

IFP SECURITY CLUSTER

COUNTRY CASE STUDY: SERBIA

# SECURITY SECTOR REFORM AND DONOR ASSISTANCE IN SERBIA 2000-2010

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with contributions from  
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## ACRONYMS

|                 |  |
|-----------------|--|
| <b>AFSJ</b>     | Area of Freedom, Security and Justice  |
| <b>DCAF</b>     | Geneva Centre for the Democratic Control of Armed Forces                                 |
| <b>DDR</b>      | Disarmament, Demobilisation and Reintegration  |
| <b>DFID</b>     | Department for International Development (UK)  |
| <b>DRG</b>      | Defence Reform Group (NATO)  |
| <b>EAR</b>      | European Agency for Reconstruction   |
| <b>EU</b>       | European Union   |
| <b>EUCOM</b>    | United States European Command   |
| <b>IBM</b>      | Integrated Border Management   |
| <b>ICTY</b>     | The International Criminal Tribunal for the former Yugoslavia                            |
| <b>IPA</b>      | Instruments for Pre-Accession Assistance   |
| <b>JHA</b>      | Justice and Home Affairs   |
| <b>JSO</b>      | Special Anti-terrorist Unit  |
| <b>KSF</b>      | Kosovo Security Forces   |
| <b>MEPE</b>     | Multi-ethnic Police Element  |
| <b>MOD</b>      | Ministry of Defence  |
| <b>MOI</b>      | Ministry of Interior   |
| <b>NATO</b>     | North Atlantic Treaty Organization   |
| <b>NGO</b>      | Non-governmental organisation  |
| <b>OECD-DAC</b> | Organisation for Economic Cooperation and Development - Development Assistance Committee |
| <b>OSCE</b>     | Organisation for Security and Cooperation in Europe                                      |
| <b>PfP</b>      | Partnership for Peace (NATO)   |
| <b>PJP</b>      | Special Police Units   |
| <b>RCPM</b>     | Royal Canadian Mounted Police  |
| <b>SALW</b>     | Small Arms and Light Weapons   |
| <b>SCG</b>      | Serbia and Montenegro  |
| <b>SEE</b>      | South East Europe  |
| <b>SEEC</b>     | Southeast Europe Clearing House  |
| <b>SEESAC</b>   | South East Europe Clearinghouse for the Control of Small Arms and Light Weapons          |
| <b>SEPCA</b>    | Southeast Europe Police Chiefs Association   |
| <b>SFRY</b>     | Socialist Federal Republic of Yugoslavia (1945-1991)                                     |
| <b>SOFA</b>     | Status of Forces Agreement   |
| <b>SSR</b>      | Security Sector Reform   |
| <b>USAID</b>    | United States Agency for International Development                                       |
| <b>VJ</b>       | Yugoslav Army ( <i>Vojska Jugoslavije</i> )  |

## EXECUTIVE SUMMARY

This Country Case Study on Serbia will focus mainly on the policies and approaches that have been pursued by the EU (and other) institutions and Member States in Serbia's Security Sector Reform (SSR)<sup>1</sup> process. More specifically, the case study provides a critical assessment of the past ten years of assistance provided to this important sector and tries to answer the following two questions:

- What is the role of external donor assistance in SSR in Serbia?
- Are there ways to further improve such assistance in the future, especially in terms of effectiveness and efficiency?

### WHY SSR?

SSR is essentially aimed at the efficient and effective provision of state and human security within a framework of democratic governance. The importance of SSR is well documented today, mainly in the context of post-conflict stabilisation and development, as well as in the context of reform in transition countries. Moreover, SSR as a concept has become more visible in EU thinking and documents over the past few years.

It is important to make a distinction between these two very different reform environments, especially in the context of understanding SSR in Serbia, which this paper argues lies between these two environments, in firmly being an European transition country but with many post-conflict symptoms and challenges.

*Post-conflict environments* are characterised mostly by destroyed or dismissed political institutions and widespread insecurity. SSR in such a situation can be understood as Security Sector Reconstruction, since the state's monopoly on the use of force and effective and efficient structures need to be rebuilt, with significant efforts devoted to peacebuilding.

Typical additional SSR instruments in post-conflict situations are: Disarmament, Demobilisation and Reintegration (DDR) of former combatants, including child and female soldiers, combating Small Arms and Light Weapons (SALW), Transitional Justice, strengthening the rule of law, good practices for the security sector and so on.

On the other hand, SSR in *transitional countries* has to improve the state's performance in the security sector, to rebuild or to reorganise security institutions and sometimes to dissolve non-statutory forces like paramilitary police units. The main aim of SSR in transitional countries is to introduce the principles of democratic governance to the security sector. Hence, SSR is not seen just as a component of post-conflict peacebuilding, and has even been defined as taking place in developed countries.

**For this reason, looking at SSR in Serbia is not strictly limited to peacebuilding in a narrow sense, i.e. in a post-conflict sense.**<sup>2</sup> In Serbia, the process resembles more state-building than making or building peace. In other words, SSR is less about building trust among former combatants, which represents only a

1 The OECD-DAC Guidelines on Security System Reform and Governance agreed by ministers in 2004 define the security system as including: core security actors (e.g. armed forces, police, gendarmerie, border guards, customs and immigration, and intelligence and security services); security management and oversight bodies (e.g. ministries of defence and internal affairs, financial management bodies and public complaints commissions); and justice and law enforcement institutions (e.g. the judiciary, prisons, prosecution services, traditional justice systems).

2 Post-conflict peacebuilding seeks to prevent the resurgence of conflict and to create the conditions necessary for a sustainable peace in war-torn societies. 'Report of the Secretary-General on the work of the Organization', General Assembly Official Records, 54th Session, Supplement No. 1 (A/54/1), 31st August 1999, <http://www.un.org/Docs/SG/Report99/toc.htm>.

small part of the overall concern (e.g. South Serbia), and more about governance issues, such as institutional reform, legislature and accountability.<sup>3</sup> Classic peacebuilding is found only in some parts of the country, most directly in terms of efforts in South Serbia with local ethnic Albanian communities, considering the previous tense relations and ever present security challenges in this part of Serbia. In this sense, Serbia is specific, in that it is about advanced governance issues struggling to take root within the context of many negative legacies.

Relating to this argument in terms of the region, there is an important distinction to note, in change management terms clearly visible to practitioners on the ground – especially in terms of donor policy and effectiveness – between Serbia and other ex-Yugoslav states in the neighbourhood: while other states were faced with the challenge of creating institutions dealing with SSR from the bottom up, the process is reversed in Serbia.

## THE PAPER

**This paper does not aim to analyse SSR *per se*, but rather looks at the influence external actors, acting through donations and other forms of assistance, have had on the SSR process itself.** Its theoretical foundation thus rests on excellent papers such as the OECD-DAC handbook on SSR and many other similar publications, some of which are listed in the bibliography. Furthermore, as will be seen below, most of the conclusions from these publications are reinforced in this case study.

While it is now widely accepted that SSR needs to be looked at holistically and encompasses a wide range of government actors, this paper focuses in two areas that have received the largest share of external assistance, namely the defence (military) sector and the police sector. In this sense, although it touches the EU's Justice & Home Affairs (JHA) in the external context, it does not explore it in detail.<sup>4</sup> Furthermore, looking at these two areas of SSR is more in line with the Lisbon Treaty's provisions on this theme.<sup>5</sup>

The question of evaluation is relevant to the context of this paper, as we have to define whether we are evaluating donor demands or the policy objectives of the recipient country. In other words, should success be measured against what the host country desires, or against the expectations placed by external stakeholders? The paper has opted to measure actual reform progress against those publicly stated policy aims of the Serbian government. In police reform, this refers to requirements related to EU integration, whilst in the field of defence reform, this refers to closer Euro-Atlantic integration, despite the lack of a clear NATO policy stance recently.

**Serbia is firmly in the so-called “first phase” of the SSR process,<sup>6</sup> and has, contrary to expectations, not managed to enter the “second stage”,** as described in the following sections.<sup>7</sup> Reasons for this are mixed, but if responsibility is to be found, it must ultimately rest with **the lack of a clear vision and capacity for the implementation of politically declared goals at the domestic level.** Simply put, if reform is to progress, it entails change, which in turn requires change agents, which are not always visible in Serbia at this present time, at least not in terms of required critical mass at the highest levels – making joint development of programmes with local drivers and ownership difficult. **Operational thinking and day-to-day (fire-extinguishing) resolution of ad-hoc issues is further burdening the process.**

While some argue that there is a general lack of political will (or interest) in Serbia to advance reforms and introduce required change, this argument can also be presented on behalf of the donors – reflected in several respects, including lack of consistency and common SSR strategy. Furthermore, as international attention is moving away from the Western Balkans, so is investment in the region, including Serbia. Countries which have

3 A. Schnabel and H.-G. Ehrhart (Eds.) (2005). *Security Sector Reform and post-conflict peacebuilding*. Tokyo: United Nations University Press.

4 For example, the paper will not look at reforms in the justice sector, which is part of the JHA arena.

5 The Lisbon Treaty, as it will be known after its formal signature in the Portuguese capital on 13th December 2007, also further defines the “Petersberg tasks” to include Joint Disarmament Operations and Security Sector Reform.

6 First-generation reforms include the establishment of new institutions, structures, and chains of responsibility for the security sector, appropriate structures for democratic control of security sector actors and their de-politicisation as well as providing the legal ground for reforming and professionalising security sector formations.

7 This measurement is based on a fixed time frame and achieved outputs benchmarked against stated policy objectives. For a debate on measuring SSR progress, see Miroslav Hadžić, ‘Measuring the extent of SSR in Serbia: Framing the problem’ in the Western Balkans Security Observer Issue 7-8, CCMR Belgrade 2007, Belgrade.

been key stakeholders over the past decades are simply not prioritising Serbia as they once did, which is certainly having a negative impact.

On the domestic front, most effort has been placed on legislative and organisational aspects of SSR. However, while this is required and should not be neglected by any means, it should not be seen as an excuse for no further reform effort. This excuse has come in different forms. In some instances, these first-generation changes (e.g. passing of strategic documents or key laws) are seen as the ultimate goals especially in terms of local politics, meaning that they have a very short shelf life and do not sustain their own content or initiative. In many other cases, the passing of documents and strategies is seen, or presented, as condition for further reform. In **essence, it can be said that there is scepticism and in some cases resistance to reform (change) at a strategic level**, at least as portrayed or expected by the West, including the EU.<sup>8</sup> This scepticism is largely backed by finds from public opinion polls, which show that the ultimate benefactors of sought-after reforms, the citizens, are expecting more to be done.

Under such circumstances, there is no doubt that reform is still top-down, externally driven, with the top represented by NATO, EU, OSCE and other international stakeholders. However, there is scope to improve, as this paper will clearly identify. Although it has mixed results, conditionality has been the primary change management tool, and has largely been misused as very little of the expected reform has taken place.

