level; subordinate agencies requiring resources must request them on a case-by-case basis throughout the year. A direct correlation does not necessarily exist between resources requested at the beginning of the budgeting cycle and requested resources received during the budget year.[31]

Besides the budgetary control, another area that calls for attention is the parliamentary oversight on arms procurement. In any consolidated democracy, budget-proposing activities in general and arms procurement in particular must be transparent and accountable to the public. Unfortunately, in all countries of the region parliament has limited, if any, say in arms procurement. Oversight of arms procurement is important, as public funds are involved; deciding about weapon systems is not only a matter of technical expertise and security, but also about deciding whether money has to be spent on 'guns or butter' and, if it is to be spent on 'guns', then which 'guns', how much and why.[32]

The overall gap that exists in the above-mentioned system of accountability in the security sector in the Western Balkans the countries of the region have sought to overcome through relevant oversight institutions such as ombudsman. The ombudsman represents an additional mechanism for monitoring the actions of the security sector on behalf of citizens and/or parliament. The main task of the ombudsman in the case of security sector is to investigate alleged arbitrary decisions or misdemeanours committed on behalf of the responsible officials of the of the security services. The legal provisions of the countries that have an ombudsman institution in their legal framework, for example Macedonia, provide that the security sector units such as the army and police, must allow anyone who is imprisoned, under arrest or detained to approach, with no restriction whatsoever, the ombudsman in connection with a violation of his/her rights or freedoms.[33] Ombudsman is entitled in all these countries to consider the alleged violations of human rights by the state institutions, including the security and defence services and to inform the public about the outcome of the inquiry. However, ombudsman as a complementary mechanism has not produced the desired results in this respect.[34] Besides ombudsman, civil society, media, and auditor general make an important informal contribution to the information, formulation and implementation of security policy and in

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Hans Born, *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices, DCAF and Inter-Parliamentary Union*, at p. 139.
[31] Interview MK4.
[32] Fluri, Philipp H, Anders B. Johnsson and Hans Born, *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices, DCAF and Inter-Parliamentary Union*, at p. 172.
[33] Article 12, *Law on Ombudsman of the Republic of Macedonia*, in: Official Gazette of the Republic of Macedonia (7/97). In the countries of the Western Balkans, the ombudsman has general competence and deals with all problems generated by a malfunctioning of the administration. Of the countries of the Western Balkans, Macedonia, Albania, BiH, and Croatia have introduced the Ombudsman institution by explicit constitutional provisions followed by adoption of detailed law provisions. For more on that, see Centre for Study of Democracy, *International Conference on European Standards and Ombudsman Institutions in Southeast Europe*, Sofia, 6-8 June 2002.
[34] Interview MK3.

overseeing the implementation of national security policy and the corresponding budget.[35] These complementary institutions have also not produced the desired result in keeping the security sector (and the institutions that control it) accountable to the wider public.

Another issue is the control of the security sector by local self-governing institutions. Macedonia possesses one of the most decentralised systems in this regard in the region. This accomplishment in Macedonia was achieved in 2001 when local elected municipalities were granted the authority to appoint regional police chiefs, an authority that previously belonged exclusively to the minister of interior.[36]

E. Implications of Unreformed Security Sector and the Relationship Between an Unreformed Security Sector and Economic and Political Development

The political divisions following the 1989 changes in the region produced problems with cohesion in the security and defence sector. This is particularly crucial with regard to the oversight of the security sector. There is a division of labour in the civilian structures control of the security and defence sector; however, their inability to function properly in practice hampers the efforts to control the actions of the security sector effectively and to establish mutual cohesion. Economic, political and social difficulties that the countries of the region of the Western Balkans have faced have made difficult a consolidation of control over the security sector. Also, the weak and imprecise constitutional and legal tools have put additional obstacles to establishing democratic governance in the security sector.[37]

Although Macedonia had to build its security and defence sector from scratch, in essence it did inherit professional security and defence sector from the old Yugoslav National Army (JNA). The officer corps of JNA, of Macedonian origin, established the Army of the Republic of Macedonia (ARM). The ARM tended to be formed spontaneously in response to local transformation marked with de-industrialisation, lack of economic growth, inter-ethnic tension.[38] The resulting security and defence sector actors lacked cohesion and discipline. This undermined security sector effectiveness directly, resulting in internal instability and undermining functioning of the security sector and the civilian governance structures meant to oversee and control it. Next, there has been high a political and economic price for reform. Macedonia, where unemployment has reached nearly 40% with negligible economic growth the downsizing of the security and defence sector, is overburdened with political and social

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[35] Born, Hans, Philipp H. Fluri and Simon Lunn, *Oversight and Guidance: The Relevance of Parliamentary Oversight for the Security Sector and its Reform a Collection of Articles on Foundational Aspects of Parliamentary Oversight of the Security Sector,* in: DCAF Document, Geneva Centre for Democratic Control of Armed Forces, Geneva, 2003, at pp. 41-42.

[36] In other countries, for instance in Croatia, the local self-governments do not have power to appoint the local chiefs of the police. The minister of interior only consults the municipalities when he/she appoints the local chiefs. See Sabora, Zastupnicki Dom Hrvatskog, Zakon o Policiji, Clanak 14, 19 Prosinca 2000, br. 01-081-00-4340/2. Available online at: www.mup.hr/zakoni/z1.html (Last accessed June 2004).

[37] In this context, the security sector within the environment that it deals with is a multidimensional that requires heavy engagement of the civilian governance. Jelusic, Ljubica, *Continuity, Restructuring, or Development from Scratch: Dilemmas of Slovenian Defence Reform,1991-2001,* in: Post-Cold War Defence Reform: Lessons Learned in Europe and the United States (Istvan Gyarmati and Theodor Winkler, eds.), Brassey's Inc, Washington DC, 2002, at p. 131. For the perception of the public opinion on the security threats, see http://www.idea.int.

[38] Horowitz, Shale. *Political Sources of Military Defeat in Post-Communist Ethnic Conflicts*, in: European Security, (Volume 12, Number 1), Routledge, London, Spring 2003, at p. 18.

problems. In addition, the cost of reform has to be set against a range of other pressing priorities. Not the least of these priorities is the implementation of the Framework Agreement of August 2001, which has resulted in a constant search for the minimalist and least disruptive solution.[39] The key issue the governments of Macedonia faces is how to invest and spend in the short term in order to make defence and security affordable over the long term. This has come to expression particularly when the governments of the country have faced major difficulty realising the desired and planned reforms. Until recently, budgets have been tightly and centrally controlled on an annual basis and there has been insufficient appreciation of the need, particularly in defence, to plan and program over a period of years.

