FRIEDRICH EBERT STIFTUNG

Kyiv

Human Security and Security Sector Reform in Eastern Europe

Maksym Khylko, Oleksandr Tytarchuk (eds.)

June, 2017

STUDY

■ Human security and security sector reform: experience of Ukraine, Armenia, Georgia, Moldova, Belarus, Lithuania, and Slovakia. Best practices, common problems, and important lessons learned.

■ Though the traditional threats are still vital, the human security paradigm placing people at the centre should be a hallmark for the security sector reforms in countries that have chosen a modern democratic model of development.

■ In democratic societies, human security and state security are interconnected components that complement each other. Only those societies can be resilient, where people are properly protected from the entire range of threats, and where human security is guaranteed in its modern and inclusive sense.

Focusing on Human Security

Shifting focus from state to human security is a logical step in the development of social relations that reflects a willingness of progressive and democratic forces to abandon outdated forms of interstate and intrastate relations based on coercion, force and fear. Such criteria as sustainability, the human development index, social standards and quality of life as a guarantee of modern society resilience become even more important for a country's ranking than the military capacity. This course is an irreversible process in a historical and civilization perspective, regardless of the different levels of readiness of various countries and regions to accept this modern development model and despite the painful recurrences of "traditional" security threats taking place now and unfortunately to happen frequently in the future.

At the turn of the 1990s, when global confrontation decreased, Western nations, as well as Central and Eastern European nations, were provided a unique chance to focus on improving human life, with the help of resources available, among others, due to a significant reduction in military spending. Of course, the countries of the "post-socialist camp" faced more complicated tasks due to the totalitarian state mechanisms inherited as well as a way of thinking which contradicted the perception of a human being as the highest value. Security sector reforms in the post-Soviet republics, including Ukraine, was a part of a wide process of state-building and democratization performed amid political and economic crises as well as a lack of relevant experience.

In a number of the newly independent states, these processes are additionally complicated by the military conflicts that maintain the focus on traditional/hard state security. Experts from Armenia, Georgia, Moldova, and Ukraine stress that the protracted conflicts are one of the greatest obstacles to shifting focus towards human security. At the same time, there are also other important factors that hinder ensuring human security in the post-Soviet countries, including those without military conflicts, e.g. such as Belarus. Problems also exist in areas such as the functioning of democratic institutions; incomplete and inconsistent reforms in economy, social system, education and health care; insufficient legal literacy; corruption, etc.

Central and Eastern European countries, including the above-mentioned states as well as Slovakia and Lithuania, have gained valuable experience in security sector reforms, both positive and negative, while implementing global models and developing their own ones. An exchange of experience should contribute not only to identifying the causes of common problems, but also to finding the most effective ways for successfully overcoming them. Assisting in sharing the experience is one of the goals of this compendium. Another equally important goal is attracting attention to human security as a necessary component of the democratic transition.

It is of vital importance for countries implementing security sector reforms amid military conflict, either active or frozen, to avoid the temptation of postponing human security issues until "better times" and focusing only on traditional state security issues. Though the traditional threats are still vital, and Russian aggression against Ukraine proves this fact clearly, the human security paradigm of placing people at the centre should be a hallmark for the security sector reforms in countries that have chosen a modern democratic model of development. State security and human security should not be considered as a kind of counterweight to each other, but as the complementing components – because only those societies could be resilient, where people are properly protected from an entire range of threats, and where human security is guaranteed in its modern and inclusive sense.

Matthes Buhbe, Director, Regional Office of Friedrich-Ebert-Foundation to Ukraine and Belarus; Maksym Khylko, Oleksandr Tytarchuk, Members of the Board, East European Security Research Initiative, Ukraine

Contents

Human Security: World's Practices and Ukraine's Perspective

Maksym Khylko, Oleksandr Tytarchuk, East European Security Research Initiative Foundation, Ukraine

Transition from state to human security

A new concept of human security, "which equates security with people rather than territories, with development rather than arms" and "seeks to deal with these concerns through a new paradigm of sustainable human development," was introduced in the 1994 *Human Development Report* by United Nations Development Programme (UNDP).[1] Though the idea of equal importance of two major security components – freedom from fear and freedom from want – was declared from the very beginning of the United Nations Organisation, but for a long time the first component (hard security) dominated over the second one (soft security).

