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### Human Dimension and Security Sector Reform in Slovakia: Mission (In)complete?

*Samuel Goda, Slovak Foreign Policy Association*

#### Introduction

Security nowadays has a social dimension, which requires the involvement of all elements of security in such manner as we did not know in the time of the Cold War. Meeting the new security requirements therefore requires fundamental reform of national structures, models financing and management systems. Likewise it will also require major changes in international institutions. The dividing line between the external and internal dimension of security is disappearing. The horizontal division of power on national level between those resorts active in external dimension as ministries of Foreign Affairs or Defence together with their instruments (armed forces, secret service) and those resorts with activities within the borderland as ministries of Interior, Finance or Infrastructure together with their instruments (police corps, agencies of civil safety) requires more coordination. In other words this means that adequate, efficient and effective ensuring of safety in the new security conditions can be achieved only if the whole security sector (both on national and international level) will go through comprehensive and fundamental reforms. Furthermore, the traditional concept of reforms, only concerning the area of defence, will not solve the problem.

The question of reform of the security sector, known more precisely as Security Sector Reform, has recently begun to emerge as a key idea in political discussions and academic circles. Its origin must be sought in a radical change in the security environment of the Euro-Atlantic area after the Cold War and has two crucial dimensions:

- the need to respond to the changing understanding of security in mature democratic society, which got more and more awareness that security is much broader than military security;

- strive for the fastest and the least problematic solution of civil-military relations in the former communist countries of Central and Eastern Europe after the revolutionary changes early 90s of last century.

The experience of the first years of changes in these countries led many analysts to recognize that the key aspects of civil-military relations must be assessed comprehensively. For example, in the framework of (civilian-military) reforms it is important to include in addition to regular armed forces also other armed forces, which before did not fall under military command (in case Slovak Republic, for example railway forces and Ministry of Interior's forces). Furthermore, the fact that security and security sector actors play a very important role in the political and economic reform process which it means that the reform must be comprehensive and not be constricted on purely military issues and issues of civil administration and democratic control of armed forces. Probably the most obvious impetus to such understanding of the security sector were the September 2001 terrorist attacks in the US.

As with many other definitions related to security (e.g. terrorism) or in defining the security sector, there is no clear consensus among expert on how to define this term. In general it can be concluded that two approaches to the definition of the security sector reform exist.

The first approach assumes reform of those military formations that are directly empowered by the government to use force to defend the State itself state and its people. In practice this would mean that the reform would cover only such organizations as regular military forces, paramilitary police force (e.g. Guardia Civil in Spain, Carabinieri in Italy and the National Gendarmerie in France) and intelligence services. The second approach understands the security sector reform in significantly wider context and according to this approach organizations and activities whose primary function is to protect the society and freedom of its residents (except for the components mentioned on the first approach as well as e.g. police,

border police, judicial forces but also private security services) should be reformed.

Such approach to security sector extends the area of security from its traditional understanding, narrowed only to the armed forces and military security (defence), to much broader concept, including the security of the individual against threats of crime, unrest and violence. To illustrate a broader understanding of the security sector it is possible to add "all such organizations that have the power to use force, or order its use or threaten force in order to defend the state and its citizens, as well as well as civil structures that are responsible for the management and supervision"<sup>1</sup>. According to this, the military and paramilitary forces, intelligence services, police forces, border police and customs services, court and prison system, and also the ministries of Defence, Interior, Finance and Parliament are parts of the security sector.

Probably the easiest way out of this academic debate would be to include both understandings of the security sector into the concept of reform, in the light of specific conditions in which the reform should take place. Reform alone cannot be understood as a single act, but as an instrument of systematic and problem-led assessment of security-related issues and their interrelationships. On the one hand, it must be taken into account the need to develop and maintain appropriate and effective national security architecture in specific situations and contexts, and on the other hand, the importance and necessity of democratization and civilian management and control.

This concept includes number of issues and activities relating to the reform of elements of public sector, whose role is to provide external and internal security. The starting point is therefore inoperative or poorly functioning security sector, which does not provide sufficient security of the state

and citizens, or even cause insecurity.<sup>2</sup> Security sector reform is therefore transformation of the security sector, including all the actors, their roles, responsibilities and activities to function in a manner that is in accordance with the standards and principles of good governance, and contributes the internal and external security of the state and its population<sup>3</sup>. Despite the fact that the concept is still under development, it impacts increasingly on the creation of international development aid programs, security cooperation and assistance programs on development of democracy<sup>4</sup>.