The interdependence among the unreformed security sector and the economic and political development in a country has been also very evident in Croatia, where the stages of reforms have, to a great extent, depended upon the political context of the country. In the first stage, from 1992 to 1995, the war period, there was no interest in democratic control of the security sector. There were only some cosmetic changes. Then in the second stage, which lasted until 2000, the country was under the autocratic regime of Tudjman and there was only some reaction, rather than action, in terms of the reforms. The social democrat government following the fall of Tudjman regime was eager and willing to institute the required reforms.[40] The economic situation has also greatly affected the pace of the reforms in Croatia. In the first stage of political and economic development of the country (1992-1995), military expenditures were around 15% of the annual budget of Croatia. In the second stage (1995-2000), the country started to cut the budget, but this did not have its desired effect, as the complementary security reforms were not undertaken.[41] In Croatia, there had been growing concern among the public about the possible social and economic implications of the restructuring and downsizing of the army.

The interdependence between the unreformed security sector and political development has also been witnessed in the cases of Serbia, where the post-Milošević government came to power with great hopes about instituting required reforms in the security sector and was reluctant to suddenly dismiss key security figures[42] such as General Nebojsa Pavkovik. Pavkovik was Serbia's Chief of General Staff and top military commander in late 1990s, who had been accused of war crimes in former Yugoslavia. The new government allowed key figures in the security and defence sector who had maintained pro-Milošević positions, to remain – thus securing the tacit support of the entire army. In many instances, politicians and previous key security figures simply overlooked troublesome issues with the understanding that the overall political environment needed to remain stable. The new government declared that the sudden removal of these individuals would run counter to state interests since it inevitably would lead to destabilisation.[43]

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[39] Baxter, James, *Lessons of NATO Involvement in the Balkans – Military Stability and Security Sector Reform.* Paper presented at a conference organized by NATO Public Diplomacy Division, the NATO Parliamentary Assembly and the Geneva Centre for DCAF, *Securing Peace: NATO's Role in Crisis Management and Conflict Resolution,* Brussels, 16 October 2003, Available online at http://www.nato.int/docu/speech/2003/s031016i.htm (Last accessed on 20 July, 2004).
[40] Interview CR2.
[41] Interview CR4.
[42] Liotta, P. H. *Spillover Effects: Aftershocks in Kosovo, Macedonia and Serbia,* in: European Security (Volume, 12, Number 1), March 2003, at p. 99.
[43] Liotta, P. H. *Spillover Effects: Aftershocks in Kosovo, Macedonia and Serbia,* at p. 99.

III. Reforms Design and Implementation

A. *Timing of the Focus on Security Sector Reform in Macedonia and Other Countries*

The need for security and defence reforms was felt throughout the region at almost the same time, mainly following the regime changes of 1989-91; however, their actual implementation differed widely among the countries of the region. There has been substantial progress in Macedonia on the basis of a new hierarchy of strategies – at the top end there is a new overarching national concept for defence and security, and the government started with the implementation of the recommendations that came out from the political framework of the strategic defence review adopted in October 2003. At the lower levels are police reforms and integrated border management strategies. Work has been done to establish a new system of crisis management that will coordinate security operations with the work of the intelligence agencies. With this, a momentum of security reforms has been established in Macedonia that has led to significant results. To a great extent, progress has been achieved in the field of de-politicisation and transparency in the functioning of the security sector and the remaining reforms are expected to be finished by 2008, at which time the country hopes to receive an invitation to join NATO and start accession talks with the EU.

It took number of years for Croatia to start to focus on reforming the security sector established after the country gained independence in 1992. Just after the end of the war in 1995, voices started to be heard on the issue of democratic control of the security sector and its adaptation to peacetime. However, the end of the war did not change much. At this stage, which can be considered the second phase of the security reforms in Croatia, the government has not introduced any significant reforms in the security sector, despite steps taken toward demobilisation. The real change, though not very extensive, began in the third wave of the reforms in 2000 when a new reform-oriented government came to power in January 2000. It was at this time also when the country was accepted into the Partnership for Peace program of NATO in May 2000.[44] Croatia began accession talks with the EU in October 2005.

Serbia's security and defence reforms record is very poor and consists mainly of first generation changes.[45] The fall of the Milošević regime in October 2000 did not trigger many of the expected reforms in the defence and security sector in Serbia. Even the governments that came to power following the fall of Milošević were not able to institute necessary reforms due to the highly unambiguous stance of the government towards the European integration and due to the still nationalistic electorate favouring politicians with nationalistic background. There was lack of political will and no human and material resources allocated for a successful reform. Elementary security and defence reforms have just started in Serbia. The country

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[44] For the new government that came to power in 2000 it took three years to a make a law on security agencies and another ten months to nominate directors of these agencies. In sum, it was very slow and reluctant reform. Even, in this period the reforms have not gone smoothly. Interview CR1.

[45] By the first generation changes or reform the authors means the establishment of institutions, structures and chains of responsibility for the security sector and laying down the basic principles of the work of the appropriate structures for democratic control of security sector actors. For more information see Yusufi, Islam, *Security Sector Reform in Southeast Europe*, Centre for Policy Studies/International Policy Fellowship Research Report, Gostivar, 18 February 2003. Available online at: http://www.policy.hu/yusufi/researchreport.pdf.

is experiencing currently what the other countries of the region experienced previously: the process of adopting reform policy documents, such as the security and defence strategies.

Albania's reforms started after the total collapse of the system of governance in the country in 1997. The infamous 1997 crash of pyramid investment schemes led to major scandals in the security and defence sector. Candidacy for NATO membership was awarded in 1999, chaos in Kosovo was mitigated by the NATO's intervention in Kosovo in 1999. A relatively stable government came to power after 1999, establishing a consensus in the country for instituting security and defence reforms in an effort to overcome difficulties resulting from the 1997 crisis and that would, in the end, help Albania to achieve the much awaited goal of NATO membership.[46]

As mentioned above, Bosnia and Herzegovina is an emerging country of the Western Balkans in the area of security reforms. BiH has just established single ministry of defence at the state level that combines the armies of two entities of the country under the command of the country's joint tripartite presidency. It is after this major breakthrough in the country that major reforms are expected to take place. Soon, the country is expected to sign the stabilisation and association agreement which, in turn, will facilitate the design and implementation of the required reforms in the security sector. At the policing area, BiH has been able to establish a single, multinational state border service and has made considerable progress in integrating officers from minority nations into largely mono-ethnic local police forces.[47] Also, the state investigation and protection agency has been established for the exchange of law enforcement information, and for the protection of national institutions and representatives, and for facilitating inter-entity and regional cooperation in the fight against organized crime, human trafficking and international terrorism. However, despite these achievements, the country still lacks progress in the planning for security sector reform and restructuring.