Among the main reasons for reconsidering the security paradigm in early 1990s was a globalisation of the threats to human security, such as drugs, AIDS, terrorism, pollution, nuclear proliferation, global poverty and environmental problems. Though one can argue that the authors of the Report were too optimistic about the decreasing of the threats to the countries' borders, but they were certainly right that "the world can never be at peace unless people have security in their daily lives."[2] Being inspired with the end of "Cold War" and believing that a threat of nuclear holocaust became less actual, the UNDP called for the "profound transition in thinking from nuclear security to human security", from the narrow interpretation of security as security of territory from external aggression, to a wide people-centred interpretation of human security that "is not a concern with

weapons – it is a concern with human life and dignity".[3]

Being based on a multi-sectoral understanding of insecurities, human security entails a broadened understanding of threats and includes causes of insecurity relating to economic security (such threats as poverty and unemployment), food security (hunger, famine), health security (deadly infectious diseases, lack of access to basic health care), environmental security (environmental degradation, resource depletion, natural disasters, pollution), personal security (physical violence, war, crime, terrorism, domestic violence, child abuse), community security (inter-ethnic, religious and other identity based tensions) and political security (political repression, human rights violations).

Refocusing from state to human security was not an easy task even for the Western democratic countries – the corresponding gradual transition in threats perception, security priorities and instruments was reflected in NATO strategic concepts of 1991, 1999 and 2010, paying more and more attention to the non-military components of security and cooperation with the partner countries. The Central European nations of the former Warsaw Pact and the Baltic nations of the former USSR faced even more complicated transformation tasks, starting from the changes in the way of thinking and to the core of their security systems, sometimes rebuilding security bodies from the ground up.[4] Establishment of the Partnership for Peace cooperation contributed much both for the gradual rapprochement between former adversaries, and to the assistance in security sector reforms in the post-socialist countries.

First attempts to reform post-Soviet security sector in Ukraine

After collapse of the USSR, Ukraine inherited not only the enormous military machine, but also the

1. United Nations Development Programme (1994), *Human Development Report*, Oxford University Press, New York, 226 p., available at: http://hdr.undp.org/en/content/human-development-report-1994.

2. Ibid, p.1-2.

3. Ibid, p.22.

4. E.g., see: Pyrozhkov, S. & Fluri, P. (Ed.) (2004), *Security Sector Reform in Ukraine: Proceedings of the International Conference* (Kyiv, 27-28 May 2004), National Institute for International Security Problems, Geneva Centre for the Democratic Control of Armed Forces, Kyiv, 318 p.

totalitarian structure of the security sector and post-Soviet vision of security that was focused on protection of state and considered humans rather as material than a value. Security sector reform in Ukraine was a part of the wide process of state-hood building and democratization, which was performed under the conditions of acute economic crisis, by politicians who lacked corresponding experience and often were corrupted.

In 1991, the priority task for Ukraine was to gain effective control over about 800,000-strong army inherited from the disintegrated super-power, as well as over post-Soviet security services, border guard system, police, etc. In accordance with the Treaty on Conventional Armed Forces in Europe ratified by Ukrainian Parliament in June 1992, Kyiv took obligations to significantly reduce its heavy military equipment. The world's third nuclear armament was another top priority issue: in 1994, Kyiv accessed to the Treaty on the Non-Proliferation of Nuclear Weapons.

Amid permanent political instability, economic crises and underfunding of the security sector, the process of post-Soviet security system reforming and modernisation was primarily driven by attempts to make its maintenance less expensive. The issues of civil control over security sector and human security were not considered seriously by the government, as well as by the common people whose top priority was physical surveillance amid poor living standards and high crime rates.