Security sector reform in Slovakia – legal and institutional overview

In general, as well as applied to Slovakia, security sector reform plays an important role in the following areas:

*Democratization:* unreformed security sector can be a serious obstacle on the way towards democracy. Security environment actors can potentially play an important role in the political life of the state because they have a monopoly or control over law enforcement agents. Civilian oversight of the security sector is therefore an important element of any democratic process.<sup>5</sup> It is mainly because of improving the ability of supervision of the legislative components over the security sector, the management and control of expenditure on the military.

*Good governance:* is based on the mechanisms and structures enabling the efficient provision of public goods, in this case, safety of citizens of the state. Security sector thus can enable good gover-

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1. Chalmers, M. *Security Sector Reform in Developing Countries: An EU Perspective* (London: Saferworld and the Conflict Prevention Network, 2000).

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2. Heiner, H. Conceptualising Security Sector Reform and Reconstruction, In Heiner, H. - Bryden, A. eds.: *Reform and Reconstruction of the Security Sector*, DCAF and LIT Verlag: Geneva, 2004.

3. The DAC *Guidelines: Helping Prevent Violent Conflict: Security-related definitions*. Organisation for Economic Co-operation and Development, Paris: 2001.

4. Edmunds, T. Security Sector Reform: Concepts and Implementation. In Fluri P. – Hadzic, M., eds. *Sources on Security Sector Reform*, DCAF/CCMR: Geneva, 2004.

5. Ibid.

nance, as well as being a hindrance. It can be a key component in the fight against corruption and organized cross-border crime and criminal cooperation. Very important are also the economic needs of the security sector, which may have a negative impact on the economic situation of the state.<sup>6</sup>

*Economic development:* the country's economy is affected by its stability, which depends on the efficiency of providing security. Just as in good governance, security sector can play a key role in addressing these issues and thus contribute to the development of the country inefficient sector vice versa can be a burden on the budget and the country's economy<sup>7</sup>.

*Conflict prevention:* successful security sector reform can help internal stability (an effective solution to tensions and problems, providing security and justice for citizens), as well as regional stability (using as an important confidence-building mechanism in the region)<sup>8</sup>.

*Post-conflict reconstruction:* is only possible with the demobilization of combatants and their reintegration into society, unification of various armed fractions of the national security structure, elimination of the existing stocks of light weapons. Also important is the prevention of security privatization.

*Professionalization of the army and security forces:* will guarantee them clearly defined tasks and functions so that these will respect laws and democratically elected representatives and ensure their effective functioning in the protection of the State and the population<sup>9</sup>.

Another sphere, in which changes are taking place related of civil-military relations, is the social

sphere. These are historical traditions and cultural orientations related to the position of the armed forces in society. The transformation of the armed forces is determined not only by rational factors originating in the foreign and domestic politics, but also by factors such as the tradition of the armed forces and the heritage of the past in relation to their organizational structure, character or military culture. The change of referring object from the "regime" of socialist times to society and individual, in other words, the orientation towards human security, is still ongoing in Slovakia. Of course, there is a considerable progress, e.g. in terms of parliamentary overview (which we will describe later in the text) or engagement of civil society into security-related processes. However, there is still a lot to do in these terms in Slovak republic.

At the top level of the security system a permanent professional element of crisis management which continuously monitors the security environment in the Slovak Republic as well as abroad, including cooperation and links to situational and analytical unites in different resorts (Act no. 110/2004 Coll.), the EU, NATO and other countries, must work on 24 hour cycle. Its basic task is to evaluate the status of threats and risks and their impact on the interest of the Slovak Republic and its allies. This element must at the same time act as integrator of partial information processed within subsystems of the security system which are operating on the corresponding positions of individual departments at horizontal level. According to this, it is possible to specify the following requirements for a functional security sector:

- Modern and well accepted conception of composition and operation of the security system;
- Compatibility with respect to other institutions and mechanisms of the EU and NATO;
- Operation of the crisis management element which ensures continuous monitoring, analysis and evaluation of the expected impacts of

6. Škamlová, D. Reforma bezpečnostného sektora. In: Lupták, L. *Panoráma globálneho bezpečnostného prostredia 2006-2007*. Ministerstvo obrany Slovenskej republiky, Bratislava, 2007, pp. 639-647.