B. The Reasons Why the Governments Undertook Reforms in the Security Sector

With some minor differences, many of the same reasons pushed Macedonia and other countries of the Western Balkans to undertake security sector reforms. To put it simply, the following common objectives for reform can be distinguished. Among others they include:

- Integration into the Euro-Atlantic institutions of EU, NATO, WEU, and OSCE that require democratic and civilian control of the defence and security sector as well as certain reforms that will adapt to the democratic standards and that will respect the main principles of the human rights and rule of law;[48]

- Security sector accountability to the democratically elected political leadership, as the security and defence sector otherwise would constitute a threat to democracy;[49]

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[46] Interview AL3.
[47] International Crisis Group, *Policing the Police in Bosnia: A Further Reform Agenda*, ICG Balkans Report 130, ICG, Brussels, 10 May 2002, at p. 2.
[48] Interview CR5.
[49] Interview SM2.

- Balancing the resources needed for the security and defence sector with the needs of other sectors of society[50] and adjusting the size and budget of the military to the new security threats. In a changing society, the security sector cannot be left aside and must keep pace with economic and social reforms in the country.

- Adapting to new security threats, challenges and risks faced by the societies of the Western Balkans in a new era. Security threats and risks are in constant flux, and call for reform to create a security sector capable of dealing with contemporary threats and risks such as organized crime, terrorism, the smuggling of weapons and drugs, etc.

- Making the security and defence sector ready for new missions, e.g. peacekeeping missions and those in support of national law enforcement institutions. Increasingly, the military no longer operates only within a national context, but regionally and internationally in cooperation with units of other countries. In this context, an aim has been increasing the security and defence sector's ability to operate with the security and defence sectors of other countries in terms of equipment, training, language, information, command and control systems (interoperability).[51]

C. How Reforms Fit into the Governments' Overall Policies

It took a decade for the countries of the Western Balkans to understand the importance of security sector reform and its role in overall democratic and economic development. There has been a general tendency for governments to approach security and defence reforms on a compartmentalized basis - with different aims and objectives - without linking the processes together under an overarching strategy. Following the establishment of the Stability Pact for South-eastern Europe, which propagated the comprehensive approach to finding solutions to security problems of countries in the region, governments in the Western Balkans started to these the issue as part of overall economic and democratic development. In the case of Macedonia, there has been an overall comprehensive strategy of the country's representatives and international community in instituting security and defence reforms and in directing programs that are more precisely tailored to the needs of each country. In the area of police reforms, based on the provisions of the Ohrid Framework Agreement of August 2001, OSCE became an agency with the task of coordinating the work of international and local actors in this regard. The NATO Advisory Team that came to the country following the end of NATO's peacekeeping mission in the country in March 2003 became a coordination agency for reforms in the military. The situation was similar in other Western Balkan countries that became members of the Stability Pact for South-eastern Europe in 1999.

In Croatia the issue can viewed on two levels. One is the internal level that the government established in order to respond to the calls of public. The second level deals with answering to the international community's expectations for Croatia. The combination of the two produced

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[50] There is lack of resources in maintenance of the security sector and public pressure for peace dividend. Grcic-Polic, Jelena, *On defence reforms and capabilities*. Paper presented at the conference Toward NATO Membership: Harmonizing Efforts in Southeast Europe, Marshall Centre, Dubrovnik, 4-7 November 2003, at. p. 6.

[51] Interview CR2; Fluri, Philipp H, Anders B. Johnsson and Hans Born, *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices, DCAF and Inter-Parliamentary Union*, at p. 54**.**

the end results of the reforms and their relevance to the governmental policies.[52] The security reforms in the country have been based upon the strategies for security and defence adopted in 2002. These strategies recognize the importance of the newly changed security environment in the region and the requirements that the new environment asks from the government. These demands include the downsizing and restructuring of the security sector, the increase of transparency and civilian expertise in the working of the security. These issues all fitted well with the overall governmental policies laid down at the security and defence strategies.[53]

In BiH, Serbia, and Montenegro, policies for security and defence reform have been in accordance with the government's proclaimed reform politics; however, in all these countries it has not gone beyond political proclamation. In many segments, reform plans are still not realized.[54] Albania is a country that maintains the widest national consensus in the region for security reforms and, therefore also for joining European security and military structures. It has been this consensus and policy of no-scepticism for joining EU that has been an overarching framework for the country's reform plans and programs.

D. Specific Reform Policy Model and Development of Security Sector Reforms

Since the beginning of the reforms in Macedonia, governments did not have in mind any distinctive reform model or blueprint how to design, launch and implement the reforms in the security sector. Security reforms in Macedonia have never been carried out according to one generic plan. Each stage of reform has had its specific circumstances and causes, often changing in reaction to the outside environment or an outright necessity.[55] However, throughout the

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[52] The government that came to power in 2000 was more focused on economy than on security and defence. Just in the second half of the mandate, the government started to look into the issue more seriously. Croatia's reform programme has suffered a lot from the coalition nature of government, for example one coalition partner took ministry of defence, another ministry of interior. Also, the competition that existed between the government and the president hampered the efforts. Interview CR2.

[53] Interview CR5.

[54] Interviews SM1, SM2.

[55] In other cases of the Western Balkans, like Serbia and Montenegro, the governments did not have in mind any specific reform model that will be compatible to a modern democratic society. Interviews SM2, SM1. In Croatia, there were several models that circulated around the governmental and security sector circles. In reforming the intelligence services, the country used the American model by instituting an umbrella intelligence organisation. Also in reforming the military, the country used the American model by making the battalion the basic unit of the military. It has also worked closely with the Hungarians and Slovenians on the issue. The country, with the adoption for the first time of its national security and defence strategies and a new law on defence in 2002, started to establish an overall framework for the security reforms. These documents constituted a model for the country. Croatia for a long time insisted on having its own model for security sector reform, based on the country's development potential. From development perspective due to the fact that the country has undergone difficult transition process, it was not important to have security sector that looks like the security sectors in Western countries. The most important thing was to design it according to the country's traditions and potentials. As a result, the country has been able to develop a system that is optimal to the situation in Croatia. However, in both issues, Croatian security community approached the models used, cautionary, by criticizing certain aspects of that they do not serve the needs of the Croatian security sector. Interviews CR1, CR3, CR3, CR5.