Most importantly, external assistance has focused mainly on projects, and mostly without a clear vision and coordinated effort.<sup>9</sup> **Hence, results achieved have been limited and far below both external expectations and possibilities the country clearly possesses.**

**It is important to note that this is not to say that there is no requirement for change from below, but rather that these pressures have not managed to find critical mass and do not have supportive mechanisms to create strategic change, not only in terms of donor expectations but more importantly in terms of support of declared domestic policy objectives.**

*Serbia is not an aid-dependent country* in terms of the level of assistance received. However, in terms of its effect, aid has a very important role to play within the reform process, including SSR. Considering the current financial crisis and thus a significant reduction in the amount of assistance received from the EU, in the form of Instruments for Pre-Accession Assistance (IPA), the role of other bilateral and multilateral assistance will increase further.<sup>10</sup> However, this has not been sufficiently understood within Serbia and there is an urgent need to tackle this problem holistically, especially at the central government level. This paper will go a long way towards identifying key issues with regards to this subject and possibly provide some recommendations towards addressing them.

*The first section* provides a short country context for Serbia and the underlying factors that shape the SSR environment as well as the donor activities geared in this direction. In this sense, any change management process occurring – including those targeting stability and development – are heavily influenced by these underlying factors. The section targets the influence of the inherent intelligence setup as well as governance issues, which underpin the whole concept of reform in Serbia, including SSR. Furthermore, in an attempt to be as comprehensive as possible in this short paper, the section also looks at the regional aspect and how Serbia fits into the puzzle in a security context.

*The second section* provides a short analysis of the development of SSR in Serbia over the past ten years (2000 to 2010). Considering the paper primarily deals with the issue of donor assistance, **focus will be on two areas of SSR where most donor assistance has been targeted during this period, i.e. defence reform and police reform.** Although SSR has to be viewed in a very holistic way, experiences from these two areas in the form of lessons learned will be sufficient to answer the key questions posed above.

8 While there is trust in segments of the security apparatus (e.g. the Armed Forces and Police), there is disappointment in the speed and depth of reform. See: Public Opinion Polls conducted by Strategic Marketing in October 2008 and October 2009, funded by the OSCE Mission to Serbia and presented at the Ministry of Interior on respective dates.

9 OSCE Law Enforcement Department 'List of projects on police reform 2002-2008'.

10 Although nominally IPA funding will increase, Serbia is using significant portions of this funding for meeting current financial (budget) commitments, thus reducing amounts remaining for reform efforts.

*The third section* looks at various aspects of donor activities relating to SSR and forms the most important part of the paper. Divided into two parts, the first part focuses on recipient (demand) and donor (supply) aspects to assistance. The second part looks at the key questions of the paper, the level and depth of coordination of actors and the harmonisation of their programmes.

*The concluding part* is devoted solely to key recommendations flowing from the paper as a whole.

**Keywords**

Security Sector Reform, justice & home affairs, police reform, defence reform, donor coordination, change management, Serbia.

## SECTION 1: COUNTRY CONTEXT

The challenge for Serbia is immense as it is simultaneously undergoing four major transitions: post-communist/authoritarian reforms, economic transition, post-conflict recovery and EU integration efforts.<sup>11</sup> In other words, looking at all these phenomena, one is faced with immediate post-conflict stabilisation challenges, such as destruction of surplus weapons and disbandment of paramilitary formations on the one hand, to advanced governance issues, such as the introduction of modern human resources practices into state institutions, on the other.

The situation is further burdened by the unresolved internal issue of statehood (the debate over Kosovo at all levels, including policy, legislative and public), and complicated past of long-standing conflicting relations not only within the region but also with “the West”.<sup>12</sup> Hence, this section offers a very short recent history of the conflicts and internal dynamics which fundamentally shape the main period analysed, i.e. post-2001.

The Serbs were the most numerous population group within the former Yugoslavia (SFRY), with significant numbers living outside the Republic of Serbia itself and in the Republics of Bosnia & Herzegovina, Croatia and Montenegro. It was from these areas that some of the greatest concerns emerged as to the shape of the final political and geographical entities that would form from the disintegrating SFRY. These concerns manifested themselves into civil war to which the authorities in the Republic of Serbia were significantly implicated. But the Republic of Serbia under Milošević’s rule was not unique in this respect. All sides in the conflicts can legitimately claim to be both victims as well as face genuine accusations of being perpetrators themselves. The collapse of the SFRY and the ensuing civil wars were not a simple case of black and white. Nevertheless, international understanding of the conflict has coalesced around Serbia as the primary aggressor and this belief has shaped all subsequent relations with Serbia.

Although Milošević was praised in 1995 for assisting in the Dayton peace process, Serbia and the other troubled areas of the Balkans were put to one side and allowed to fester. The most notable of these was Kosovo, where ethnic Albanians began ever increasingly to challenge Belgrade’s governance and control of the Serbian province, which itself went from bad to “disastrous”. Inevitably this resulted in yet another new conflict as Serbian security forces were in the eyes of Belgrade at the time compelled to resort to ever increasing levels of intervention to counter the rising Albanian violent resistance. The consequence of this was the NATO military intervention of 1999 resulting in a *de facto* partitioning of Serbia.<sup>13</sup>

The total exclusion of Serbia from regional integrations (and international organisations e.g. UN), in place during the 1990s, started to ease after the first democratic pro-western government, lead by Zoran Đinđić, was established in January 2001. However, direct and/or indirect resentment against a certain part of the international community, especially NATO, and ambiguity over Serbia’s borders (i.e. resoluteness of its political leadership never to accept Kosovo’s independence) are still present in Serbia. On the other side, in the eyes of the West, Serbia has a bad image and is frequently seen as a country which avoids obeying the “rules of the game”.<sup>14</sup>

11 Since there are currently (as of 2009) no clear indications that the country is pursuing a Euro-Atlantic policy, this is not included.

12 Dr A. Watkins (2006). *Serbia: The battle within*, CSRC Balkan Series, September 2006.

13 This section provides a short and simplified version of this issue, which still remains unresolved, aiming to provide background context and is in this sense status neutral, with Kosovo being under UNSCR 1244/99.

14 There are many reports on the continued negative image of Serbia: ICG, “Serbia’s U-Turn”, Europe Report 154, March 2004, ICG, “Serbia’s new government: Turning from Europe”, Europe Briefing 46, May 2007, Helsinki Committee for Human Rights Press release 29th September 2009, Available at [http://www.helsinki.org.yu/press\\_t32.html](http://www.helsinki.org.yu/press_t32.html), and recently New York Times, 16th January 2010, available at <http://www.nytimes.com/2010/01/16/world/europe/16jeremic.html?pagewanted=print>.

Hence, any credible assessment of security and development challenges in Serbia involves a list of particularities when compared with other post-communist and even former Yugoslav republics, which should be addressed in a comprehensive way, through a synergy of domestic and international factors, conducted under circumstances that are not yet favourable.<sup>15</sup>

Two underlining factors with significant impact on reform efforts in Serbia, including SSR, are: the inherited role of the intelligence services and the “quality” of governance. Both stem from the particularities described above, post-conflict on the one hand and advanced transition on the other.

The *intelligence services* were an important actor during the Milošević era and the arrival of the new leadership in 2001 did not change this factor.<sup>16</sup> The intelligence services and other associated actors were simply so deeply involved in various illegal activities institutionalised during the war and sanction period by the regime, that it was impossible to dismantle such vertical and horizontal channels in the time frame analysed.

It is important to bear this strategic factor in mind when looking at SSR in Serbia, as it significantly impacts almost every segment of the reform (change) process, either directly or indirectly. The fact that one of the most disputed issues during election coalition talks was who would control these agencies best illustrates the enormous significance that the Serbian politicians give to control over police and intelligence agencies.<sup>17</sup> Considering that an in-depth analysis is impossible due to lack of sufficient information, and more importantly considering donor assistance in this area of intelligence services has been minimal, they are not looked into further, but their role during this whole period must be appreciated.

While there have been several organisational and legislative changes with regard to the Serbian intelligence community, these are still far from adequate and represent only the first stage in SSR reforms in this sector. This includes the oversight of the intelligence community, with parliamentary engagement almost non-existent and the Minister of Defence recently publicly admitting that there is a need to increase control of these organisations.<sup>18</sup>

*Weak governance* in the form of state institutions, including those related to security matters, is a serious handicap for Serbia’s reform efforts. While Serbia inherited what was considered a quality state institutional setup, over the past years, including the period 2000–2010, these structures have been significantly weakened by various factors.<sup>19</sup> **“Politisation” is the most important negative factor which when combined with the neglect of a functioning human resources system<sup>20</sup> supporting retention of quality personnel and career development among others – has led to frequent turnover as well as quality staff leaving the service.** Resolving this issue will take time, and the best that can be achieved in the short to medium term until new standards and criteria are introduced at a broader level is to focus on small, and often isolated, centres of excellence (i.e. personnel and organisational units at various levels willing to implement change, thus acting as change agents), while continuing to support reform of government institutions, both at central and local levels, through a carefully planned and implemented strategic plan.

Before moving on to SSR in more detail, it is important to look at the external dimension to SSR in Serbia, i.e. those stakeholders that are not directly engaged as part of the central state administrative system. These include the NGO community, the parliament, the media and, also important in this context, the regional dimension.

*The NGO community* has grown in importance in the field of SSR, as the security sector is no longer defined as consisting of those bodies authorised to use force. Instead, a broader definition recognises a range of other stakeholders involved in management and oversight functions – impacting local ownership through a bottom-up approach.

15 S. Djurdjevic-Lukić (2007). *Defense reform in FRY/Serbia and Montenegro: Hampering exceptionalism*, p.151.

16 T. Edmunds (2008). ‘Intelligence agencies and democratisation: Continuity and change in Serbia after Milošević’ in *Europe-Asia Studies*, Volume 60, Issue 1, January 2008.

17 ‘Serbian government talks still fruitless’, 4th May 2007. Available at [http://www.setimes.com/cocoon/setimes/xhtml/en\\_GB/features/setimes/features/2007/05/04/feature-01](http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/features/2007/05/04/feature-01).

18 B92 vesti 22/02/2009. Available at <http://www.b92.net>

19 It is interesting to note that since 2001, the number of state employees has more than doubled.

20 A functioning HR system is a fundamental requirement, as it provides not only quality selection and recruitment of desirable personnel, but also supports career development of existing personnel thus contributing to retention of people, directly impacting effectiveness of the overall system.

In the context of this paper, the NGO community has been most active in defence reform in Serbia, while up to 2008 there was very limited engagement in police reform. The level and type of their engagement in defence reform has varied from issue to issue. In some cases, this work has involved indirect oversight of reform, while in a limited number of cases, direct assistance has been offered to the Ministry of Defence (MoD), especially when it comes to legislative aspects of reform, in which case select individuals have been engaged with directly.