In the first decade of XXI century, when Ukrainian economy began to recover after economic crisis, attempts to reform the security sector towards enhancing civil security were taken. Presidential Decree on transforming the Internal military forces of the Ministry of internal affairs into non-military formation with more civil security functions was signed in 2003; Program of developing partnerships between police and population for 2000-2005 was adopted; the Public Council under the Ministry of Defence of Ukraine as an advisory body was established in 2004. In 2005-2009, under the President Victor Yuschenko, several conceptual documents on reforming security sector were

elaborated in cooperation with Western partners. Although the majority of reforms failed to be duly implemented, but in general the level of economic, political and personal security increased. During the presidency of Victor Yanukovych (2010-2014), security sector was refocused back on protecting governmental machine and the level of civil control was significantly decreased.

Thus, by the beginning of Russian military actions in the Crimea peninsular and the Donbas region in 2014, Ukraine was in the bottom of the European countries' lists by such important human security indicators as standard of living, level of income, share of household budget for food, environmental problems, spread of HIV/AIDS and other diseases, level of crime and corruption, protection against state repression and political detention, etc.

Human security in security sector reform under the war condition

Under the war condition, there is a temptation to postpone the human security issues to "better times" and to focus only on traditional security – from the threats to territorial integrity, independence to threats of deaths caused by war. However, it would be incorrect to consider human security as a kind of counterweight that limits state security. In democratic societies, human security and state security are interconnected components. As co-chairperson of UN Human Security Commission Sadako Ogata rightly noted, shifting attention to human security does not necessarily means replacing state security, but complementing it.[5]

Security sector reform in Ukraine is now under way, and many efforts have been done since its beginning in stormy 2014. The documents adopted during the last three years reflect the attempts to implement modern democratic paradigm of se-

---

5. Ogata, S. (2003), "Empowering People for Human Security", Payne Lecture, Stanford University, 28 May 2003, available at: http://www.sarpn.org/documents/d0001513/documents/4_Empowering_People_Ogata.pdf.

curity while simultaneously focusing on repelling Russia's aggression and strengthening national security and defence potential.

The new National Security Strategy of Ukraine (2015) envisages building of "a new system of relations between citizens, society and state based on the values of freedom and democracy".[6] With that, attention to identifying and addressing traditional threats to state security dominates in the document over the threats to human security; the main role in providing security is given to armed forces, intelligence and law enforcement agencies while the active participating role of civil society is not envisaged. In this respect, the Concept of Development of Security and Defence Sector of Ukraine (2016) is more progressive – besides the traditional actors in security and defence sector, the Concept envisages "shaping conditions for a broad involvement of non-governmental organizations to carrying out tasks in the interests of national security and defence".[7] Guaranteeing personal security, constitutional rights and freedoms of human and citizen, democracy and rule of law, along with territorial integrity, sovereignty and independence, are coined in the aim of the Concept.

Law On National Security of Ukraine (with latest amendments of 2015) envisages a progressive definition of national security, noting first of all "protection of vital interests of man and citizen, society and the state, which ensured the sustainable development of society..."[8] Article 7 of the Law actually lists all basic threats to human security along with threats to state security. However, while human/citizen is listed first object of national security (Article 3), but among the subjects of national security (Article 4) citizens and their associations are listed in the very bottom; and their role (defined in the last paragraph of

the Article 9) is actually limited to participation in elections, attracting attention of the public institutions to dangerous processes, and protection of own rights and security by legitimate means. This indicates that amid the recognition of human security importance, there is a lack of clear understanding of what important role civil society can play in security sphere, and how to organise its effective cooperation with the responsible authorities.

The police reform could be considered the most successful example of security sector reforming in Ukraine with view to human security factor. The Concept of Priority Measures to Reform the System of the Ministry of Internal Affairs (2014) declared the rejection of the militarization of the Interior ministry and transition from a punitive to social service content of the police work. It was stressed that the law enforcement authorities "should shift the focus of their work on communication with the public".[9] Development Strategy of the Internal Affairs Agencies of Ukraine (2014) envisaged civil control over police activity, and declared "partnership interaction with communities within the *community policing* generally accepted approach" as the major priority.[10] Law of Ukraine on the National Police (2015) determines police as "a central executive body that serves society by ensuring the protection of human rights, combating crime, maintaining public security and order". Article 11 of the Law envisages partnership between police and communities and set the level of people's confidence in police as the main criterion for evaluating its effectiveness.[11] Though the experts stressed certain shortcomings of the Law on National Police,[12] general effect from the police reform was positive that

---

6. National Security Strategy of Ukraine (2015), available at: http://zakon3.rada.gov.ua/laws/show/287/2015.

7. The Concept of Development of Security and Defence Sector of Ukraine (2016), available at: http://zakon3.rada.gov.ua/laws/show/92/2016.