7. Edmunds, T. Security Sector Reform: Concepts and Implementation. In Fluri P. – Hadzic, M., eds. *Sources on Security Sector Reform*, DCAF/CCMR: Geneva, 2004.

8. Ibid.

9. Ibid.

certain security situation on the interests of the Slovak Republic and its allies;

- Ensuring mutual communication among the elements of crisis management in Slovak Republic and its allies with the aim to provide the political elites of the country immediate security information, including proposals for its solution;
- The complexity of the institutional base of crisis management which helps to reach its desired functional activity;
- Elaboration of generally binding regulation which comprehensively addresses the activities of individual elements of crisis management and crisis management itself across the spectrum of expected situations and conditions (Act no. 110/2004 Coll., Act no. 387/2002 Coll.);
- Systematic operation of elements of crisis management in its vertical and horizontal structures with specifically defined competences (from the highest authorities of the state administration through the county to the individual elements within local government) (Act no. 129/2002 Coll.);
- Functional and modern system of methodological and training preparation of human resources, the process of its selection and lifelong learning possibilities.<sup>10</sup>

Management subsystem is the core of the security system that is as a whole integrated and made up of a set of institutions or bodies. Those, based on generally binding regulations manage the individual processes ensuring the security of the state. This set of institutions or bodies is composed of Slovak President, National Council of the Slovak Republic, the Slovak government and state authorities, territorial and local government and substantively relevant legal and natural persons.

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10. Ganoczy, Š. Bezpečnostný systém ako významná časť bezpečnostného sektora. In Ušiak, J. et al. *Bezpečnostné fórum 2014*. Banská Bystrica: Belianum, 2014, pp. 192-199.

Generally binding laws and regulations define their scope, authority and responsibility.

The governing bodies of the state develop and authorize strategic objectives, interests and role of the state (strategic policy documents, constitutional laws, strategic decisions on the crisis situation response). In accordance with these documents then state authorities together with local government (county, district) and local authorities, carry out strategic objectives, interests and tasks. Decision-making element of crisis management at the top level is the Slovak government, which has a dominant role in the adoption, implementation and control of measures to prevent crisis situations and to deal with them in accordance with applicable law. Advisory element of crisis management at the top level is the Security Council of the Slovak Republic, which, as a Government advisory body discusses and assesses materials prepared for the decision-making process of the Government in the area of state security.

Executive subsystem operates in relative independence from each ministry, but with clearly defined relationship to the centre of crisis management (Crisis Management Team of the Slovak republic). Executive subsystem components are in the competence of individual ministries in accordance with the following arrangements:

- Ministry of Internal Affairs: Police Force, Fire and Rescue Force, Mountain Rescue Force, Control chemical laboratories of the civil protection;
- Ministry of Defence: Armed forces (Act no. 321/2002 Coll.);
- Ministry of Finance: The Customs Administration;
- Ministry of Justice: Prison and Court Guard;
- Ministry of Health: Health Rescue provider services;
- Ministry of Economy: Mining Rescue Service;

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- The Ministry of Foreign and European Affairs (Directive. 114/2013);
- National Security Authority;
- Slovak Intelligence Service and Military Intelligence;
- At the municipal level: municipal police, municipal fire brigades;
- Public institutions with a humanitarian mission.<sup>11</sup>

Another phase of security sector reform is rather of universal nature. Its subject is a key issue of public oversight of the sector, which is not sufficiently developed in any country regardless of its maturity. Low level of public control over institutions as well as permanent a need to enhance the effective democratic control of the security system of the state thus created the need for comprehensive reform. This phase of the reform of the security sector, affects all its stakeholders.

Besides the deficit in transparency of the security system of the state, a very important motivation behind the security sector reform is presence of a wide range of new security threats. Therefore they are no major problems to identify deficits in security sector reform (including civilian and democratic control of the armed forces dimensions) in the following areas: political (absence of political will on the part of the elites, not the military staff side), organizational (lack of reliable strategic and defence planning) and resources (except for deficits in defence planning it is also about incorrect use of human resources).