1990s and early 2000s, there was always widespread public consensus on the direction of the transformations: democratisation, modernisation and integration in the EU.[56]

There have been examples in other countries, mainly those of EU member countries, and partly the successful examples from the Central European countries, such as Poland, the Czech Republic, Hungary, and Slovenia. However, the use of these examples did not lead to any model that would provide a distinctive framework for the reform of the security sector in accordance with the country's democratic, political and economic standards. It was the adoption of national security and defence strategies and the strategic defence review that established a minimal framework on how to design and proceed with the reforms.[57] The national strategic reform documents in other countries as well have played an essential role in the institution of the reforms.[58]

E. Factors that Have Triggered and Prevented Reform

The experiences of the countries in the region in the security sector reforms generally give us clues to factors that have triggered reform. There are four main factors: changes of government, dynamic leadership, conditionalities of the international community, and public pressure. The conditionalities put down by the international community, including the governments, institutions, programs and advisers, have exerted strong influence on security reforms in Macedonia as well as in other countries of the Western Balkans. These countries have encountered the entry of international community on a broad front. The entry has consisted of Western governments, institutions and programs such as the EU, OSCE, independent foundations, centres and academia. Conferences, workshops, and seminars on security affairs frequently take place in the regions' capitals. Local and external experts, advice, projects, and information are ubiquitous.[59] The "EU factor" as an international conditionality has been a source for some reforms in the region that have gone beyond cosmetic improvements. In the process of approaching the EU, countries of the region have taken on many new security obligations and have actively participated in international peace support operations. Adopting EU standards and attending peace missions have brought security sectors in the countries of the Western Balkans to international attention. This, in turn, has been another trigger of reforms. Interaction with the EU established a constant positive influence, steadily pulling the reform process along when it stagnated and giving it a clear frame of reference. Bilateral and multilateral cooperation and assistance from NATO and its member states played an important fa-

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[56] Karkoszka, Andrzej, *Defence Reform in Poland, 1989-2000,* in: *Post Cold War Defence Reform: Lessons Learned in Europe and the United States*, Istvan Gyarmati and Theodor Winkler (eds.), Brassey's Inc., Washington DC, 2002, at p. 186.

[57] Macedonia has adopted Strategic Defence Review (Political Framework) of October 2003; National Conception of Security and Defence of June 11, 2003; Defence Strategy of September 1999; White Paper on Defence of August 1998; Action Plan for National Defence of 2000; Dynamic Plan for Transformation of May 2002. Also, in the case of Macedonia, Ohrid Framework of August 2001 includes provisions on security and defence reforms.

[58] *Albania* has Strategic Defence Review of 2000; National Military Strategy of July 2002; National Security Strategy of 2000; Long-Term Implementation Plan 2002-2010; Defence Guidance. *Croatia* has adopted National Security Strategy of March 2002, Defence Strategy of March 2002, Military Strategy of December 2002, Working Plan 2000-2004.

[59] Trapans, Jan Arveds, *Defence Reform in Post socialist States: The Experience of Latvia,* in: *Post Cold War Defence Reform: Lessons Learned in Europe and the United States*, Istvan Gyarmati and Theodor Winkler (eds.), Brassey's Inc., Washington DC, 2002, at p. 375.

cilitating function, not so much in terms of direct material help as in terms of political and intellectual support for indigenous institutions, political groups, and individuals planning and managing the reform process.[60]

The case of the reform of the unit 'Lions' in Macedonia, turned the attention to the role of the combination of all these factors in instituting progressive reforms. Particularly, in regard to the role of dynamic leadership; in this case, the then minister of interior Hari Kostov (later prime minister) of Macedonia, who came to the post of minister of interior following the elections of September 2002, was determined to push for positive change.[61]

On 7 August 2003, Serbia's leadership sacked number of generals who were considered loyal to Milošević.[62] This was the major action of security sector reform in Serbia since the end of the Milošević era in October 2000. In international circles the action was hailed as a major step toward cementing the pro-Western politics of the governments that had replaced the

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[60] Karkoszka, Andrzej, *Defence Reform in Poland, 1989-2000,* at p. 186.

[61] Police in Macedonia emerged as a relatively powerful body on the political landscape and played an important, if controversial, role in the 2001 crisis. The then minister of the interior, Ljube Boskovski of the VMRO-DPMNE, founded an armed unit within the ministry, the Lions, which had uncertain loyalties and operated on the borders of legality. The new minister of the interior, Hari Kostov, a businessman without much political or police experience, who came to this post following the elections of September 2002, was determined to push for positive change. Action to bring the Lions to order, long demanded by the international community, started in November 2002 with the disbandment of the 4th battalion, responsible for administrative, logistic and medical support. In January 2003 their commanding general, along with 14 other commanders, were dismissed and steps were taken to disband the unit. However, the remaining Lions were determined not to go without a fight. A syndicate of junior officers was elected to represent the unit's interests and under their direction roadblocks were set up on the main Skopje-Blace road, where members of the unit dug in and were reportedly prepared to storm Skopje if their demands were not met. Certain number of police reservists came to their aid. After a tense stand-off with the authorities lasting two days, a settlement was reached: 600 out of 1,200 remained in the police, while the unit itself was transformed. All members who had regular contracts of employment were to be reassigned to other positions in the ministry of interior. The unit was finally disbanded in April 2003. Pressure of the public and the international community, who considered the unit Lions as one of the major violators of the human rights in the country and a unit that remained out of the public and civilian democratic control, played a critical role in the disbandment of the unit. Despite his background which lacked much political or police experience, Kostov's desire and determination for the reform of the unit led to his decisive action to reform the unit, despite the countering of the opposition as well as the pressure faced by the unit itself which still held large number of weapons and ammunition, owned by the ministry of interior, and who were determined to fight in order to remain part of the ministry of interior. The role of the change of government has also been very dominant in the case as the new government that came to power following the elections of September 15, 2002, had in its agenda launching major reforms in the security realm, including the reform of the unit Lions. More on this see: Matveeva, Anna, Duncan Hiscock, Wolf-Christian Paes and Hans Risser, *Macedonia: Guns, Policing and Ethnic Division,* Saferworld and Bonn International Centre for Conversion, October 2003, at. p. 40; Peake, Gordon, *Policing the peace: Police reform experiences in Kosovo, Southern Serbia and Macedoni*a *Research Report*, Saferworld, London, January 2004, at p. 34. Available online at: http://www.saferworld.org.uk/Policing per cent20PA2.pdf.

[62] Serbia and Montenegro's top military committee, the Supreme Defence Council, sacked 16 generals in a purge of Milošević loyalists on 7 August 2003. Several hundred lower-ranking officers were also axed. With the sacking, a third of 51 active generals or admirals lost their jobs. With that the army lost the remnants of its conservative and Milošević-loyalist core, which sympathized and co-operated with the Bosnian Serb army during and after the 1992-95 war in Bosnia. Some of those who were removed were often described as sympathizers of Russia, for example the head of military intelligence, General Radoslav Skoric. One of the sacked generals included the Deputy Chief of Staff, General Vladimir Lazarevic, who was the commander of the Pristina Army Corps in Kosovo province during the 11 weeks of the NATO bombing campaign against Serbia in 1999. Some army units are believed to have been involved in the atrocities in the parts of former Yugoslavia. Peric, Zimonjic Vesna, *Serbs Purge Armed Forces of Milošević Loyalists Generals*, in: The Independent, 8 August 2003.