8. Law On National Security of Ukraine (2003-2015), available at: http://zakon3.rada.gov.ua/laws/show/964-15.

9. Concept of Priority Measures to Reform the System of the Ministry of Internal Affairs (2014), available at: https://www.npu.gov.ua/uk/publish/article/1221414.

10. Development Strategy of the Internal Affairs Agencies of Ukraine (2014), available at: https://www.npu.gov.ua/uk/publish/article/1221365.

11. Law of Ukraine on the National Police (2015), available at: http://zakon3.rada.gov.ua/laws/show/580-19.

12. Telychkin, I. (2016), "Reform of the Interior and the Prosecution", available at: https://helsinki.org.ua/reformuvannya-orhaniv-vnutrishnih-sprav-ta-prokuratury-i-telychkin.

was proven by almost twice rise in people's confidence to the new police.[13]

One more important document to be mentioned is the National Human Rights Strategy (2015), which rightly states that under conditions of military aggression the issue of human rights is especially vital, as "the risks of disproportionate restriction of the rights and freedoms increase, which requires special control of the society". It is stressed that along with priority tasks on strengthening national security, overcoming the economic crisis, reforming public administration and etc., "ensuring the human rights and freedoms remains the main duty of the state and should determine the content and direction of the state activity in all its efforts".[14] With that, the experts claim that several legislation amendments designed to facilitate combating terrorism and prosecution of crimes related to Russian aggression in the East of Ukraine, create conditions that can be used to substantially restrict human rights.[15]

International cooperation in security sector reform: Human security aspect

Much work has been done in security sector reform thanks to the Ukraine's cooperation with the international partners, first of all NATO, the OSCE and the EU.

NATO-Ukraine cooperation

NATO-Ukraine cooperation is not limited to the military component and includes as substantial part democratic reforms both in the security and

defence sector, and in all other spheres of country's life. From 2003 to 2008, the Programme of cooperation was determined by the Annual Ukraine-NATO Action Plans that included such components as strengthening democratic control over security sector, ensuring rule of law, providing human rights and freedoms, combating corruption, economic reforms and etc.,[16] thus contributing to focusing reforms on human security issues. Since 2009, Action Plans have been replaced by the Annual National Programmes of Ukraine's preparation to NATO Membership,[17] later transformed into Annual National Programmes of Ukraine-NATO cooperation that also emphasised on democratic reforms and human rights.

Substantial practical assistance was provided to Ukraine under the framework of the NATO Partnership for Peace Trust Fund policy. Launched in 2005, NATO's Professional Development Programme trains key civilian security and defence officials on effective democratic management and building local capacity thus assisting Ukraine in strengthening civil and democratic control over its security and defence structures. Since 2007, Ukraine has been participating in the NATO Building Integrity Programme, aimed at strengthening integrity, transparency, accountability and good governance in the defence and related security sector. In 2016, Ukraine received support through nine NATO Trust Fund projects with estimated total budget of about 40 million EUR.[18]

NATO experience and assistance was also important for establishing in Ukraine in 2014 of the Civil-Military Cooperation (CIMIC) as "a systematic, planned activities of the Armed Forces of Ukraine and other military formations and law enforcement agencies established under the law of Ukraine in coordination and cooperation with

---

13. E.g., see: "The level of confidence to the new police is more than twice higher than to the old militia – poll" (2015), available at: https://www.unian.ua/society/1151178-riven-doviri-do-novoji-patrulnoji-politsiji-bilsh-nij-udvichi-vischiy-nij-do-staroji-militsiji-opituvannya.html; "2016 political outcome – a national survey" (2016), available at: http://dif.org.ua/article/2016-y-politichni-pidsumki-zagalnonatsionalne-opituvannya.

14. National Human Rights Strategy (2015), available at: http://zakon2.rada.gov.ua/laws/show/501/2015.

15. Banchuk, O. (2017), "The freedom that we are losing", available at: http://gazeta.dt.ua/internal/svoboda-yaku-mi-vtrachayemo-240491_.html.