The reluctance of the security services, including related government bodies, to engage with NGOs directly, despite a lack of sufficient in-house expertise, is not unusual and can be found in many other countries. The best examples of cooperation between the state and the NGO community are based on positive personal relationships among the key players and associated short-term interests.

The donor community in Serbia has been actively working with the NGO sector, funding most of their activities, thus acting as source of income (in most cases, the only income) for the few NGOs working on SSR. This dependence upon foreign donor assistance leads to perceptions of non-objectivity and NGOs can be seen as merely an extension of foreign intervention.

**After almost a decade of development, it can still be observed that the NGO community in Serbia has not developed sufficient institutional expertise on the whole, but rather this rests with select individuals within them.** In other words, their impact on reform is often limited, often focusing on event organisation. For all these reasons, NGOs have insufficient capacity to work in areas such as advocacy.

*Parliamentary oversight* is not as satisfactory as the legislation regulating it. The most important body in this respect, the Parliament's Committee on Defence and Security, remains passive and limited in its control function. Although there has been a reasonable increase in the transparency of work of both the MoD and the Ministry of Interior (Mol), this has not been followed by an increase in the effectiveness of the relevant parliamentary committee. Furthermore, this passivity is reflected in the committee's ability to scrutinise the work of the executive and inform the public about these findings, especially those related to the cost-effectiveness of SSR processes, such as budgetary aspects. Hence, blame can be found on both sides of the fence and donor assistance towards addressing this crucial component has been limited.<sup>21</sup>

Assistance has been coming mainly from the multilateral level, from organisations such as The Geneva Centre for the Democratic Control of Armed Forces (DCAF) and the OSCE, which have worked to increase the capacity of committee members, which is seen as a crucial handicap when it comes to the proper functioning of this component.

*Media* is closely related to the NGO community in this context, acting as an external control mechanism to SSR efforts, with possibly slightly more influence, particularly in cases where persistent campaigns have occurred. Despite the fact that there has been donor interest in building up media capacity in quality reporting on SSR-related development, there has not been an associated improvement.<sup>22</sup> However, this has more to do with the nature of journalism in Serbia, where sensationalism is more popular than professional reporting by specialist journalists based on facts rather than opinion. Related reasons are the lack of media independence and adequate funding, which means that there is more vulnerability to external influence. No doubt, this impacts negatively on enabling a more substantial interest and engagement of citizens in the SSR process.

All this makes public awareness of SSR and qualitative engagement problematic, as the public is a purely passive observer in the whole process. For the donors, it creates difficulty in obtaining sufficient in-depth data upon which to act, especially for the smaller donors which lack their own assessment capability, thus indirectly exacerbating the need for coordination and harmonisation.

Also to consider are the *regional security aspects* and how Serbia fits into the overall puzzle. Being the largest country in the region, Serbia is regarded as pivotal to regional security. Serbia not only borders several other

<sup>21</sup> There have been some attempts to increase the engagement of the Parliament's Committee on Defence and Security through the provision of specialist educational courses and study visits. However, the nature of the political set-up as well as frequent elections have been some of the factors that have limited this impact.

<sup>22</sup> For example, the OSCE provides training workshops in cooperation with local universities and experts.

“troublesome” regions, but also has high stakes in most of them, such as parts of Bosnia & Herzegovina, Kosovo and Montenegro. Furthermore, considering organised crime is and will remain the number one security threat to the region and beyond, Serbia's position in terms of routes and actors is vital for dealing with such issues. While over the past 4–5 years there have been a significant number of regional initiatives, mainly led by external actors, they are still not sufficient in terms of depth and output to meet the multiplicity of challenges present. It is time to recognise that existing initiatives must be coordinated thus reducing the risks of duplication. The role of the Regional Cooperation Council is pivotal in this sense, as it was set up to become the benchmark of regional ownership to cross-border cooperation in various fields, including areas relating to SSR. Success in this field will serve as the benchmark for successful local ownership towards regional cooperation.

In short, Serbia represents a complex environment within which SSR still has a long way to go before it will reach a common set of values and norms termed as European standards. However, considering the overall context, including the regional dimension, there is little risk for renewed conflict. **If risks do exist, they are in the form of slow and inadequate reform processes negatively impacting on domestic political, economic and social prospects, especially in the poorer, more deprived areas which are more sensitive and where security tensions remain (for example, South Serbia).** In terms of peacebuilding, these will simply imply a *status quo*, with little change for the better over the short to medium term. In other words, in the context of the EU's “Area of Freedom, Security and Justice” (AFSJ), this relates to the thinking that: ‘where people live with lawlessness, poverty, exclusivist ideologies and daily violence, there is fertile ground for human rights violations, criminal networks and terrorism’.<sup>23</sup>

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23 Study Group on Europe's Security Capabilities, *Human Security Doctrine for Europe*, Barcelona, 15th December 2004.

## SECTION 2: SECURITY SECTOR REFORM IN SERBIA

This section focuses on Serbia, despite the fact that it was part of a common state with Montenegro, first as the Federal Republic of Yugoslavia and then as Serbia and Montenegro.

As mentioned above, this paper focuses on the two most significant areas of SSR in terms of donor assistance, namely defence and police reform. As argued later, this assistance occurred under the auspices of post-conflict stabilisation during the initial period, but has recently been replaced by more advanced governance challenges. However, during the whole period, Serbia is considered by all donors to be pivotal to regional stabilisation and development, and rightly so.

### DEFENCE REFORM 2000–2006

Many observers, both within the country and abroad, believed that the fall of the Milošević regime towards the end of 2000 would kick-start the process of deep structural changes in society, starting with the reform of the Yugoslav Army (*Vojaska Jugoslavije* – VJ) and the entire complex of SSR.

However, over the entire period **real change has been less substantial than expected**. Substantial obstacles to SSR implementation in the case of Serbia have been emanating from different sources, as mentioned above, and are related to the type of regime change, legacy of conflicts, the structural set-up of the joint state with Montenegro, and internal balances of power, including the already mentioned negative engagement of various intelligence agencies.

The chronology of events in the aftermath of October 2000 suggests that ‘the police and army’s non-intervention in the regime change was bought with the promise of a “soft” approach to SSR by the new government’.<sup>24</sup> Indeed, one of the common explanations why such a regime change was possible at all is found in the fact that Milošević lost the support of key elements within the security institutions. **The negotiated character of the transition from authoritarianism towards political pluralism seriously affected the pace and the achievements of the reforms in Serbia’s security sector.**

Moreover, there was no substantial parliamentary and democratic oversight since Koštunica adopted Milošević’s approach to the rather loosely defined laws regulating the command of the VJ, rarely calling Supreme Defence Council meetings and, in practice, deciding on VJ matters more or less alone. The General Staff often declared itself in favour of civilian control of the army, but considered the matter to have been resolved given that the Commander-in-Chief they obeyed, President Koštunica, was a civilian. Regulations in place did not oblige the army and other security structures to hold public tenders for its purchases, nor to submit a report to the parliament about annual expenditure.

Despite extensive international assistance and support by various actors including external think-tanks such as DCAF,<sup>25</sup> Koštunica and the VJ insisted that the army had, in fact, changed more than any other part of society and that it was perfectly capable of carrying out internal reform without external interference. This rationalisation and

<sup>24</sup> T. Edmunds (March 2005). ‘Civil-military relations in Serbia-Montenegro: An army in search of a state’, *European Security*, Vol. 14, No.1, pp.115–135.

<sup>25</sup> ‘Security Sector Reform in the Federal Republic of Yugoslavia’, EWI & DCAF, 2001.

partial reorganisation of the Armed Forces prepared by the General Staff were presented as the key elements of reform – focusing on the creation of a new organisational “military corps” system. It was possible for civilian control to be held hostage to domestic political disputes: proper civilian control as the very first, basic step in defence reform had not been consolidated by 2002.

As of spring 2002, some steps were made in the direction of what some term as the first generation of SSR. This included the establishment of a working group for drafting the National Security Strategy by the Supreme Defence Council, as well as commencement of preparations for membership in NATO's Partnership for Peace programme. Inclusion in the European Union-initiated Stability Pact for South Eastern Europe (SEE) provided for participation in a string of various regional initiatives dealing with security issues. Within that framework, Belgrade, via the UNDP branch in FRY, became the host of the SEE Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), which has developed numerous projects related to small arms collection, destruction, arms export control, awareness raising and knowledge sharing in that area considered important by many external partners at the time.<sup>26</sup>

Negotiations over the constitutional framework for a common state between the respective leaderships in Serbia and Montenegro were finalised in March 2003, with the EU acting as a co-signatory and guarantor of the agreement. Although the main issue of these negotiations was security, SSR was not part of the deal. The absence of pressure to introduce mechanisms for strengthening legitimacy, the rule of law, transparency and accountability in the defence sector was a missed opportunity.<sup>27</sup> According to the institutional setup of the State Union, the relationship between branches of government responsible for defence was not clear, and in reality did not allow for democratic control of the Armed Forces.<sup>28</sup> The lack of the most important documents relating to defence was presented as the most serious obstacle to the fact that the reorganisation of the defence sector had been tackled at a tactical rather than at a more strategic level.

In short, there were so many constitutional and other obstacles embedded in the system as a consequence of the construction of the state from (almost) separate and very different entities that no framework existed to speed up and enable defence reform to take place in any meaningful manner. **Furthermore, the fact that Montenegro was planning a possible referendum on independence in three years' time created a sense of transience.** There was no strong motivation to conceptualise and implement reform for such a short period of time after which there was the potential for substantial change.

During the course of 2003, a comprehensive 10-point long-term plan for reforming the defence system was presented by the new Minister of Defence, Boris Tadić, representing a first concrete plan of action.<sup>29</sup> Some achievements in the forthcoming period related to: the *de jure* establishment of the Ministry's leading role over the military,<sup>30</sup> the ending of the military court system, the further re-organisation and downsizing of the military, the development of various mechanisms for bilateral and international cooperation<sup>31</sup> culminating in NATO's Partnership for Peace membership later on in 2006, and the opening of the armed forces to parliamentary oversight. The Defence Strategy and White Paper on Defence, which outlined plans for the reorganisation of the armed forces, were adopted in 2004 and 2005, respectively. However, these had little meaning considering the prevailing political situation.

## POLICE REFORM 2000–2006

This area of SSR is particularly important for numerous reasons, not least because of the role of the police in Serbia's past as well as the present JHA aspect in the context of current EU accession efforts. As such, there

26 Details about these projects are available at [www.seesac.org](http://www.seesac.org).

27 S. Đurđević-Lukić (September 2006). *SSR as state-building mechanism: Why did it not work in FRY/Serbia and Montenegro?* Paper presented at ASN/FER conference, Belgrade.

