



*Food for thought paper*

## **Human security concept and civilian security sector reform in Ukraine**

*Presented by Mr. O. Tytarchuk, Member of the Board,*

*East European Security Research Initiative (EESRI) Foundation, Kyiv, Ukraine*

### **The OSCE Human Dimension Implementation Meeting**

**Warsaw, 23 September 2016**

#### ***Working session 8: Rule of law***

The law-enforcement and rule of law agencies are the most important components of the civilian security sector in Ukraine, which is undergoing large-scale reform now. In general, the success of the reforming process depends on the basic approaches specific to the transitional phase of state's development and the role being played by Ukrainian civil society.

The progress of civilian security sector reform (SSR) in Ukraine is characterized by own special features related to obtaining practical experience, both positive and negative one, in addressing current threats and challenges to the national security as well as maintaining appropriate relationship between security and development policy. The above experience requires urgent consideration of SSR common practice, especially as it is adopted in other East European countries transiting to citizen-oriented security sector model.

More than two and a half years have gone since the beginning of SSR in Ukraine. Many efforts have been carried out since then mainly focusing on repelling Russia's aggression and strengthening the potential of all actors of the national security and defense sector under the dominance of enemy-centric environment.

Based on the generally recognized approach for successful accomplishing SSR in a country transiting from an elite-captured to a citizen-oriented model, an emphasis should be made on recognizing the relationship between security and development policy, and orienting security strategies towards human security for all people in the country. This goal should be in the spotlight along with the importance of democratic governance and civil oversight as well as professionalizing security sector and establishing a monopoly of force over other armed groups in the society.

In the vast majority of cases, and Ukraine is not an exception, professionalizing security sector and emphasizing on a model that holds a monopoly of force over other armed groups in the society and could effectively counteract external threats is the most visible and essential goal in terms of providing urgent threat-centric countermeasures while paying less attention to human security as such.

Hence, the proper balance and interdependence between all abovementioned goals of SSR should be maintained in order to achieve the desired results. Therefore, orienting security strategy towards human security should be among current priorities in the national SSR to maintain the required balance.

Preliminary analysis of the existing normative provisions has revealed that the abovementioned enemy-centric approach still prevails in the national security sector reform and development policy. It is mainly focused on identifying and addressing threats and challenges to national security stemming from some groups and countries. One could also find certain overlaps between declared national and human security interests related to protection of human values, human rights and freedoms, maintaining the rule of law and prosperity. Citizen or human security as such is not properly defined in the conceptual provisions, primarily emphasizing on public security, which has a more specific meaning as part of a broader human security approach.

The Ministry of Internal Affairs of Ukraine (MIA) is responsible for protecting human rights and freedoms as well as supporting public security and public order. The main mission of the National Guard of Ukraine, as a MIA subordinated structure in peacetime, is protecting and safeguarding life, rights, freedoms and legal interests of citizens, society and the state from illegal encroachments, providing public order and public security. Under the martial law, the National Guard of Ukraine will be subordinated to the Ministry of Defense and will be responsible for direct interaction with the public. It is the National Police of Ukraine, which is tasked with providing public security as well.

In general, human security is the conceptual framework for comprehensive civil society engagement with security actors. Human security is also known as multidimensional security and citizen security having a population-centric and not enemy-centric perspective. The level and effectiveness of comprehensive civil society engagement in SSR could be considered as an indicator of the transformation process from an elite-captured to a citizen-oriented state. In a citizen-oriented state, the security sector serves the population. Peace and stability are relative to the degree that main components of the security sector serve locally defined human security goals and are accountable to local communities. Building local ownership requires

listening to the perceptions of security threats from diverse segments of society. In most democratic countries, society continues to push security sector development towards a human security model.

The OSCE should remain to be an important player in facilitating this process, especially through its institutions and field presences deployed on the ground, including in Ukraine.

As the most recent example of such involvement, one could mention the Policing of assemblies program prepared for Ukrainian law-enforcement officers by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) in cooperation with the European Union Advisory Mission to Ukraine (EUAM).

The OSCE Project Coordinator in Ukraine (PCU) is also actively engaged in promoting the ideas of human security model. In particular, the PCU has started to implement projects focusing on spreading human security norms within civilian security sector reform in Ukraine, namely: training new police patrol officers in combating human trafficking and domestic violence; improving community police approach; training the reformed neighborhood police units; supporting human-rights-based education. Significant expert assistance was provided to facilitate with reforming the constitution and judiciary as well as integrating civil society in justice reform. Human security issues now have been allocated as a separate line of the PCU project activities. A new civil-society strategy also is worth mentioning being developed with close support of the PCU to enhance cooperation between government and civil society while implementing a wide range of reforms in Ukraine.

At the same time, there is a fairly broad field of maneuvering to continue building up the OSCE capacity for involving in SSR in Ukraine to facilitate its transformation to a social-oriented model based on the human security concept. Along with activities on the ground, priority attention should be paid to strategic approaches defining ultimate success, including in the area of rule of law.

Thus, the initial list of possible recommendations consists of the following:

To the ODIHR:

- Providing assistance in further improving the conceptual foundations of the rule of law functioning in Ukraine as an important part of the civilian security sector, with an emphasis on formation of its socially oriented model based on the human security concept;
- Supporting implementation of integrated approach to civilian security sector reform and development process;
- Preparing and disseminating best practices and recommendations on reforming judicial system and law-enforcement agencies in the East European countries as well as civil society engagement.

To the PCU:

- Increasing potential of project activities in the field of human security and further broadening its spectrum covering all main components of SSR in Ukraine;
- Stepping up interaction with the EUAM on implementing joint projects focused on civilian security sector reform in Ukraine;
- Providing expert assistance to all agencies involved concerning the implementation of main conceptual provisions in the field of civilian security sector reform with an emphasis on promoting the concept of human security;
- Supporting regional initiatives and networks to exchange experiences and best practices of civil society integration in SSR being applicable to Ukraine;
- Assisting in organizing informational campaigns to explain the essence and main features of the modern concept of human security and its role in formation of a socially-oriented state based on the rule of law model;
- Expanding the scope of engaging civil society, non-governmental experts and academia representatives to the process of SSR as well as providing further support to strengthening interaction between the state and public as a vital element of building local ownership based on the new civil-society strategy.