Civil society, parliamentary overview and SSR in Slovakia

In Slovakia, currently the security sector reform is responsive to two basic phenomena:

### 1. New security threats.

11. Ibid.

### 2. Latent deficit in the transparency of institutions.

To counter new threats, security sector reform in the "old" NATO countries has always been stressed as a need to systematically improve the qualifications of governmental and parliamentary experts managing system of national security as well as readiness, respectively professionalism of members of various (power) institutions. In order to reform face a deficit of transparency, it should focus on involvement of civil society in public debate on security and defence issues.<sup>12</sup>

In regards to involvement of independent research centres, non-governmental organizations, media and other segments of civil society to public overview of State' security system comes to the fore the need to raise awareness of citizens. Full involvement of the public in the field of security and defence is in addition to education of experts and members of the state security system other key challenge of security sector reform.

Civil society is the only source of legitimacy, which has essential importance for the operation of institutions in democratic regimes. Without this legitimacy is any idea of "democratic" or "civil" control of the armed forces according to the "Western model" in any country, including Ukraine, absurd. Without the support of public, the effectiveness of the security system of the State would not only be limited, but it probably would never happen. It is because certain problems with the implementation of the security sector reform principles and the implementation of effective civilian control of the armed forces also have the "old" democracies.<sup>13</sup>

Formal level of civil-military relations (parliament, president, government, ministry Defence, courts, etc.) was legally anchored already in 1990 - 1992 within the then common State with Czech republic and the Slovak Republic continued its development even after its establishment and the construction of

12. Korba, M. "Bezpečnostný sektor a jeho reforma". In Sociológia - Slovak Sociological Review 5: 433-452. 2003.

13. Ibid.

its own power institutions. Much more problematic was the informal level, because Slovak civil society, as a key factor mainly involved in performance of civilian control of the Slovak Armed Forces, was not prepared for this task and did not have any previous experience with such position. It took almost a decade to build the basics of security community (civilian experts, non-governmental organizations, media, and academic institutions), so that civil society has finally received enough information for basic orientation in the security and defence policy of the country.<sup>14</sup>

Newly emerging Slovak security community, which gained its first practical experience of working with the defence and foreign affairs sector during development of new strategic security documents (Security Strategy of the Slovak republic, Defence Strategy of the Slovak Republic) in the years 2000 – 2001, was aware that it is in the regions where a large information deficit on security exists. Together with the Defence Department (especially with the Defence and Security Institute) they developed a two-year project aimed at enhancing regional awareness of issues related to security policy. They focused on three key issues - civil-military relations; democratic control of the armed forces and security sector reform. The targeting groups were local governments, regional media, non-governmental organizations, and academic community. An integral part of the project was also information on the progress of the reform of the Armed Forces of the Slovak Republic, with which not only the start of the changes in relation to the new capabilities of the armed forces was connected, but also changes in military dislocation components in individual regions, which often had a fatal impact on some cities and microregions from where the soldiers left.

Parliamentary Control of the Slovak Armed Forces

Parliamentary control of the Armed Forces of the Slovak Republic has a dominant position in civil

and democratic governance and control. It is executed through elected bodies by the National Council of the Slovak Republic and is implemented in four basic areas:

- Legislation - the National Council of the Slovak Republic approves the laws of security and defence policy;
- The budget area - is one of the main checks for civilian part to control the military authorities. By the fact that the amount of the budget and its particular programs is decided through representatives of citizens, also transparency to this process is given;
- Area of control through a representative of the executive power - according to the Constitution, Article 116 a member of the Government is responsible for the performance of his / her function to the National Council of the Slovak Republic;
- Area of control through own elected bodies – represented through committees of the National Council of the Slovak republic. In the area of Armed Forces these are mainly the Committee of the National Council for budget, finances and currency; Committee of the National Council for defence and security, Special Audit Committee of the National Council of the Slovak republic on control of military intelligence, Special Control Committee of the National Council for control of the Slovak information service.<sup>15</sup>

Since 1993, the status of parliamentary control and control of the armed forces in Slovakia has significantly improved. The breakthrough period was 2000-2002, when the Parliament engaged in the preparation and approval of strategic security documents. Today, Parliament is in the position that it already knows how to deal with theoretical security documents and has the ability to assess

14. Tarasovič, V. Skúsenosti Slovenska z budovania civilno-vojenských vzťahov. CENAA, 2005. Available at: <http://cenaa.org/analysis/skusenosti-slovenska-z-budovania-civilno-vojenskych-vztahov/>.