28 Dr A. Watkins (April 2004). *PfP integration: Croatia, Serbia & Montenegro*. CSRS Balkan Series.

29 'Defence system reform in Serbia and Montenegro'. Presentation of the Minister of Defence, 54th Roose-Roth Seminar, Belgrade, 21st March 2003.

30 As of October 2008, there was a public dispute between the Chief of Staff, Gen. Ponoš, and Minister of Defence, Dragan Šutanovac, resulting in the removal of the former from his post.

31 Intensified cooperation with the US, seen as a key strategic partner by elements of the leadership, led to the signing of the SOFA agreement in September 2006. "First US – SCG Agreement", *Defense and Security*, no 153, Apr. 13, 2006, 3.

is no doubt that police reform is one of the main prerequisites of the transition from an authoritarian regime to a democratic polity.<sup>32</sup> Due to the use and misuse of the police and close identification with the Milošević regime, the newly elected government in 2001 – supported by various international stakeholders – placed police reform as a top priority.<sup>33</sup>

The police needed to change their “culture” and become an accountable public service (as opposed to police force) through reform of police practice, reform and modernisation of legislative framework and development of a long-term vision. Moreover, the past heritage was to be resolved through several processes which the political elite termed as de-criminalisation,<sup>34</sup> de-politicisation,<sup>35</sup> demilitarisation<sup>36</sup> and de-centralisation.

However, there were too many serious challenges, but not enough political will to agree on priorities and begin tackling them in a systematic manner. Many issues were dealt with at a declaratory level, while some realistically took time. Therefore, prior to having a plan, the most fundamental changes were brought about by several major politico-social events.

The first milestone event derived from the need to counter the continuing insurgency of the ethnic Albanian militants in the south of Serbia. The police's two major counter-insurgency units, the PJP and JSO, were disbanded for a variety of reasons, not least of all their bad reputation amongst the ethnic Albanian population. In their place, the Gendarmerie was created from a core of personnel from these two aforementioned units. In addition, the local police in the south of Serbia became representative of the population living in that area through the creation of the Multi-Ethnic Police Element (MEPE). It also highlighted the necessity to resolve in a systematic manner the need to recruit members of ethnic minorities into police (reform of basic police training) as well as the need for creating and maintaining good quality dialogue with the population on all levels through development of the community policing concept.<sup>37</sup>

*Significant for this initial period of police reform in Serbia was the deep involvement of international actors, namely OSCE and Council of Europe. As a result, already before the end of 2001, two documents written by international police experts giving recommendations for police reform in Serbia were published.<sup>38</sup> The OSCE was named the coordinator of international assistance, and several reform priority areas were formulated including combating organised crime, modernising border police and reforming police training. The main characteristic of this whole period of police reform was that it was project-based; a one-time injection of international expertise on a variety of subject matters, without much coordination and consideration given to issues such as sustainability or local ownership.*

The second milestone event was the assassination of the Prime Minister, Zoran Đindjić. As indicated in the introduction, this was a culmination of the problems that had been growing in Serbian society during the 1990s, when Đindjić's government began preparing the ground for serious tackling of organised crime (which traditionally included links with elements of the security services), which at certain points seemed stronger than the fragile Serbian democracy. Initial steps were taken through the creation of a new police unit for combating organised crime (also at the time in charge of investigating war crimes), later strengthened by the adoption of necessary legislative framework and by putting secret service under the direct supervision of the Government.<sup>39</sup> Organised crime was to be tackled head on. However, as mentioned, in March 2003 Đindjić was assassinated by members of the secret police's Special Operation's Unit.

32 B. Bakić & N. Gajić (2006). *Police reform in Serbia: Five years later*. CSRC Paper, May 2006, p.2.

33 For a background to police in Serbia see: Dr B. J. Ryan, 'All that's constant is change: A brief political history of police reform in Serbia' in *Western Balkans Security Observer*, CCMR Paper No.11, October-December 2009.

34 Primarily through lustration and introduction of accountability mechanisms i.e. internal and external oversight.

35 Creation of a truly professional police service that would serve its citizens and not political parties in power

36 This has a two-fold meaning; firstly, changing the image of the police so that it is no longer seen as a paramilitary force, but rather as a public service; secondly, demilitarising state borders.

37 The piloting of community policing was assisted by the Norwegian Government, through a series of JuNo projects, the Swiss Development Agency, DFID, OSCE as well as Canadian CIDA.

38 R. Monk (2001). *Study on policing in the Federal Republic of Yugoslavia*, OSCE; and J. Slater (September 2001). *An assessment of the human rights, ethics and policing standards in the Federal Republic of Yugoslavia, Serbia and Montenegro*, Council of Europe.

39 In 2001, a small mutiny, bordering on a *coup d'etat*, of the Special Operations Unit, secret service's paramilitary branch took place. Consequently, it was taken out of the State Security Sector and put under direct supervision of the Serbian Government. In 2002, the Serbian parliament adopted the 'Law on Security Intelligence Agency' (BIA). The former State Security Sector was extracted from the Ministry of Interior and put under the control of the government.

Forty days of a “real combat” against organised crime under the code name *Sabre* followed, all under a State of Emergency.<sup>40</sup> Thus, a new political and security environment was created, heralding a new phase in Serbian SSR. In April 2003, the Mol's *Vision Document* was officially presented.<sup>41</sup> The reconstructed government wanted to show their domestic and international audience that they had a plan for how to shape police reform. However, once the plan was adopted, very little was done in terms of its implementation in the years to come, for a variety of reasons relating as much to political instability, as to the quality of the process and output itself.

Soon after the end of the state of emergency, in mid-2003 the government appointed an Inspector General, institutionalising for the first time internal oversight of police. The Dutch Government through the OSCE assisted in the setting up of the Inspector General's Office. It was during this period that the Law on Cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY) was also adopted.

In early 2004, a new administration led by Vojislav Koštunica came into power. His administration started ambitiously, declaring the need to adopt necessary legislation for regulating policing and introducing two new priority areas of police reform: war crimes and strategic planning and development.

2005 saw the adoption of a long awaited “Law on Police”. Generally, the adoption of the new law was described as a step towards transforming the police into a public service and was welcomed by the public. Furthermore, it regulated internal police oversight for the first time, through the establishment of the Division of Internal Affairs which monitors the legality of police work, especially with regards to respect and protection of human rights. One of the main organisational innovations introduced by this law was the organisation of the Serbian police in a Police Directorate headed by the Police Director (civil servant) appointed by the government for a term of five years. This was described as a solution to the politicisation of police as the Police Director was to be *de jure* operationally independent.

**This was also the period of an increasing dialogue with the EU institutions, due to the beginning of negotiations on the Stabilisation and Association Agreement (SAA) in late 2005.** Progress regarding visa-free movement in the region was considered a sign of Serbia's progress in getting closer to the EU.

However, even though the issue of demilitarisation of borders was underlined as a priority from the beginning of reform, closely connected to getting a visa-free regime and defined through the so-called “Ohrid process”,<sup>42</sup> important steps in that direction were taken belatedly. Takeover of borders by police started in late 2005.<sup>43</sup> The adoption of the “Integrated Border Management (IBM) Strategy” in early 2006 was an important break-through, and it gave the international community a much-needed framework for substantial investment in this area.

In other areas of reform, there were positive achievements in police education and training. The Serbian Mol abandoned the concept of police high school, froze further enrolment in 2006 and set the course for change.<sup>44</sup> Furthermore, the Serbian Mol succeeded in building up and institutionalising the national training capacity for in-service training throughout the police service.<sup>45</sup>

The defining characteristic of the period from 2000–2006 was Serbia's cooperation with the ICTY and the extradition of the former regime's political, military and police leadership to The Hague. Every case was a story in itself, especially for Serbia's Stabilization and Association Process with the EU.

This turbulent and difficult period resulted in a mixed set of results regarding police reform, all fitting well under what is defined as the first generation of SSR process, just as was the case with defence reform. The changes that took place were conducted without a clear overall reform strategy and without a proper legislative framework.

40 Over 11,000 people suspected in involvement in the assassination and related criminal activities were arrested, including a number of senior and mid-level Mol and intelligence officials.

41 The OSCE Mission to Serbia, “Vision Document on the reform of the Ministry of the Republic of Serbia”, Belgrade, March 2003

42 Following the NATO initiative, EU, NATO, OSCE and the Stability Pact worked jointly to develop a coherent approach to the border security and management issue in the Western Balkans, resulting in the “Ohrid Process” on Border Security, agreed at a conference held in May 2003. Available at <http://www.stabilitypact.org/specials/030522-ohrid/index.asp>.

43 ‘Serbian borders in police hands’, *Defense and Security*, No. 124, 3rd March, 2005.

44 Norway was the main donor country through OSCE, which was the main organisation that assisted in the transformation.

45 OSCE provided significant assistance in this process. See <http://www.osce.org/serbia/13164.html>.

Therefore, **even though some changes were visible, reforms in some important areas remained cosmetic and were conducted in a non-systematic way, with no accepted vision for the future.**

This brings us to the issue of the importance of having strategic plans in place as the only guarantor of a sustainable and cost-effective reform process, accountable both to domestic and international actors. Hence, the importance of embarking on the process of strategic thinking and planning needs to be emphasised from the very beginning.

Unfortunately, the Serbian police have had many ups and downs regarding strategic planning. The first attempt was made in 2001 with project-based assistance from the Danish Centre for Human Rights and the local NGO League for Experts all resulting in the *Vision Document*, which was not developed any further because of bad timing or the lack of understanding of its potential.<sup>46</sup> The second attempt in strategic planning was within the framework of Southeast Europe Police Chiefs Association (SEPCA) a few years later, assisted by the Royal Canadian Mounted Police (RCMP). This project-based attempt also failed, mainly as it was too ambitious for the RCMP mandate and the allotted budget.

On a more positive note, it is interesting to note here that the Serbian MoI created the Bureau for Strategic Planning at the level of the Minister's cabinet in 2006. It is still a young organisational component, lacking the capacity to lead a quality strategic planning process. However it was an important step in the right direction, considering the importance of strategic thinking and development, especially at senior decision-making levels.

## CURRENT REFORMS IN SERBIA 2006–2010

2006–2010 witnessed very little strategic change (reform) from the previous period, and is still characterised as largely cosmetic with little real focus devoted to the ultimate outcomes. For example, many organisational units within ministries were set up, yet they lack both the capacity and the political backing required to address real issues, which negates their very *raison d'être*.

However it is necessary to briefly take note of developments in the newly independent state of Serbia. Although one problem was resolved, namely the ending of the dispute with Montenegro, many other and more serious post-conflict issues remain within Serbia as this paper has noted above, with little vision and determination to resolve them within the short to medium time frame. Under such conditions, it will be difficult to see locally owned change and the external factor will once again play a prominent role.