Milošević regime four years previously. This action came as a result of the change of the government, pressure of the international community, the rule of a dynamic leader, public pressure, the desire of the new government and the public to return the country to the international community, a new constitution (constitutional charter of 14 March 2003), etc. The new government fought hard to bring the country into the EU's stabilisation and association agreement, which is the first stage for a European country to get into to the EU. The signature of the stabilisation and association agreement would be impossible without shedding the dark legacy of the army's past. In Serbia, there has been an absence of a clearly defined strategy and governance model, a fact that has led to slowness in the reforms planned and to heavy dependence on changes in daily politics. Essentially, in Serbia, the governance problem consists of undefined constitutional regulation with regard to the security sector.[63]

It is the incentive of the international community that can provide to Serbia by including it to the stabilisation and association agreement that will establish groundwork for profound reforms and the establishment of democratic and civilian control of the security and defence sector. In a sense, the security and defence sector can become an actor of democratic change in Serbia.[64]

The Croatian army has been subject to a huge demobilisation of officers, NCOs, and enlisted soldiers, a consequence of changing defence and security threats after the end of the wars at home and in the wider theatre. Demobilisation is a huge and sometimes dangerous process in war-affected areas, as is the case with Croatia.[65] Croatia missed an opportunity to restructure and downsize the security sector just after the end of the war in 1995, particularly, the military sector. The restructuring plan was postponed up to the early 2003, as a result of which for the military existed as a social welfare establishment for around eight years. In this case, pressure from abroad was dominant. Also, growing transparency in the work of the security sector has helped to push for the reform.[66] The country had a new reformist government in 2000 that called for membership in EU and NATO that in turn required large number of reforms. There have often been contradictory pressures upon Croatia within the range to impose justice on the one hand and the need to restore peace and stability in a conflict-shattered country on the other. Some assert that without justice there is no peace—or at least no lasting peace. But others claim that insisting on bringing the persons responsible for the crimes before justice may delay, or even block, the peace process and thus impose further suffering to the populations concerned.[67] They are no easy answers to any of these questions, but, as Carla del Ponte points out, there are two important issues in this regard: first, divided societies and countries often lack the will or the power to prosecute and try those responsible for the worst crimes, in particular their leaders; second, even when they establish prosecutions and trial, domestic courts in divided societies often do not provide the necessary guarantees for a due process of justice.

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[63] Interviews SM1, SM2.

[64] Simic, Predrag. *Reform of the Security Sector in Serbia and Montenegro* (repro author), Belgrade, 2003, at p. 4.

[65] As Ante Gotovina case has shown, demobilisation and treatment of veterans is one of the most critical issues in Croatian society, where the veterans are in the forefront of many social movements and radical demonstrations. Jelusic, Ljubica, *Continuity, Restructuring, or Development from Scratch: Dilemmas of Slovenian Defence Reform, 1991-2001,* at p. 128. Interview CR1.

[66] Interview CR5.

[67] Ponte, Carla Del, *The Role of International Criminal Prosecutions in Reconstructing Divided Communities*, Public Lecture delivered at the London School of Economics, 20 October 2003. Available online at http://www.lse.ac.uk/Depts/global/Del per cent20Ponte.htm.

Although internal crises in Albania have had an important impact on the results of the security reform efforts, other factors such as frequent changes of ministers of defence and the lack of any realistic assessment of the results of the reform efforts have had considerable influence on reform efforts.

In the countries of the Western Balkans, scandals mainly related to the work of the security and defence sector were one of the major triggers for security reforms. Particularly, in the cases of Croatia[68] and Serbia,[69] the scandals have been one of the sources for security reforms in the countries.

It has been general assumption that the security sector itself is the main obstacle to the reforms and that it is staunch supporter of the status quo. There have been cases in which the governments have been faced with difficulty in overcoming the opposition of security sector personnel, who tend to be naturally resistant to the changes that may affect their positions, functions and jobs.[70] So far no case has been recorded where the establishment has blocked any reform process. What has been most evident has been their opposition that has derailed the reform processes.

What this research has recorded is that it is not only the security actors that are against reforms; civilian governing structures also show reluctance for reform. This was not more evident than in the case of Serbia and Montenegro, where the civilian governance structures, like the government, the president, the ministry of defence, were the main opponents of the security and defence reforms. The main reason for this opposition was the leverage that the security sector provided to the relevant civilian governance structures in dealing with their own opponents for the fear of possible loss of power. Other stakeholders in this regard were the bureaucracy.[71] This was also partly the case for Macedonia, where the pursuit of different political interests hindered hope for reforms in the security and defence sector. Opposition and support has varied from one phase of the reforms to the other. The same actors in one phase were supportive in another unsupportive. Opponents were those who were afraid of losing what they possessed. Mainly, the opponents were reform targets such as employees in the security sector whose jobs would be threatened by reform.[72]

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[68] Most notable scandals in Croatia include the support that the president of the parliamentary committee has provided to a member of secret service to get better position and uncovering the wire tapping capabilities of the ministry of defence. Interviews CR5, CR1. In Croatia, there have also been scandals related to the wiretapping of journalists, and also scandals related to the leaking of security documents to the media, related to the Croatian war, and from other sensitive security issues in the country. However, the scandals did not lead to the expected changes in this regard, despite the existence of a number of them. Most important scandals have been ones on the purchase of S300 air system, and possible involvement of the corruption in the case. Interviews CR2, CR3.

[69] In the case of Serbia-Montenegro, there were scandals, and a good example is 'Perisic case'. Interviews SM1, SM2.

[70] Katsirdakis, George, *Defence Reform and NATO,* in: *Post Cold War Defence Reform: Lessons Learned in Europe and the United States*, Istvan Gyarmati and Theodor Winkler (eds.), Brassey's Inc., Washington DC, 2002, at p. 200.

[71] Interview SM1.

[72] Interviews CR1, CR5.

IV. Broad Effects of the Reforms

A. Effects to the Surrounding Environment

The implementation of security reforms has not been easy for all countries in the Western Balkans. Many problems recur, including some that are more country specific. The following paragraphs look at the challenges of, and problems in, implementing defence reform. Despite the overall success of the region in the establishment of a sustainable environment for the reform of security sector and despite the integration of a part of the region into the EU, the countries have not yet reached their objectives in terms of security sector reform. This applies to all seven countries. Success is more evident in the defence side rather than in the police and other relevant elements of the security sector. The problems in the key areas are not solved yet, as the regional countries still lack clear goals in the framework of their general vision for security sector reform. The countries of the Western Balkans have managed to establish civilian governance in the security sector, where all decisions are taken by civilian representatives responsible to the elected Parliament or directly to their electorate. However, this success applies only to the first round of reforms that happened immediately after the regime changes of 1989-91. Major difficulties presented themselves in the second round of reforms, and are still present in the most recent wave (third phase) of reforms, including in the modernisation, professionalisation, education and emergence of new leaders of security sector, and participation in overseas peacekeeping operations. Also, there remains much to be accomplished in policing to fight crime, efforts to combat crime, including organized crime, have so far not been satisfactory. Moreover, the countries have been successful in downsizing their militaries; however, they have not been able to find a dignified occupation for the discharged personnel in order to change the mentality of the security sector people, to change the system of the management in the security sector, and to change the spirit of the sector.