16. E.g., see: Ukraine-NATO Action Plan for 2003 (2003), available at: http://www.nato.int/docu/basictxt/b030324u.pdf.

17. Annual National Programme for 2009 on Ukraine's preparation to NATO Membership (2009), available at: http://zakon4.rada.gov.ua/laws/show/600/2009.

18. "NATO Trust Funds' Assistance to Ukraine" (2016), available at: http://eesri.org/2016/11/nato-trust-funds-assistance-to-ukraine.

the executive authorities, local authorities, public associations, organizations and citizens in the areas of military units of the Armed Forces of Ukraine deployment in order to create a positive public opinion and providing favourable conditions for the implementation of the tasks and functions of the Armed Forces of Ukraine by assisting the civilian population in solving of life problems with the use of military and non-military capabilities".[19]

OSCE Project Co-ordinator in Ukraine

Organization for Security and Co-operation in Europe traditionally pays much attention to the issues of human rights and human security.

The Project Co-ordinator in Ukraine (PCU) implements 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 neighbourhood police units; supporting human-rights-based education. The PCU assists Ukrainian Parliament, Ministry of Defence and Security Service to learn and introduce international best practices in the sphere of civilian control over the security sector and respect of security agencies for human rights. These efforts include the development of legal instruments, training courses, awareness-raising seminars and roundtables with the involvement of civil society. Significant expert assistance was provided to facilitate with reforming the Constitution and judiciary as well as integrating civil society in justice reform.

The PCU performs projects aimed at confidence-building measures to facilitate dialogue between the state and civil society organizations,[20] as well as to support dialogue between different parts

of Ukrainian society and from different regions of the country.[21] The PCU published many documents with practical recommendations on improving human security situation, e.g. the manual for specialized course on combating domestic violence for the faculties of public security policing of higher educational institutions of the Ministry of Interior of Ukraine;[22] the guide for precinct police inspectors on combating trafficking in human beings;[23] the handbook on gender equality and non-discrimination for students of higher education institution;[24] the handbook on conflict sensitive journalism with best practices and recommendations,[25] etc.

European Union Advisory Mission

The European Union Advisory Mission (EUAM) Ukraine began operations from its headquarters in Kyiv in December 2014, aiming to assist the Ukrainian authorities "towards a sustainable reform of the civilian security sector through strategic advice and hands-on support for specific reform measures based on EU standards and international principles of good governance and human rights".[26]

The EUAM Ukraine activity is based on three pillars: Strategic advice on civilian security sector reform, in particular the need to develop civilian security strategies; Support for the implementation of reforms, through the delivery of hands-on advice, training and other projects; Cooperation and coordination, to ensure that reform efforts

---

19. Civil-Military Cooperation of the Armed Forces of Ukraine, official website, available at: https://cimic.com.ua/en.

20. Kuyumdzieva, A. (2010), *International practices on confidence-building measures between the state and civil society organizations*, Kyiv, 110 p., available at: http://www.osce.org/ukraine/75883.

21. OSCE (2014), *"OSCE National Dialogue Project in Ukraine: The Facts"*, available at: http://www.osce.org/ukraine/116881.

22. Zaporozhtsev, A.V., Labun, A.V and Zabroda, D.H, at al. (2012), *Manual for specialized course on combating domestic violence*, Kyiv, 246 p., available at: http://www.osce.org/ukraine/93439.

23. Combating Trafficking in Human Beings. Guide for Precinct Police Inspectors (2012), Kyiv, 40 p., available at: http://www.osce.org/ukraine/93272.

24. Shturkhetskyi, S. (ed.) (2014), *Gender Media Practice: Textbook on Gender Equality and Non-Discrimination for Students of Higher Education Institution*, Kyiv, 206 p., available at: http://www.osce.org/ukraine/284961.

25. Buromensky, M., Shturkhetsky, S., Beals E., at al. (2016), *Conflict Sensitive Journalism: Best Practices and Recommendations*, BAITE, Kyiv, 118 p., available at: http://www.osce.org/ukraine/254526.