## DEFENCE REFORM

The outcome of Montenegro's referendum on independence in May 2006 marked the end of the State Union and hence the last remaining pillar of the joint state, the armed forces. Hence, the first consequence of the joint state's dissolution regarding defence structures was the establishment of the MoD of the Republic of Serbia.

Within months after Montenegro's separation, Kosovo proclaimed independence in February 2008, highly affecting Serbia's politics, notably foreign and defence policies.<sup>47</sup> Relations with NATO became particularly challenged due to its role in establishing the Kosovo Security Forces (KSF), which Serbia claims to be illegitimate and to be a threat to its security. Consequently, Serbia's political elite unanimously declared that future relations with NATO will depend on the future "status" of Kosovo, that Serbia will not foster integration into NATO and will thus only focus on participation in the Partnership for Peace (PfP) programme. **This seriously undermined the gradually developing Defence Reform Group (DRG) concept as well as bilateral cooperation with key partners, with whom almost all contact was frozen for some time.**

<sup>46</sup> The quality of the document itself could have been better in terms of methodology used and presentation. The 600-page paper was simply a collection of badly-connected reports, with little common ground, apart from the overall objective, i.e. document title, which fits in with many of the conclusions of this paper.

<sup>47</sup> Particularly the fact that independence has been recognised by 55 states at the time of writing, including the majority of the Western states and Serbia's neighbours.

The newly established MoD quickly came up with a strategic plan for military reorganisation – the Strategic Defence Review. That document, which the MoD adopted in June 2006, provided guidance for organisational changes and outlined the vision of the Serbian Armed Forces up to 2015. It was followed by a high level of optimism and international engagement by most stakeholders. However, like most similar documents, not much was done in terms of implementation, considering the continued turmoil on the political scene and lack of political will as well as insufficient funds for some necessary restructuring and desperately needed modernisation.

Over the past few years, notable progress has taken place within the armed forces, which have undergone significant restructuring, with focus placed on cost-efficiency and modularity. The next segment of reform is planned to take place through two phases, the first targeting improvements in the system of training and the NCO cadre, while the last phase foresees the modernisation of equipment – typically the first phase characterised by tactical personal equipment and communications, command and control systems. Budgetary problems, partly resulting from the economic crisis and partly from inadequate inherited systems, will mean that these will have to be further delayed, as will the planned modernisation, which will not take place until 2011 at the earliest.<sup>48</sup>

Less notable has been progress achieved at policy levels, i.e. within the jurisdiction of the MoD. Compared to other central government bodies, the MoD has a well developed capacity for strategic planning, resulting recently in a number of such documents being adopted. However, the quality of these – in terms of realisation and implementation – is problematic as elsewhere, but is beyond the capacity of the MoD to deal with alone and remains in the domain of higher-level political decision-making addressed above.

An example is the required legislative framework. This was prolonged for various internal reasons and the Law on Defence and the Law on the Armed Forces of Serbia was passed only in December 2007.<sup>49</sup> However, there was an issue of timing and methodology, since these documents should have been based on the Defence Strategy and the National Security Strategy, both of which were passed a year more than a year later, in April 2009.<sup>50</sup>

More important is the lack of decision-making when it comes to the hard choices, which are politically perceived as sensitive and involve changes at the strategic level.<sup>51</sup> Although the current government seems stable and able to last for the envisaged mandate, it seems that there will be no movement on this front during this period.

Following NATO's invitation to Serbia to join the Partnership for Peace Programme in November 2006, NATO has been particularly prominent in the process of military reform via the DRG which gathered the representatives of the Serbian Ministry of Defence, NATO and other key bilateral stakeholders who worked together on a number of defence reform-relevant issues. **The DRG initiative was certainly the first concrete step towards a systematic and coordinated defence reform initiative “on all fronts”, as elaborated further in Section 4 below.**

**However, as the current debate on advancing NATO membership is not favoured by any political party,<sup>52</sup> which is unlikely to change during the course of this government, any idea along the lines of reintroducing the DRG concept would have to be renamed and not seen under any NATO affiliation.**

## POLICE REFORM

Police reform during this period moderately advanced and was an externally driven process influenced primarily by the EU accession process. This view is reflected in the EU progress report for 2008, which clearly states that

48 Interview with the Chief of General Staff, General Miloje Miletic, *Obrana*, 15th March 2009.

49 On the Law on Defence and the Law on the Armed Forces see: Đorđe Popović, 'Commentary on the draft law on defence and the draft law on army', *Western Balkans Security Observer*, 7-8, 2007-2008, pp. 90-101.

50 The Draft National Security Strategy mentions neither neutrality nor membership in NATO, and it is questionable whether national consensus/parliamentary majority can be reached on these issues.

51 Interview with Chief of General Staff, General Zdravko Ponoš, *Obrana*, 15th February 2008.

52 "Calls for a referendum on Serbia's NATO membership", *Balkan Insight*, 12th January 2010. Available at <http://www.balkaninsight.com/en/main/>.

'Progress in the area of police and policing has been limited'.<sup>53</sup>

The main advancement relates to the full demilitarisation of state borders when Serbian police took over responsibility in February 2007. Since then, an action plan for the implementation of the national IBM strategy was adopted; however its full implementation is still questionable. New impetus was given with the opening of the visa liberalisation dialogue between the EU Commission and Serbia in early 2008. Therefore, 2008 and early 2009 saw accelerated pace as regards adoption of necessary legislation (Law on State Border Protection) and some strategic documents (e.g. National Strategy for the Migration Management).

The signing of the Stabilisation and Association Agreement in April 2008 and the visa liberalisation dialogue also influenced rapid developments in other areas such as combating organised crime. The adoption of several sectoral strategies such as Strategy on Combating Drugs Abuse as well as National Strategy to Combat Organised Crime was completed in 2009. Furthermore, new legislation on seizure of assets acquired through criminal acts and on criminal liability of legal persons was adopted. However, the legal framework is still incomplete (for example, entry into force of the new Criminal Procedure Law is delayed) and enhancing capacities in specialised areas such as investigating financial crime remain an area needing improvement.

Accountability across the service did not advance much during this period, both at the individual as well as organisational level as a whole. This area will remain a challenge for the foreseeable future, without which a "quality" reform process cannot be achieved.

Noteworthy improvements were made in the area of enhancing forensics capacities and crime scene management. European standards were reached in this area thanks to significant donor funds from Sweden and Norway. Through EU funds, the Mol established a state-of-the-art DNA laboratory, becoming a leader in this area in the Balkans.

Considering the confrontational aspect of the majority of the above-mentioned processes, where the EU is the change agent and the domestic stakeholders (in this case several ministries, including the Mol), are simply largely relying on a 'box ticking' attitude with limited strategic input and thought given to the process that would ensure implementation and sustainability, **enhancing local ownership of the processes remains a challenge.**

**There is no doubt that reform in this sector will remain the main challenge for Serbia in its efforts to become a credible EU candidate country** and that the political leadership will have to take this area more seriously, moving from operational to strategic thinking. Development of a strategic planning capacity by strengthening strategic management, will become a benchmark for sustainable and cost-effective reform. In this sense, the Mol, in conjunction with the Ministry of Justice, will be on the front line when it comes to meeting EU requirements, with organised crime and corruption being the most serious issues to be tackled and in which these two actors have an important, although not exclusive, role.

For example, the government appears to have done little with looking at SSR from a holistic perspective and with strategic development in mind, especially regards the relationship between the main pillars of JHA, police, public prosecution, judges and enforcement. This is primarily taking place at an operational level with cooperation among relevant stakeholders in terms of drafting operational level strategies and plans.

While the EU accession process has enabled the rapid introduction of required legislative and strategic documents, the processes behind them are questionable and will impact the ability to implement them in the future.<sup>54</sup>

#### *Specific areas of concern in SSR*

There has been a modest attempt to look at specific areas of SSR by the international donor community. This includes issues related to: Disarmament, Demobilization and Reintegration (DDR), Small Arms and Light Weapons, Human and Transitional Security.

<sup>53</sup> The report is available at [http://ec.europa.eu/enlargement/press\\_corner/key-documents/reports\\_nov\\_2008\\_en.htm](http://ec.europa.eu/enlargement/press_corner/key-documents/reports_nov_2008_en.htm)

<sup>54</sup> The rapid adoption of such complex documents, even with external expert assistance, means that they rest on little real analysis and have limited ownership in depth, negatively impacting their quality and thus implementability.

The *DDR concept* cannot be seen through the lens of a standard post-conflict scenario in Serbia. Emphasis is on downsizing oversized forces and stocks as a result of the dissolution of the former Yugoslavia and the inheritance of the massive security infrastructure, as well as consequences of the wars in the neighbourhood. A project related to DDR is the “NATO-PfP Trust Fund Project for Assistance to Redundant Military Personnel within the Scope of Defence Sector Reform in Serbia”.<sup>55</sup> The project, launched in 2005 and named PRIZMA,<sup>56</sup> is the largest project relating to defence reform in Serbia, attracting over 7 million Euros up to 2008. Up to November 2008, over 3,600 military personnel had gone through the project to secure gainful employment or self-employment. As such, it is considered a fairly successful initiative which runs parallel to the overall reform process of the Serbian armed forces.

Donors have also positively impacted on the handling of *Small Arms and Light Weapons* (SALW)-related issues. This is a serious problem in Serbia, since according to some studies, there are an estimated 2,898,416 SALW in Serbia, including over one million firearms registered to private citizens.<sup>57</sup> Hence, a significant number of stakeholders have shown interest in this area, including the OSCE, the regional SALW Clearinghouse (SEESAC), UNDP, Saferworld and the European Union (The Stability Pact). They have provided numerous initiatives related to SALW collection and destruction programmes, stockpile and information management, legislative and regulatory issues, awareness and support to integrated border management. Still, donors and domestic actors do not always have the same priorities, nor are the initiatives necessarily fully locally owned. For example, the priority of the Ministry of Defence to develop a factory in Kragujevac as a regional centre for destruction of ammunition (especially ammunition containing white phosphor) was not known to the interviewed key potential donors in that area.

SSR-related cross-cutting issues such as human security and transitional justice are tackled, but not systematically, throughout donors’ programmes in Serbia.<sup>58</sup>

*Human security* in Serbia is not explicitly mentioned by the majority of bilateral donors, although increasing reference is made to it in various documents being produced, such as project applications, evaluations, etc. The concept is promoted by international organisations such as UNDP and the OSCE and to some extent by the EU.<sup>59</sup> The UNDP office in Belgrade implements projects related to sustainable and local development, poverty reduction, and inclusive development. For example, there is currently a big project related to the prevention of discrimination of minorities and vulnerable groups through institutional support to the agencies and bodies involved in the implementation of current and future anti-discrimination legislation in Serbia, funded by the European Agency for Reconstruction (EAR).<sup>60</sup> The OSCE as the main international stakeholder in a process of police reform, supported by several bilateral partners (DFID, USAID, etc.) has been particularly involved in a formation of a multi-ethnic police in southern Serbia, thus showing sensitivity towards community needs in a multi-ethnic community. On the defence side, substantial funds are funnelled towards the detection and destruction of land mines and cluster bombs, which can also be considered as part of the human security agenda.<sup>61</sup> Furthermore, the large majority of projects aiming to support reform within the Ministry of Justice could be regarded as support for the human security concept although they are not labelled as such. For example, initiatives to increase the effectiveness of the judiciary in Serbia and the fight against organised crime and corruption are leading to the greater protection of human rights, which are at the core of human security concept.