In each of these countries, there has been massive participation of the personnel of the security sector in educational and training programs abroad, particularly in EU countries. The people educated or trained abroad initially were a great hope both for the countries as well as for an international community that had invested much in them. The personnel were expected to be a backbone of the new security civilian governance in the region; however, these initial hopes later proved to be generally false, as the returning personnel were not able to institute or establish an environment for sustainable reforms, they returned to their old style of working cultures or they were blocked by the mid-level structures or by their superiors who considered them a threat. Also, most of the education programs have targeted military personnel rather than civilians, a fact that has decreased the opportunities for civilian training and education in security and defence policy management.[73] As a result, establishing horizontal contacts between governmental officials and various security agencies has become critical in all seven countries of the region. The establishment of a crisis management system and an according crisis management centre in Macedonia will be a major test in this regard.

Too often the countries of the Western Balkans ignored the fact that there was a pressing need to educate civil society in defence and security matters. While governments did a great deal to adapt old structures to new realities, reform requirements were rarely adequately exposed or discussed as part of an inclusive and transparent public debate. The paucity and often partisan

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[73] Trapans, Jan Arveds, *Defence Reform in Post socialist States: The Experience of Latvia,* in: *Post Cold War Defence Reform: Lessons Learned in Europe and the United States*, at p. 18.

and poorly informed media reporting on security issues was partly to blame. However, due to a lack of sufficient engagement of the public, there was an accordant serious lack of a non-governmental capacity to make a contribution to the checks and balances required in civil-military and civil-security sector relations.

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

In all the countries of the region, the executive branch (president, prime minister, ministry of defence, minister of foreign affairs, and minister of interior) is dominant in designing the reforms. In certain cases, special legislative commissions and the general staff have played great role as well. However, the main work on the plan and design of the reforms has belonged to the executive.[74] The role of the legislative, i.e. Parliament, has been adopting the proposed legislation relevant to security reforms. The work of the executive in designing the reforms, in all the countries of the region, has also been supported by various experts from both the public and private sectors,[75] representatives of the international community,[76] and certain non-governmental organisations.

In Serbia, the government partially cooperated with the local civil society groups in designing the reforms. It cooperated on an *ad hoc* basis with local civil society groups in designing the reforms.[77] There have been cases in Croatia where the government has listened to the opinion of the civil society organisations. For instance, the parliamentary oversight committee held open sessions with human and civil rights organisations, like the Helsinki committee for human rights and centre for human rights. The role of civil society was influential in the adoption of the law on military service that was considered as very liberal document from defence perspective.[78]

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[74] The government in Croatia that came to power in 2000 had its own 'Governmental Working Plan for the Period 2000-2004', and similar one was adopted by the new government that came to power in 2004. Interviews CR1, CR3. In Croatia, there was the dominance of the executive branch (ministry of defence), supported by the legislative, in designing the reforms. In the reform of the intelligence services it was the deputy prime minister who had an influential role. Interview CR5.

[75] In the case of Serbia and Montenegro, various experts from both public and private sector, representatives of the international community, and certain non-governmental organisations were responsible for designing the reforms in the security sector. Interview SM1.

[76] In Macedonia, the EU institutions have played a leading role in the instituting of reforms in the security sector of the country. The president's and prime minister's offices have played complementary role in some of the reforms. The ministry of interior, with the support provided by the EU police mission proxima has undertaken major reforms that were unthinkable in the previous years of the transition of the country.

[77] Interviews SM1, SM2.

[78] Interviews CR1, CR5.

B.   *Stock Taken from the Security Sector Reform Experiences*

There has been a direct positive influence of security sector reform upon the European integration of the countries of the region. Macedonia, Croatia and Albania have signed the stabilization and association agreement and others are expected to sign in the near future. With the achieved reforms, a large community of the security sector reformers has been established that has led to a continued interest in the society and media for overall reforms in the security and defence sector. All these countries, as a result of the reforms achieved, can count on many local competent NGOs and political parties ready to discuss and offer their support for security reforms. The media has also gradually developed competence and expertise on the issue, and local businesses have become supportive of security reforms. There have also been some changes particularly in political interests. Previously, the people who occupied the position minister of interior were high profile politicians. However, the defence and security issues have lost their importance and the security sector has become a 'normal' sector like the economy, society, culture, etc. This change can be profiled as a success in terms of overall reforms in the country.[79]

Security reforms in the region have, to a large extent, reduced problems in the security sector. Applied reforms have solved many of the problems that the security sectors of these countries have faced, including the establishment of the new organizational structure, increasing the transparency and democratic control, shortening army service, understanding the right to conscientious objection, decreasing the suicide rate in the armies, increasing the investment budget allocation for defence, increasing readiness on the part of the security to perform new security missions, decreasing the number of scandals, allocating more money for modernization and education, etc.[80]

Media coverage has constituted substantial part of the process of the security sector reform. Media has had information function to play, but due to the tendency of the media to look for scandals in the security sector that could generate tension, media coverage has been a significant impediment to spreading the word about the required reforms. The main reason for this has been insufficient knowledge of the journalists in this field. On the other hand, journalists who understand the reforms have begun to emerge. These journalists are in a position to pressure the government for more reforms, despite the general tendency on the part of journalists not to be friendly to the security sector.[81]

C.   *Lessons Learned*

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

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[79] Ten years ago, for instance in Croatia, military used to be most trusted institution by the people. This has now changed as the major threats to the Croatian security have disappeared. Interview CR1.
[80] Interviews SM1, SM2, CR1.
[81] The counties cannot count upon semi-experts on security issues among journalists. Interviews CR1, CR5.

Three issues that have had and will continue to have major influence on the prospects of the security sector reform including transparency on the work of the security sector, turning the political will into concrete action and challenging the overall mentality of both security sector and the civilian institutions responsible for oversight of the security sector.

1.   Transparency: What are needed most are more transparency in the work of the security sector, greater role of the parliament in the reforms, more transparent and accountable military budget, effective planning, programming and budgeting, a more active role of the civilians, a stronger link with the academic community, a greater role of the ICT, and a continuous learning process as a source for change. Transparency in the security and defence sector is particularly important in security and defence planning and budgeting and in personnel related issues. Transparency is required for the public and for other government sectors, political parties, parliament, and the media. It is transparency that facilitates interagency cooperation, an objective that has been difficult to achieve in Macedonia. The objective in this respect is to coordinate activities of the entire security sector. In many other countries of the region the greatest difficulty is faced in crisis management situations. Transparency is also important in restructuring and downsizing, because often coupled with personnel losing their jobs. All of the Western Balkan countries have faced such problems, and it is the challenge for these countries to include syndicates and the people targeted with the reforms and restructuring.