15. Tarasovič, V. (ed.): *Demokratické riadenie a kontrola ozbrojených síl*, Inštitút obrany a bezpečnosti MO SR, Friedrich Ebert Stiftung, Bratislava, 2004.



and thus manage and control medium-term development documents of the Armed Forces of the Slovak Republic. In this context, it depends mainly from the ability, competence and interest of parliamentarians in how they implement their own rights in civilian democratic governance and control of the armed forces.

In spite of these positive aspects, it is also necessary to see that the area of parliamentary control of the Armed forces are failing to improve because Parliament has not enough deputies specializing in the area of security and defence, which is also the result of insufficient number of experts in this area in the political parties themselves.

### Recommendations

In 2006, as stated by V. Tarasovič, Slovak experts during a round of discussions defined the priorities in security sector reform in the Slovak republic. The developments in security environment are nowadays very dynamic and their vision is still valid after 10 years. We believe this scheme could be beneficial for the Ukrainian discussion in security sector reform as well, including the human dimension. We believe that these priorities as introduced by V. Tarasovič<sup>16</sup> could be a useful structure which should further be “fulfilled” by Ukrainian security community.

The priorities in the security sector reform:

#### *Knowledge of security-related issues among the population:*

- Transformation of culture of security understanding and perception;
- Understanding of the relation “citizen – State”.

#### *Reform of the system and/or its new creation:*

- Need to define who and what belongs to the system/sector;
- Continuous reform due to changing or new security environment;
- Cooperation among Ministries;
- Mutual relation between the Armed forces

and Police.

#### *Development of theoretical aspects of security:*

- Definition of national interests;
- Definition of threats and challenges.

#### *Education:*

- Improvement of security community’ expertise;
- Reform of the educational system in general and education on security related issues.

#### *Communication:*

- Constant networking;
- Maintaining cooperation with foreign countries and experts.

#### *Area of control:*

- Need to cover the whole spectrum of security sector;
- Transparency;
- Systematization.

#### *Effectiveness.*

Another lesson learned is the need to make the discussion as comprehensive and inclusive as possible. Thus, security sector reform including the human dimension should also be well discussed with experts from regions as these play even more important paper in Ukraine as in Slovakia.

Also, Slovakia and Ukraine should cooperate more in the field of know-how transfer of parliamentary overview, which would be beneficial for both sides.

Last but not least, very recent developments in preparing strategic documents in Slovakia could serve as a positive example. Representatives of most respected NGOs and academic institutions active in the field of security and defence are invited to participate in discussion with representatives of Ministry of Foreign and European Affairs as well as Ministry of Defence.<sup>17</sup>

16. Ibid.

17. Samson, I. *Civilno-vojenské vzťahy ako zložka reformy bezpečnostného sektora. Ukrajina a civilno-vojenské vzťahy z pohľadu skúsenosti Slovenska*. Bratislava: SFPA. 2010.

## About the authors

**Maksym Khyenko, Oleksandr Tytarchuk**, East European Security Research Initiative Foundation, Ukraine

**Natalya Belitser**, Pylyp Orlyk Institute for Democracy, Ukraine

**Hasmik Grigoryan, Stepan Grigoryan**, Analytical Centre on Globalization and Regional Cooperation, Armenia

**Bidzina Lebanidze**, Georgian Institute of Politics, Georgia

**Ion Manole**, Promo-LEX Association, Moldova

**Andrei Porotnikov**, Belarus Security Blog, Belarus

**Grazvydas Jasutis**, General Jonas Zemaitis Military Academy of Lithuania, Lithuania

**Samuel Goda**, Slovak Foreign Policy Association, Slovakia

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01004 Ukraine, Kyiv, Puschkinska 34

Responsible:

Dr. Matthes Buhbe | Director, FES Kyiv

Tel.: +38 (044) 234 0038 | Fax: +38 (044) 451 4031

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