Hence, it can be said that a bottom-up approach towards SSR has been supported by donors, and in many

55 Currently administered by International Organization for Migration, carried out in close cooperation with the Serbian MoD’s Program for Resettlement in Serbian Army (PRISMA), with the Norwegian Government acting as lead nation. Available at <http://www.nato.int/issues/trust-fund/index.html>

56 T. Pietz (July 2005). *Demobilizing and retraining for the future: The armed forces in Serbia and Montenegro*, BICC Brief 31,

57 C. Phillips, Z. Taylor, S. Bogosavljevic (2005). *Living with the legacy - SALW survey of the Republic of Serbia*, Saferworld-UNDP.

58 Reforming abusive security systems to prevent recurrence and provide effective and accountable security to communities is of central concern to TJ advocates.

59 Whilst some international organisations such as the United Nations are very clear in their approach, the EU is more cautious as it must also take into account the importance of sovereign borders which raise legal and moral questions about the right to intervene. For an EU perspective through case studies see: M. Martin & M. Kaldor, (Eds.) (2007). *The EU and human security: External interventions and missions*. Routledge.

60 EAR offices closed in 2008. In total, it administered over 1 billion Euros in assistance to Serbia. Available at <http://www.delscg.ec.europa.eu/code/navigate.php?ld=195>.

61 NATO member countries which participated in the bombing campaign over FR Yugoslavia in 1999 tend not to advertise these contributions due to political considerations.

instances accepted as the only possible approach. However, these have had limited effect to date, due to lack of local ownership across the board of stakeholders, among others. As such, their value for money is questionable. When it comes to *Transitional Justice*, international donors have supported the War Crimes Prosecutors Office in the Republic of Serbia and War Crimes Chamber of the Belgrade District Court, for example. However, the European Union has been strongly criticised locally for reducing the concept of transitional justice to a matter of cooperation with ICTY. Many NGOs in the Western Balkans consider that the European Union has not approached the subject broadly in terms of “facing the truth”, but rather that it is implementing a narrow, technical and top-down approach.<sup>62</sup> The extraditions and trials have not contributed to a wide-ranging debate about the past nor created a demand for comprehensive transitional justice, raising the issue that reform will be difficult without advancement in this area, namely reconciliation with the past.

The focus on state institutions in pursuing the policy of transitional justice has marginalised civil society, *de facto* isolating grass-roots efforts in the field of transitional justice from the overall aims of Europeanisation of the region; and the national focus has proved insufficient in addressing the cross-border nature of war crimes and their legacy.<sup>63</sup>

In addition, an increasing number of programmes appear sensitive to *gender-related issues*. For example, gender issues are tackled through the education programmes developed with assistance for both military and police personnel since gender balance is now instituted with the introduction of quotas for female students. The most striking evidence that gender issues are being addressed is the increased number of uniformed police women in the Serbian police, from 29 in 2001 to 2,800 in 2008. Also, the Military Academy enrolls women as of 2008. Furthermore, the Ministry of Defence is the host institution for the process of formulation of the National Action Plan for the implementation of UN SC Resolution 1325 on women, peace and security, which would be a unique case. Many important processes, such as dealing with small arms and light weapons or combatting human trafficking as well as many other issues have been addressed from a gender perspective. Even some implementers who considered the donors' request to mainstream gender in security-related projects as unnecessary strings attached to the main activities are ready to admit that their scepticism was unfounded and that there have been important achievements.

The most recent development, which has a regional dimension as well, was the initiative of the Southeast European Police Chiefs Association (SEPCA) in setting up the Women Police Officers Network.

62 S. Jennings (May 2009). *EU urged to boost Balkan reconciliation efforts*, IWPR.

63 “European integration and transitional justice: From retributive to restorative justice”. Seminar organised by the Centre for the Study of Global Governance and the Humanitarian Law Center, Belgrade, 9th February 2009. See <http://www.korekom.org/news/read/6>

## SECTION 3: COORDINATION OF ACTORS AND HARMONISATION OF PROGRAMMES

While on paper it seems that Serbia is not aid-dependent since total aid and donations represent only a fraction of total inward flow of “money”, in reality the influence of external cash flows (and other forms of assistance) is significant, considering the fact that much of the budget is spent on social and internal political processes, with little invested for crucial reform programmes.

In terms of SSR, donor interest was greatest in two main areas: defence reform and police reform.<sup>64</sup> As stated in the introductory remarks, looking at these two areas alone is sufficient to provide an accurate answer to the main questions of this paper. Namely, defence and police reform have received the largest share of international assistance geared towards SSR. However, expectations have not been met and Serbia still remains within the first generation of SSR reforms, for reasons explored below.<sup>65</sup> These are interesting to analyse, as it is clear that Serbia is rather specific in the context of SE European reform, including the EU's JHA arena, as on the one hand it is struggling to overcome typical post-conflict legacies, including to some extent peacebuilding, and on the other dealing with advanced governance issues such as reforms in the development of advanced human resources management systems.

### THE DEMAND SIDE – RECIPIENT ISSUES

The starting point should be – at least in terms of theory – **the importance of domestic ownership in all processes discussed above, as this is considered an essential component of guaranteeing the correct change management process, with sustainability and effectiveness as a key objective.** However, experience on the ground in Serbia has shown that this is not as simple as it may at first seem. Again the process leading to this desirable state is rather complex, with many issues influencing the process in various directions. Ownership is also relevant in terms of evaluation, i.e. when defining whether we are evaluating donor demands and expectations or the policy objectives of the recipient country, as discussed below.

In Serbia, international donors tend, firstly, to discuss and develop their programmes in cooperation with Serbian institutions, with the aim of gradual total ownership taking place within a medium time frame. However, a relevant question in this respect concerns who actually initiates the programme, since there are often accusations that projects have been imposed from the outside.

This in turn raises the question of the recipient state's capacity to handle international donor assistance, not just by a few select people or departments, but rather in-depth within the organisation where many of these expert and detailed issues should be raised to begin with in view of latter implementation. In other words, complete organisational and not just nominal institutional acceptance of ideas is often a precondition for eventual success, and this is, in most cases, hard to achieve.

The existence of highly centralised systems, such as in Serbia, might at first seem to make this issue irrelevant, since it might be expected that one organisational unit within a government body (usually a bureau for international

64 For the purpose of this study, a total number of 20 interviews were conducted between February and April of 2009 with various mid- and high-level representatives of bilateral and multilateral stakeholders in Serbia.

65 A useful study, which largely confirms this statement was conducted by the Centre for Civil-Military Relations, *Yearbook of SSR in Serbia*, Belgrade September 2009.

cooperation), will coordinate all activities. However, experience has shown that the process is more complex, at least at three levels:

*Firstly*, such centralised units do not have the right mechanisms nor understanding of the system as a whole which means that much will depend on their ability and willingness to communicate with the whole organisation (both horizontally and vertically), an ability that is often missing due to inherited bureaucratic and often confusing procedures and practices. *Secondly*, most state institutions will lack the capacity within (in-depth) to provide useful input to often very demanding and specific donor requirements. This relates on the one side to their limited scope of understanding of the more holistic processes taking place and on the other to their technical ability to fill in or implement projects which are usually run to donor specifications or demands. This means that very often it is the donor who is the lead agent in both designing and implementation phases, either directly or in the case of larger programmes, **through subcontractors**. *Thirdly*, and most importantly, all this has the opposite effect to the one desired, in weakening institutional capacity by strengthening personalisation of such important issues, thus allowing for increased, rather than decreased “politicisation” of the system.

Hence, cooperation and coordination is unequal throughout the government and administration, often depending on personal affiliation, attitudes and interests (including political) of those occupying select positions allowing contact with donors. In this sense, **the absorption capacity for large-scale programmes and projects, especially those with clear reform outcomes, is weak with the Serbian state system overall, including ministries directly responsible for SSR aspects.**

These weak governance issues are largely associated with transitional post-conflict societies, and Serbia is no exception. The strengthening of state institutions will take time and such issues will prevail in the forthcoming period. The existence of strategic documents – as well as their implementation – would ease these pressures significantly and provide all these stakeholders with useful guidance in every respect, as the following section will argue. However, their existence in Serbia is problematic, seen very often through the lens of scepticism and “box-ticking” exercises, currently in the context of the EU accession negotiations. There is currently little attempt to undertake such demanding efforts through a quality process, which certainly impacts the ability to implement change, especially at a strategic level.

## THE SUPPLY SIDE – DONOR ISSUES

The nature of assistance has varied over the past 8-9 years, and has included both bilateral and multilateral stakeholders, with the former dominating the scene in terms of providing the bulk of funds. Among the most prominent actors were, in no particular order: the US, UK, Norway, Sweden, Germany, Holland as well as the EU, OSCE, DCAF and so on. Reasons for their engagement has varied as has the time period, with some actors being constantly present and some only for select periods of time, depending on their foreign policy priorities and funding availability at given times. However, it must be noted that as time moves on, **donor interest in assisting Serbia will naturally decrease** as now global hotspots, including the world financial crisis, hit domestic TV audiences and thus push policy and priorities away from the Balkans. Moreover, as time passes, more will be expected from Serbia, especially as the EU accession process gathers momentum and ‘box-ticking’ approaches will no longer suffice.

Since SSR is a holistic concept encompassing a number of state institutions and cross-cutting issues, particularly relevant is how donors have prioritised subject areas placed on their agenda. Selection of subject areas is not based on any single argument, but tends to change with time. In the early years it was generally based on areas considered either to be directly related to security and stabilisation (e.g. destruction of surplus weapons and explosive devices). Over time this a shift has occurred<sup>66</sup> towards areas relevant to future development, such as governance, and there is also a shift in SSR towards more of a people-centred or human security approach. There are also areas that have received almost constant attention, such as both military and police education. Apart from being considered a “soft” area, interest in this field is explained by the fact that education is crucial for future trends, attitudes and mindsets of security personnel.

<sup>66</sup> This shift is mainly taking place in practice among the donors that have more experience in SSR, such as UK, Norway and Sweden, among others.