26. The European Union Advisory Mission (EUAM) Ukraine, official website, available at: http://www.euam-ukraine.eu/en/what-we-do/our-mission.

are coordinated with Ukrainian and international actors.

The EUAM Ukraine has provided strategic advice on reforming concept papers and strategies, including the Strategy of the Reform of the Internal Affairs Agencies; National Police Reform Concept; Law of Ukraine on the National Police; draft Law on Freedom of Assembly, and National Human Rights Strategy.

The EUAM Ukraine contributed to establishment of the National Police of Ukraine by carrying out numerous training programmes and workshops, including on public order, rights of peaceful assembly, community policing, leadership, and strategic communication. Due to the EUAM support, the Concept of community policing has been established for the first time in Ukraine and is being implemented through provision of strategic advice and training. Together with Ukrainian National Police, the EUAM established four joint working groups to develop concepts and action plans on community policing, criminal investigations, public order and human-resource management. The EUAM Ukraine supported the establishment of the National Anti-Corruption Bureau, Specialized Anti-Corruption Prosecutor's Office and National Anti-Corruption Prevention Agency.

Integrating human security aspects into security sector reform and development (SSR/D) policy: Slovakian, Finnish and German best practices

Of vital importance is the experience of Ukraine's neighbouring countries that successfully overcame the post-communism legacy, as well as leading NATO and EU member states, including those directly bordering Russia and having lasting experience of countering its aggressive policy. Nowadays the above experience is being implemented in Ukraine through the broad international advisory and expert support.

Despite certain differences in approaches to reforming and implementing SSR/D, many common elements make the *Slovak* experience of reforms

extremely important for Ukraine. This experience can and should be useful for Kyiv in its complex and long path of democratic transformation aimed at deepening association with the EU and expanding partner cooperation with NATO. More than 25 years of the Slovak experience in the field of SSR/D could be considered as successful one, the main evidence of which is the membership of this former post-communist country in NATO and the EU. There are certainly some problems here, but they are not so critical given the global nature of the current crisis of European security.

The main emphasis in the Slovak SSR/D was given on ensuring sufficient security conditions for ordinary citizens that Bratislava managed to realize in practice. In that regard, the level of protection of citizens' lives and their safety, as well as the general level of well-being and the provision of basic civil rights and freedoms were selected as main indicators of SSR effectiveness.[27]

Another important element of SSR/D was the level of interaction between the state and society generally estimated to be quite high. At the same time, the selective attitude towards key actors in the security sphere was eliminated so that to engage with all citizens of the country who are such actors in fact.

In Slovakia, as a result of security sector reform, an effective public communication system was established and is operational nowadays timely contributing to responses to a variety of security problems that require urgent solutions. Thus, the public opinion plays the role of an indicator of certain failures in functioning of the security system as such. Bratislava's experience is important from the point of view of developing and using communication campaigns and information strategies to raise public awareness of the goals and objectives of SSR/D process.

On the backdrop of a more tense security situation in Europe and the Baltic Sea region, *Finland's*

---

27. Gyárfášová, O.& Górka-Winter B. (2015), *Security Sector Reform: Handbook,* Marketing and Business Group, s.r.o., Bratislava, 156 p., available at: http://cenaa.org/wp-content/uploads/2016/02/final_final.pdf.

experience and best practices in promoting human security in SSR/D is also very interesting for Ukraine having in mind bilateral relationship of this relatively small country with neighbouring Russia and its deep practical cooperation as a partner with NATO.

According to the modern Finnish Foreign and Security Policy, enhancing cooperation between the different elements of security sector and actors of civil society is defined as an integral element in strengthening national crisis resilience. [28] Based on the principle of comprehensive security and in close co-operation among the authorities, organizations, representatives of the business community and civil society, the Finish Security Strategy for Society was elaborated to meet the changing security environment.[29] This Strategy has been considered as a core document in the field of national security supported by a vast number of planning documents counting all imaginable threats and challenges to the security environment, which could have an impact on the country's independence, territorial integrity, and on society's basic values, and which would call on actions to maintain security and the welfare of citizens as well as sustain a functioning society. The goal of the Strategy is to ensure the functioning of society, safeguard Finland's national sovereignty and promote the security and well-being of citizens.