2.   Political Will: The record in the region shows that the countries have been most successful when they have used their own resources for the launch and implementation of reforms. The use of the domestic resources has led to the commitment and determination of the governments in the importance and significance of reforms in terms of the political and economic development as well as the development of security in the country. In this context comes the importance of a need for a strong political will and clear aims in order to accomplish the reform. The efforts of the state structures will not be enough. There is a need for broad social support, necessary resources, and consolidation of the best of the experiences achieved so far, as well as the enhancement of the international cooperation that has already been achieved. In this context, a systemic approach with clearly defined goals and not mere political declarations would be helpful. The countries have been able to achieve two of their main objectives: establishing democratic and civilian control of the military and lining themselves up for membership in the EU. It is the third goal - the stable, legitimate and accountable civilian security and defence governance - that will prepare the ground for crafting a cohesive, long-term plan to restructure, modernize and develop a modern security sector that will be able to respond to the needs of the respective countries in a new era of security challenges. There is growing worry that Macedonia, recognized by the international community as one of the leading reformers in the region, is to adopt a hands-on attitude toward security sector reform, an attitude that can hamper the goals and objectives. Despite this, the direction of the security sector reform with the adopted strategic defence review seems to be on the right track. Convincing the political elite of Macedonia of the need for security reforms has been an important challenge since many other sectors other than the security sector require urgent attention. For Macedonia, it took the approximately eight years following its independence in 1991 to become convinced of the need for security and defence reforms, as it did not perceive a need for reforms. This has also been particularly evident in all former

Yugoslav republics that looked to the past as something of which they could be proud, rather than as a legacy in need of critical re-evaluation. This has not been case in Central European countries, which tend to view the past as a bad legacy and which did not need to be convinced of the need for urgent restructuring. For the countries of the Western Balkan region, it has also not been an easy ride in instituting reforms in security sector. The countries had to move forward with the reform process in the midst of the unprecedented dynamics of the change that was going on in the fields indirectly affecting the work of the security sector. In some circumstances the most important challenge is decision making, as decisions often entail many implications to the overall development of the countries of the region.[82] Another challenge with regard to the political will in Macedonia and elsewhere in the region is to convince a countries' elite to continue their reform efforts with the same momentum. It is has been much easier for EU candidate countries (Croatia and Macedonia) to maintain momentum than it is for the potential candidate countries such as Albania, BiH, Kosovo, Montenegro and Serbia, where the path to EU membership has not yet been embedded. The environment within which the security sector acts is very dynamic and, accordingly, its reform requires continuous effort as the challenges change day by day. As the reviewed examples from the countries show, clear vision and political will of the executive supported by the legislative, and administrative capabilities are the most important in moving security sector reform forward.

3.   Changing Mentality: The reforms and transformations of the magnitude of those undertaken in the region over the last decade cannot help but incur enormous social costs in terms of material well-being, disruptions to family life, and derailed personal careers of the officer corps, which had to undergo many reductions and relocations. If the process drags on for too long, as in case of the region's reforms, public support for the changes may disappear. Other challenges faced include personal and national uncertainty, constant changes, material depravations, and intellectual and physical strains. Dynamism of social phenomena inherently possesses a lot of inertia. Changes that are supposed to be undertaken in the security sector cannot be introduced overnight. Not only procedures and legislation must be changed, but also the attitudes and mentalities of the people. That takes time. In addition, changes must be made slowly and must include all levels of the security sector in the reform agenda.[83] It is a challenge to the security and defence concepts in these countries. To adjust practices to the multi-cultural and multi-ethnic environment of these countries is another challenge. On the practical level, it comes down to the fact that the countries of the region are moving towards professionalisation of their security and defence sectors, and should attract suitable candidates for a professional soldiers who possess high level of communication skills, who are able to tolerate the diversity and able to adapt to different customs and manners of behaviour of various ethnic, religious, race, and language backgrounds.[84] The education of people on security matters remain an important challenge to the countries of the region. One cannot expect the needed level of expertise

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[82] Munteanu, Tudor, *Political Challenges to the Defence Reform*. Paper presented at the conference *"Toward NATO Membership: Harmonizing Efforts in Southeast Europe"*, Marshall Centre, Dubrovnik, 4-7 November 2003, at p. 1.

[83] Interview CR1.

[84] Sulejmani, Rizvan, *Candidate Countries and Their Challenges Towards NATO*. Paper presented at the conference *"Toward NATO Membership: Harmonizing Efforts in Southeast Europe"*, Marshall Centre, Dubrovnik, 4-7 November 2003, at p. 6.

on security issues if there is no investment in the production of the relevant experts.[85] It is also essential that the initial focus of reform is to work from the top down – to empower key decision makers and officials charged with the implementation of change. In this context, it is also important to define in law, rules and regulations for the new functioning of the security and defence sector, and to reformulate the national security concepts and policies accordingly. For example, in the very important area of military support for civilian law enforcement activities, actions are not clearly defined, restricted and regulated by law. Definitions are lacking in the following areas: the circumstances in which military support may be enlisted, its nature, limits and duration of the involvement, institutions in charge of making the decision to involve the military, competent jurisdiction in case of breach of the law or of human rights violations in that context, etc. and to ensure that the involvement of the military in civilian law enforcement is consistent with international humanitarian and human rights law and principles. In a democracy, it is essential that the different roles of the armed forces and the police be clearly defined. Therefore, the relationship between the ministry of defence and the ministry of interior should be clearly enshrined in the laws defining and establishing the system of crisis management. It is also essential, as the management of resources in certain emergency and disaster situations is an extremely complex function, sometimes involving the coordination of services, such as the police, fire, ambulance and health services, that the legal framework is precise in terms of the circumstances in which armed forces can be used to provide assistance to the police in internal security situations and provides a clear confirmation of the primacy of the police in dealing with internal security situations.[86] As the functions of the police become varied, oversight organizations such as the parliament should shape its work on controlling the security sector accordingly. The countries of the region have not yet set up sub-committees for specific fields of security, such as the budget, procurement, personnel and peace missions.[87] With the changes, it is also necessary to establish mechanisms within the security sector that will contribute to raising awareness of and respect for democratic values and institutions as well as human rights principles. These internal mechanisms are necessary to complement parliamentary, government and civilian control over the security sector, and to help enhance the democratic disposition of uniformed personnel. A shortage of these mechanisms in the security sector renders countries very vulnerable to destabilization.

Fifteen years of history of security sector reform in Macedonia and in other countries of the Western Balkans exposes the interaction between the security and defence sector and shows overall democratization and developments processes. The record of the transformation of the security sector in the Western Balkans underscores the importance of governance for ensuring stability and prosperity. Fifteen years has not been enough to establish stable and sustainable civilian security governance to direct and oversee effectively and efficiently the security sector actors. Thus, it was optimistic to expect that, from the outset, civil society (NGOs, academia, etc.) would provide the required expertise, on the one hand, and the security sector or the

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[85] Interview CR1.