There is no doubt that donors' activities in Serbia – as elsewhere – have depended on their own foreign policy objective. This relates to both the depth and type of engagement chosen. So, for example, while Norway has been one of the biggest donors to Serbia for not-so-obvious reasons, more traditional allies in this sector such as Italy, have been more cautious and preferred to focus on specific sectors of assistance.

Budget resources that are devoted to assistance in general and assistance toward different aspects within SSR are based on various sets of information and complex decision-making processes. Most countries have defence or police attachés in-country, and their evaluations and recommendations on the ground are combined with general policy objectives at the more strategic level, often resulting in several donor programmes of assistance provided by any one country. An example is the UK, where the Ministry of Defence and Department for International Development will have different budget lines and funds, as well as some that are combined, such as the Global Conflict Prevention Pool fund. Coordination of these funds is usually done both within capitals and their respective embassies, but often in the past, there have been examples of activities funded by one country, but with little coordination among the respective providers. A further layer of complexity to decision-making appears when countries have to operate via various multilateral organisations. For example, since the OSCE is not a "funding" organisation, it relies on extra-budgetary assistance from states to implement projects.

Furthermore, donor assistance needs to be looked at not only in terms of funding, as other significant forms of assistance are provided to Serbia. An example is a country providing direct assistance such as expertise via a multilateral organisation such as a secondment to the OSCE or directly to a Serbian Ministry in advisory roles.

When it comes to the use of direct foreign expertise, there has been a tendency to utilise only subject experts who have had little holistic understanding of Serbia. In this sense, **one can argue there is a lack of capacity by many donors to support adequate SSR initiatives.** Most domestic interlocutors interviewed complained that foreign experts did not understand the specificities of the environment in which they were operating and had only narrow expertise in either defence or police issues. Few had practical expertise from similar settings in areas such as: change management, social development, administration reform, judiciary or strategic planning. As can be expected, such experts tended to import solutions and methodologies directly from their own experiences, either from their own or some other country, which were simply not applicable to Serbia.

Two issues regarding **political perceptions of international involvement** in SSR in Serbia were raised during the research. *The first issue* concerns the relationship between the image of one country and its involvement in that process. Apparently, a positive image of certain countries, Norway for example, is contributing to acceptance of their involvement in the process by the general public in Serbia. Regarding Norway, its general policy towards Serbia and their assistance for SSR consequently is accompanied by a high level of public approval. Testimony to this reference is the fact that the Norway is one of the most desirable partners in jointly-conducted projects not only because of the resources it is devoting to Serbia, but also because of popular acceptance of its engagement.

On the other hand, representatives of the governments that are significant donors in the field but whose public image in Serbia is not very good do not publicise their contributions, in SSR and in general as well. The question is if the donor themselves or related Serbian institutions should do the PR of foreign-funded projects in the process, possibly requiring commonly developed communication approaches. In any case, this issue strongly supports the premise for increased cooperation in donor activity, including both development and implementation.

*The second issue* is whether the recent deterioration in political relations between Serbia and a number of countries that recognised the self-proclaimed independence of Kosovo has influenced their cooperation in SSR. It can be observed that despite special measures which Serbia introduced including the withdrawal of ambassadors from a number of countries recognising independence, the SSR aspect and the engagement of these countries was only temporarily suspended and is now more or less back on track, at least in terms of levels of cooperation.

However, the one relationship that has not recuperated, mainly as a result of more strategic political issues, is the NATO-Serbia relationship. The DRG process has been completely halted despite its positive impact, as noted above.

## COORDINATION AND HARMONISATION

**Coordination of actors and harmonisation of programmes has been very difficult in Serbia** for a variety of reasons. Faults lie with both sides, i.e. the recipient and the donor. While this is not something unique to Serbia, two aspects remains particular – **the prevalence of a negative attitude to foreign assistance at various levels of decision-making in the field of SSR, and the expected reduced focus by the donors on Serbia.**

**At the time of writing, there was no formal instrument for donor coordination and very little in terms of harmonisation when it comes to SSR in Serbia,** encompassing all relevant stakeholders. Considering the importance of foreign donations this is a worrisome factor in terms of expected output and change management in general. Moreover, as governance reform becomes more complex and based on cross-sector (inter/ra-ministerial) cooperation, without domestic harmonisation and alignment of all these aspects it will be difficult to implement required reforms.

## COORDINATION BY DONORS

Most donors have recognised the lack of coordination as a major obstacle to more efficient and effective SSR in Serbia **in line with the Paris Declaration signed in 2005, of which all the major stakeholders are a signatory, including Serbia.**<sup>67</sup> As such they have been tempted to introduce various modes of cooperation, with limited overall success. **The fundamental question is: on whose behalf are these coordination initiatives taking place?**

The question is reasonable if we take for granted the importance of donor engagement and the lack of adequate response from the relevant Serbian institutions. Considering Serbia's negative attitude to what is perceived as external interference, such formalised coordination meetings are seen as an attempt to impose thinking and, more importantly, as loss of control in process. This problem is further exacerbated by the nature of the highly politicised and centralised public administration in Serbia, which severely limits required horizontal lines of communication.

As a result, most coordination initiatives have been externally driven – leading some observers to note that they are more for the benefit of the donor community than Serbia itself. The main imperative that leads international representatives involved in SSR to coordinate their work is the necessity of the exchange of information, as the lowest benchmark in the process. There is little willingness to go beyond this stage and develop and implement common projects.

Various attempts at coordination have been made, some within regional cooperation initiatives, such as the Stability Pact Working Table III, while others have simply been less ambitious. The following few can be mentioned in more detail as being more successful:

The **Serbia-NATO DRG** began working in February 2006 with the intention of accelerating and directing the process of reforming the defence system, and thus speeding Serbia's accession to Euro-Atlantic integrations. The group was formed at the instigation of Norway and comprises 15 working tables, made up of Serbian MoD officials, NATO officials, and representatives of other Serbian government bodies, international organisations, and on occasion, experts from the NGO community. This useful cooperation process was dropped by Serbia in early 2008, as noted in Section 2.

However, experiences from this process were very positive. The DRG not only addressed the concerns of all parties involved including the international stakeholders engaged in this process, but also provided much better local ownership of the processes, as it enabled in-depth engagement by relevant parties as well as direct horizontal and vertical communication. The latter is of particular importance and is often lacking when it comes

<sup>67</sup> The Paris Declaration, endorsed on 2nd March 2005, is an international agreement to which over 100 Ministers, Heads of Agencies and other Senior Officials adhered and committed their countries and organisations to continue to increase efforts in harmonisation, alignment and managing aid for results with a set of monitorable actions and indicators.

to management of processes and teamwork, leading to delays and failure to maximise outputs. As such, this cooperation process, while it lasted, was one of the more positive coordination experiences in Serbia.

**The South East Europe Clearinghouse** is a regional security initiative launched in 2004 by the US EUCOM (United States European Command) and the Ministry of Defence of the Republic of Slovenia. The goal of this initiative is to accelerate the process of accession to Euro-Atlantic integrations by helping Southeast Europe Clearing House (SEEC) countries (Albania, Croatia, Macedonia, Serbia, Montenegro and Bosnia and Herzegovina) as candidates for NATO membership.

This initiative is developing well, with increased local ownership in terms of regional approaches to defence issues, such as planning common approaches to issues such as specialist training. Such cost-effective approaches are sure to increase trust and experiences amongst those participating, thus contributing directly to regional stabilisation and possibly the EU security agenda. Moreover, although it is primarily a project-level event, this initiative did have a positive strategic effect during over past few years, when Serbia decided to limit its cooperation with many key donor countries and neighbours.

The **Nordic Initiative** aims to provide a coordinated and combined approach to the defence cooperation activities of the five Nordic countries of Denmark, Finland, Iceland, Norway and Sweden to the Western Balkan countries of Albania, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro and Serbia in order to more effectively contribute to the consolidation of peace and stability in the region. Two key stated objectives of this initiative are: to develop a framework through which to deliver coordinated bilateral or multilateral defence cooperation activities within the region, to identify and develop joint activities to assist the partner countries in their respective defence and SSR programmes. In this sense, the most important aspect of the Nordic Initiative Steering Group is the ability to discuss national priorities and points of view in an open and transparent way. In other words, focus is on information exchange and harmonisation with other interested parties, where possible.

Although **the EU** does hold occasional meetings with partner states on various subjects, it must be noted that there is no holistic approach – supporting sustainability – to SSR in Serbia for both the Commission's large office and the EU Member States represented in Serbia. The problem is that the EU is not primarily concerned with SSR in Serbia, but rather focuses on its internal security concept, the 'area of freedom, security and justice' (AFSJ) whose primary objective is to provide European citizens with an enhanced level of security within the EU.<sup>68</sup>

This is not to say the EU does not recognise the relationship between its own security concerns and SSR processes in potential new Member States.<sup>69</sup> Indeed, it is recognised that 'The development of an area of freedom, security and justice can only be successful if it is underpinned by a partnership with third countries'.<sup>70</sup>

The December 2005 EU Council External Justice and Home Affairs Strategy contains a forceful statement about the importance of enlargement in the context of EU interests:

'The prospect of enlargement is an effective way to align with EU standards in JHA in candidate countries and those with a European perspective, both through the adoption and implementation of the *acquis* and through improvements in operational contacts and cooperation'.<sup>71</sup>

**The OSCE** has, as a strategic partner to the Serbian MoI, for the past few years attempted to aid cooperation of key stakeholders in police reform. The process was initiated with the Police Reform Donor's Conference held in June 2002 and lasted till June 2006, when the MoI lost interest in this process. After a short pause, the organisation launched a more informal information-exchange process among key donors which lasted from late 2007 to early 2009. Although this process had a much lower level of expectation, it too was discontinued **due to lack of interest at a strategic level from a sufficient number of stakeholders.**

68 Jörg Monar, 'Justice and Home Affairs' in *The EU and Security Sector Reform*, DCAF 2007, p.130

69 Effective multilateral engagement in the area of SSR was first referred to as a strategic objective of the EU in the European Security Strategy (ESS) published in 2003.

70 See [http://ec.europa.eu/justice\\_home/fsj/external/wai/fsj\\_external\\_intro\\_en.htm](http://ec.europa.eu/justice_home/fsj/external/wai/fsj_external_intro_en.htm).

71 EU Council document no 15446/05 of 6.12.2005, para 10.

Even less formal are attempts by a small group of interested defence attachés to meet up occasionally and discuss relevant issues of common interest.<sup>72</sup> This simplified and *ad hoc* setting has been very beneficial according to those interviewed, as it relates to short-term and practical issues of common concern to those taking part. In this sense, small informal settings have limited application as donor cooperation should be more holistic in terms of applicability and formal in terms of setting to have maximum desirable output. In other words, it should involve a larger number of stakeholders, as programmes do not have just funding issues at stake, but also significant reform aspects and policy implications.