To reach this goal the following main functions vital to society were defined to form the basis for preparedness, namely: a well-functioning judicial system; sufficient border surveillance; smooth traffic and a clean living environment. According to the document, when the basic functions of society are in order, it is possible to return to normal life after crises without losing the firm ground on which society rests. The functions vital to society must be secured in all times: in normal conditions as well as in crises. All actors in society – authori-

ties, companies, organizations and communities involved in security studies – play an important role in securing these functions.

Despite the fact that one can't find real revolutionary turning points on the security or defence fields of Finnish society, including in the provided Strategy, that has to be updated since its last revision in 2010, Finnish SSR/D policy has been advanced step by step. Almost all changes in threat perceptions have been followed by actions strengthening the old structures of security in the society so that strengthening national crisis resilience.

Against the backdrop of a dynamic security environment and hybrid threats to the state and open modern society, strengthening resilience also became increasingly important for SSR/D process in *Germany*. Hence, the German Government renders its approach to national security more comprehensive by continuously identifying and adapting areas requiring protection; further developing civil defence planning with the goal of harmonizing crisis management procedures; institutionalizing a whole-of-society discussion on future security requirements; intensifying the security partnership between the state, industry, and the scientific community through regular exchanges of information and expertise and putting this partnership into practice particularly in the cyber and information domain. [30]

Strengthening the resilience and robustness is of particular importance for Germany's whole-of-government approach to security. Such an approach comprises hazard prevention and defence, organizes them for tackling internal and external threats, and uses resources with foresight and sound judgment. This includes protecting the sovereignty and integrity of German territory and German citizens and rescuing German nationals in emergencies abroad. This means intensifying

---

28. Government Report on Finnish Foreign and Security Policy (2016), Prime Minister's Office Publications, available at: http://formin.finland.fi/public/download.aspx?ID=159273&GUID={BE1F0734-B715-4C7F-94AA-CBFD3AF7EA5A}.

29. The Security Strategy for Society 2010, available at: http://www.yhteiskunnanturvallisuus.fi/en.html.

30. White Paper 2016 on German Security Policy and the Future of the Bundeswehr (2016), available at: https://www.bmvg.de/resource/resource/UlRvcjZYSW1RcEVHaUd4cklzQU4yNWFvejhLbjVyYnR1OCt-3ZlU1N09FVUl5TVFNVks2WW1ZemswZllnVWZ5VU5mNHArd2F-nOFRJdHJVZFhlNFZFMXV5emNLenV4R0tPLzJlcTBTVi8wYkE9/2016%20White%20Paper.pdf.

cooperation between government bodies, citizens and private operators of critical infrastructure, as well as the media and network operators. Everyone involved in this approach must work closely together.

In Germany, national security is defined as not only a task of the state, but also increasingly a joint task of the state, industry, the scientific community, and society. A common understanding of potential risks is the basis on which to build whole-of-society resilience. Such resilience should be based on society's ability to protect and help itself in the event of a crisis, complements public and commercial measures to prevent and manage crises. German Government believes that only modern comprehensive security policy can reduce risks. This must be accompanied by a discussion on the limits of security and acceptable levels of risk for the state, the economy and society.

Amid continuing German SSR/D process, the guiding principle of communication strategy between all parties involved must be transparency, which at the same time must take into account the sensitive nature of certain information. The state, the economy and society are all equally susceptible to risks. The physical infrastructure of the state and the economy is a target as is public opinion, which is often subject to external influence. Therefore, according to German officials, building long-term resilience in open and democratic security and defence system is a whole-of-society task.

The German Armed Forces – Bundeswehr - presents itself as an armed force in a democracy and for democracy. Strengthening the Bundeswehr's place in society will help in promoting human security aspects so that ordinary people could recognize the importance of citizens in uniform, rely on them, be grateful, and feel connected to them. The above human security aspects were defined as follows:

- Approaching to the general public – through the personal conduct, openness, and willingness to engage in discussion;

- Promoting discourse on and shaping the discussion of security policy in society;

- Conducting extensive and serious as possible and as controversial as necessary constant exchange about armed forces role and its tasks;

- Intensifying exchanges with important actors and developing concept of civic education;

- Expanding reserve service and keeping it attractive to provide an essential link between the armed forces and society, etc.