[86] Interview MK1.

[87] It is worth mentioning here as the positive development the commission established in the Croatian parliament "the Council for Security Services Oversight," consisted of seven members coming from academia and civil society.

state institutions entitled to oversee them, would be ready to listen to the views and expertise of the civil society, on the other.[88]

Macedonia has emerged as from the decade-long security 'transition' with a new reform environment which, as is the case with the security sector reform, has established clear benchmarks for the future shape of necessary reforms that will award the country the long-desired and long-awaited goal of membership in the EU. In the recent past the process of structural reform has gone through a slow period followed by some acceleration. The crises in the country distracted policymakers' attention from the reform agenda. After the resolution of the crises, the process of structural reform gained some momentum again, but also suffered other setbacks due to the economic and political crises in early 2000s. In the course of 2003 and 2004, significant progress was achieved in security reforms, including new multiyear planning, programming and budgeting system, as well as significant change in the legal framework that regulates the functioning of the security sector. Despite those improvements, Macedonia still suffers from a number of structural shortcomings, especially regarding the budgetary prospects of the reforms. Within the security budget, personnel expenses account for close to 80% of total security expenditures, leaving little room in the budgets for reforms, investment and other activities supporting professionalisation and modernization of the security sector.

Security sector reform is still an area where the considerable progress is lacking all over the region of the Western Balkans. The 'critical weakness' of the countries of the region remains. Produced reform policy documents such as the strategic defence reviews, working plans, etc. represent positive statements of good intent; however, there remains considerable record of unfulfilled security reform commitments. The reform documents themselves lack concrete proposals and objective targets. In this context, a discussion about the end of the era for the required security reforms in the region would be premature. Good intentions promoted by the regional countries' respective capitals need to be reflected in concrete results, and there is a good deal to be done.[89] Generally, the region has been faced with tough decisions on security sector reform that have had major implications. So far the countries have been successful in mitigating the negative implications of the transformation. However, the challenges still stand and the key to successfully face these challenges rests on the degree to which the political stability that the region has enjoyed in the past few years can be sustained, and on region's ongoing ability to avoid being drawn into potential conflicts.[90] It may be concluded that the countries have made quite substantial progress with reform policies and that an adequate and ambitious reform policy agenda for the medium term has been established. However, in view of past experience and in view of the current security and political crisis, the commitment and willingness to quickly implement the reform agenda needs to be upheld. The international community should underpin this through applying suitable conditionality when appropriate.

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[88] From the experience of searching relevant experts in the individual countries of the Western Balkans to interview them for the purpose of this research, it has shown that in average the number of civilian experts who would be able to offer the required views, does not go beyond ten people in each country of the Western Balkans.

[89] Interview MK2.

[90] Institute for Foreign Policy Analysis, *Defence Reform, Modernisation and Military Cooperation in Southeastern Europe*, MA: IFPA, Cambridge, 2002, at pp. vi-vii.

The following factors seem to have become crucial in measuring the success of the security sector reform agenda in Macedonia and in other countries of the Western Balkans. They include:

1. The distinctive cultures of security sector elements must undergo fundamental change before truly substantive reform is likely to occur. New habits of intra- and interagency cooperation are required. Reform processes, in essence, represent a huge process of legal harmonization. In this context, it is important to develop more efficient mode of cooperation with the parliaments for the required legal reforms and their harmonization with the European standards.[91]

2. The countries have to develop personnel management systems that will attract new and qualified people into the sector;

3. There should be an energetic move to establish benchmarks for the security sector reform as was the case with the abolishment of compulsory military service in Macedonia and accordingly, the full professionalisation of the security sector should be able to carry out the new missions acquired by the sector;

4. The security sector cannot adapt itself to the dynamics of the environment within which it acts if it is unable to plan the activities and resources needed years in advance. Therefore, the establishment of multi-year planning, programming and budgeting is a must for all the countries of the region;

5. Intelligence reform remains a daunting challenge to the countries of the region and reform in the services will benefit the stability of the governance in the region. In the transition, the intelligence services, as Williams puts it, play a far more exposed, ambiguous role than they do in consolidated democratic politics. They are at the centre of the moral panic and conspiracy theories of post-communism,[92] yet at the same time they are expected to protect the people and enlighten policymakers in a period of uncertainty and disquiet. In this context, their reform is a litmus test of both the functioning and accountability of the governance system in the post-communists states of the Western Balkans;

6. It is the trust of the citizens that makes the state institutions reliable bodies in the eyes of the people. And this trust cannot be acquired unless the scandals and crimes committed by the security sector elements have found justice. In this context, reform of the juridical system that will treat seriously the cases of mistreatment or the crimes committed by the members of the security sector will be able to establish the third angle of the triangle of the civilian security governance, besides that of executive and legislative control;

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[91] A benchmark has already been established in the Romanian case where the government established a special ministry (department) for parliamentary relations as the special authority of the central governmental administration. Also, within the each ministry a state secretary for parliamentary liaison position has been established for facilitating the relations with the Parliament. Munteanu, Tudor, *Political Challenges to the Defence Reform*. Paper presented at the conference *"Toward NATO Membership: Harmonizing Efforts in Southeast Europe"*, Marshall Centre, Dubrovnik, 4-7 November 2003, at p. 5.

[92] Williams, Kieran, *Introduction*, at p. 1.

7. Changes in the security environment and in the functions and missions of the security sector units require serious consideration for the reform of the authority and competence system of the civilian governance structures that govern the security sector and the institution of checks and balances inside and outside the sector, particularly as the security and defence sector units acquired new functions;

8. Continuity in security reforms is a condition sine qua non for the success of the reforms. Therefore, it is essential to establish wider security reform community in the government and outside it that will transfer the experiences from one government to another and that will establish sustainability and momentum for the required reforms. In this context, it is also important to maintain momentum in the implementation of the launched reforms;

9. Although the country officials, with the support that have gained in drafting their principal reform documents, have been, for the most part, very successful and clear in their aims for the prospective reforms. The planned reforms may take more than five years to be implemented or to reach the results, as the officials in the emerging democracies of Balkans tend to be a little over-ambitious and may suffer a bit from 'overreach',[93] as witnessed in their negotiations with EU in the framework of concluding the Stabilization and Association Agreement; and as a last but not least,

10. Civil society has a major role to play strengthening the governance in the security sector. The forging of a new security culture based on a genuine partnership between government and civil society has been particularly needed. A public-private partnership in the area of security will establish a new awareness on the part of the population of the country of the need for its active involvement in countering the existing security threats.

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

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[93] IFPA, *Defence Reform, Modernisation and Military Cooperation in South-eastern Europe*, at p. 92.