Considering SSR is a holistic concept often requiring major policy decisions, it can be observed that coordination just among 2–3 countries, even if these are major donors, is not sufficient to advance reform. In other words, **SSR programmes need to take a multi-layered or multi-stakeholder approach if they are to be successful.** For example, police reform is as much about fighting organised crime as it is about police accountability and human resources management, all clearly distinct fields, yet closely interlinked when we discuss change management processes in this sector. While tackling any one of these areas is a huge undertaking and usually requires several donors, tackling all would require a holistic approach by a multitude of stakeholders.

Flowing from this is the current observation that two groups of donors exist in Serbia when it comes to SSR. Namely, countries that have been engaged in the development of the SSR concept globally (e.g. UK, Holland, Norway and Sweden), understand and attempt to use the concept in its broader sense (the OECD-DAC approach) locally, and even go beyond to include related cross-government public reform issues. However, interviewed officials on the ground from many other countries with less experience do not refer to SSR in such a holistic manner, seeing their role at a more tactical and operational level.

## COORDINATION BY RECIPIENT

This paper has made it clear that ultimate responsibility for coordination must rest with the domestic recipient, in this case, the Government of Serbia. This is particularly important in terms of harmonisation of reform efforts. Considering harmonisation has an important policy angle, it can best be achieved through strategic planning and management, i.e. the existence of valid and usable strategic documents.

As argued above, **quality strategic documents would clearly show the direction and depth of desired reform and would immensely benefit donor coordination.**<sup>73</sup> Without them, all that remains are *ad hoc* and short-term objectives, often steered in politically opposing directions. Hence, the lack of adequate strategic documents is a failure on several fronts.

Firstly, considering reform is a top-down process, it shows lack of initiative and will for real change in a systematic, cost-effective and sustainable way. Secondly, it shows a lack of capacity on behalf of the domestic institution(s) to initiate such processes in the appropriate way and produce quality documents. An example is the recently passed National Security Strategy, which will do little to help either improve donor coordination or provide any real strategic input into the process.

Most importantly, it questions how SSR issues are identified and prioritised, i.e. who leads the reform process? These issues and priorities cannot be administered by bodies such as National Security Councils alone,<sup>74</sup> which are primarily meant to decide upon or give guidance on the main strategic policy directions. Hence the role of such councils is not adequate for coordination of donor assistance.

In defence reform, the PfP process does offer some assistance in strategic planning, but it is the Membership Action Plan which would ultimately aid the strategic approach to defence reform (SSR) in a holistic manner, including coordination and harmonisation aspects. Considering Serbia is currently not looking at MAP and NATO

<sup>72</sup> An example is the so-called Programme for Resettlement in Serbia and Montenegro Army – PRISMA. Witek Nowosielski, 'The retraining and resettlement', *Chevening Magazine*, 18-19, 2004, p.43.

<sup>73</sup> The question of the quality of strategic documents is an issue of concern, as they do exist but are not being utilised for a variety of reasons, such as: lack of top-down support, academic approach to drafting, minimal institutional ownership, bad communication, etc.

<sup>74</sup> This body was formed in December 2007 and to date it is difficult to assess its impact. More details in Vladimir Cvijan (2008). 'Savet za nacionalnu analizu – pozitivnopravna analiza', *Srpska pravna revija* br. 8.

membership, this will have to be an option for the medium term. However, EU documents do offer more direction to police reform, albeit in certain aspects, such as border control and organised crime, crucial in the context of its own JHA area. This paper asserts that less “politicisation” of the process, where Serbia is seen as a “special” case, would certainly aid a more qualitative process of reform in Serbia. In other words, in the future, priority must be placed on the quality of reforms rather than simply superficial politicised issues which often have a short-term effect and do little to improve the overall security and development picture.

The OSCE, while meant to have a significant role in coordination, especially regards police reform, is not utilised at all, despite its comparative advantage in several respects, including availability of permanent expertise on the ground and “neutral” status by representation of 56 participating states, including those of the EU.

Donor policies could be improved by increased coordination between different governmental departments dealing with particular SSR elements in Serbia. However, this is not happening at the moment in any real sense, although it has been recognised as an issue and occasional discussion does take place. The Ministry of Finance has to date played a more systematic coordinating role when it comes to some bilateral donations (e.g., donations from Norway). However, while this is certainly a welcome development in terms of positively impacting duplication, it is driven externally and is project-based, with only limited scope to influence decision-making in the various ministries. Furthermore, it focuses on reform across government and there is little scope and capacity to recognise SSR in a holistic manner.

A good example is the current debate on engagement of Serbia's security forces in UN peace support missions, with the MoD and the MoI leading their own separate negotiations, with almost minimal engagement of the Ministry of Foreign Affairs and the Ministry of Finance, which are in effect the most important players in the process, considering the fact this is potentially part of Serbia's foreign policy with significant financial implications over time.

The further strengthening of this **Ministry of Finance's** role would be beneficial, at least in terms of financial aspects, while other initiatives at more operational levels, such inter-ministerial working groups, subject-dependent, could be set up to supplement this process

Moreover, the **European Integration Office** has much to offer in this respect, and the National Programme for Integration of the Republic of Serbia with the European Union (NPI) is certainly a crucial strategic document, especially in the absence of others.<sup>75</sup> However, this document is not sufficient in a standalone role and other supporting measures are required to support coordination, especially at the horizontal cross-ministerial cooperation and both operational and strategic levels.

Last but not least, the most complex issue is connecting all these requirements into one common front (agenda), in terms of advance governance, which should be explored within the offices of **the General Secretariat**.

A basic requirement for such cross-governmental efforts to work is a stable and functioning political landscape, with a commonly accepted objective. The EU integration process is certainly a positive change agent in this respect, but will have a difficult role to play until ministries start to work together in a more efficient and effective manner at all levels. More specifically, this will require a change in work culture, and most importantly, in the development of the concept of strategic management.

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75 The National Programme for Integration with the EU (NPI), available at <http://www.seio.gov.rs/code/navigate.asp?id=20>.

## SECTION 4: CONCLUSIONS AND RECOMMENDATIONS

According to the OECD-DAC guidelines, donors should engage in SSR with three major overarching objectives: **i)** the improvement of basic security and justice service delivery, **ii)** the establishment of an effective governance, oversight and accountability system; and **iii)** the development of local leadership and ownership of a reform process to review the capacity and technical needs of the security system.

**If these guidelines are applied strictly, then as far as the donors are concerned, Serbia has moved little beyond Stage 1 in the SSR ladder.** For example, while organisational structures for police accountability and basic legislature have been set up and modified, these systems are far from operational and more importantly, the desirable outcome mentioned above – effective oversight and accountability – is non-existent, i.e. is not implemented adequately.

This paper has further asserted that Serbia is not utilising donor assistance in the most positive and cost-effective way, for various reasons. Bearing in mind its overall importance in driving reform forward (especially at this time of crisis), donor assistance towards this key country in the Western Balkans should not diminish over the short to medium term. However, the only way to increase the quality of reforms is to reduce “politicisation” of assistance and invest into a more focused approach with local ownership in mind.

While there are indications that this problem has been recognised, there is still little evidence that it is being addressed at the speed required. Possibilities within the Ministry of Finance and the General Secretariat need to be explored further, as well as those within the European Integration Office. Donor assistance will be important in all these respects, especially those donors with experience in these areas, such as countries from the Nordic Initiative.

Donor coordination is a very complex process involving various actors, interests and processes, and despite difficulty in implementation, should not be sidelined – as indicated by the Paris Convention. The EU accession process is an important factor guiding Serbia's reform processes, including aspects of SSR. The EU should invest more in bringing together its own security concerns within the AFSJ concept and the various EU approaches to SSR, especially with aspiring Member States. There is no way the former can be addressed without investing more holistically in the latter, especially in the case of countries such as Serbia.

**A recognition that SSR is not only about increasing operational capacity but also about enhanced service delivery, governance and accountability should guide donor strategies when it comes not just to funding and programme design, but also their own capacity to deliver these appropriately.** In this sense, investing in adequate personnel, with governance experience, will enable a multi-sectoral (cross-government) effort, which is essential to move Serbia both into the second-generation SSR and assist it in advancing its desired policy objectives, including EU accession.

## GENERAL RECOMMENDATIONS

**STRATEGIC APPROACH:** The most important aspect is investing in developing an acceptable strategy on supporting SSR and emphasising a programme-based rather than project-based approach, with a focus on governance issues, i.e. vertical and horizontal cross-sector connectivity.

**CONSISTENCY AND DELIVERY:** Donors must endeavour to be consistent in their policy objectives. The focus must be not just on outcomes but more on delivery, thus reducing the chances for continued **politisation** of the process, both at the domestic and international (donor) level.

**RECIPIENT-LED FORMALISED COORDINATION:** Formal coordination led by the recipient ultimately enforces higher levels of harmonisation, contributing to better utilisation (implementation) and value for money. This should not preclude the donor community from initiating their own coordination effort.

**FLEXIBLE APPROACH:** Programmes and projects must be flexible, since the operating environment is volatile and subject to frequent change. Full cooperation with the recipient through a positive dialogue should preclude major problems in this area.

**HIGH-LEVEL ENGAGEMENT:** More emphasis should be placed on in-depth engagement of Serbian stakeholders (domestic institutions) as key actors not just in terms of coordination, but also harmonisation and alignment, which will enable a quality change process with more sustainability and cost-effectiveness.

**CONTROL OF SUB-CONTRACTING EFFORTS:** More effort must be placed in selecting implementation agents (sub-contractors) and increased control must be placed on outcomes provided by such.

**ADEQUATE HUMAN RESOURCES:** Through the application of a well planned human resources deployment policy, both civilian and security (military and police) experts should be selected taking into account the holistic nature of change management in public service and the specificity of Serbia.

**ABSORPTION CAPACITY:** Ministries should invest more resources in the development of both strategic management which would be able to delegate tasks to the lower levels leaving more time for strategic work. Furthermore, capacity development in terms of ability to manage programmes and projects must be increased as a matter of urgency, so that donations can be administered adequately.

**CIVIL SOCIETY SUPPORT:** Continued assistance should be given to increasing the quality of this sector, especially in terms of analysis and advocacy, at least through the distribution of research papers to as wide as possible an audience to provide knowledge-based discussions.

## SPECIFIC RECOMMENDATIONS

**DEFENCE REFORM:** Restarting the DRG concept would be the most visible and concrete way to kick-start defence reform efforts, within the NATO PfP framework.

**POLICE REFORM:** This requires a more coordinated and strategic approach by donors, supported by the MoI's lead in this efforts through the adoption of a overall strategic plan as soon as possible.

**EXTERNAL SSR OVERSIGHT:** More effort must be placed by donors on assisting in building the capacity of parliamentarians, i.e. relevant parliamentary committees focusing on SSR aspects, to engage in SSR debates and enhance oversight mechanisms.

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