Implementing best practices in Ukraine

Provided examples are not comprehensive on their nature but at the same time could demonstrate the relevance of the topic in the general context of SSR/D policy specific to different security models applicable to Ukraine as well as to other East European countries.

An important element of all the best practices is a correct accentuation to achieve practical results of SSR/D aimed at ensuring the safety and well-being of every citizen and society as a whole. This task remains to be a key priority and prevails in the solution of issues related to the state security as such.

Strengthening the existing structures of security in the society will gradually strengthen national crisis resilience. To fulfil this task, the Ukrainian civil society, represented by public institutions and non-governmental organizations, should become an indispensable part of the security sector. Only practical and broad integration of civil society into the security sector structure and non-selective involvement in solving problems in the SSR/D process could give the desired result.

Establishing effective public communication system timely contributing to responses to a variety of human security problems, including those related to

manipulation with public opinion, should be an important precondition for successful SSR/D process.

Another important lesson learned is the constant need for continuous assessment and revision of key strategic documents, the consistent development of the national security and defence strategies. The defence component of the security sector should not be isolated from the national security system, remaining one of its important subsystem within the framework of a broad, whole-of-government and whole-of-society approach to the SSR/D process. At the same time, the role of armed forces should be strengthened in promoting human security aspects in a democracy and for democracy.

The availability of a robust international expert potential being involved in Ukraine, including at the Governmental level, gives the reason to hope for positive results and successful transfer of the given experiences and best practices. However, for a stable and sustainable success in integrating human security aspects into the SSR/D, Kyiv needs to ensure the continuity of this process, taking into account changing security environment.

Conclusions

Ukraine faces a challenging task of performing security sector reform at the time of external aggression. Complicated dilemmas of withstanding sophisticated hybrid warfare that includes hidden threats masked as fake quasi-civil initiatives and speculations on fundamental freedoms as a camouflage for the aggressive intentions, cause temptation to postpone the human security is-

sues to "better times" and to focus on traditional state security.

Though the traditional threats are still vital, as Russian invasion in Ukraine clearly indicates, the human security paradigm which puts people at the centre should be a hallmark for the security sector reforms in the countries that chose a modern democratic model of development. It is a complicated, but simultaneously a very important task for Ukraine to avoid the limitation of the fundamental freedoms while effectively protecting nation from the external aggression, to find balance between countering aggressive propaganda and protecting freedom of speech and media, between preventing provocations and safeguarding fundamental freedoms, including freedom of thought, conscience, religion, right to peaceful meetings and etc.

Ukraine has achieved certain progress and positive changes in legislation, but still lacks the comprehensive model of effective cooperation between the civil society and authorities in security sector reform with focusing on human security as a conceptual framework. The level and effectiveness of comprehensive civil society engagement in security sector reform should be considered as an indicator of the transformation process from an elite-captured government model to a citizen-oriented one. In a citizen-oriented state, security sector serves the population, and society both is able to hold government to account and to collaborate with government for providing common good. Democratic countries go on pushing security sector transit toward a human security model, and this is the way Ukraine should proceed.

Human Security vs. National Security

Natalya Belitser, Pylyp Orlyk Institute for Democracy, Ukraine

"…Human focuses on the safety of individuals and communities. At minimum, human security refers to safety from direct threats of violence. A comprehensive approach to human security includes three components: freedom from fear, freedom from want, and freedom to live in dignity".[1]

This definition is provided by the extended research conducted within the framework of the international collaborative project involving nearly 100 organisations around the world and facilitated by a consortium consisting of: the Alliance for Peacebuilding, the Global Partnership for the Prevention of Armed Conflict, and the University of Notre Dame's Kroc Institute for International Peace. Such an approach to the very notion of "security" is rather new and yet poorly comprehensible for both governments and populations of the post-Soviet states including Ukraine. The main reason for such state of affairs is because people living for too long time in isolation behind the iron wall have been brainwashed by the overwhelming and insistent propaganda on a "sieged fortress" encircled by vicious capitalist enemies, wishing to destroy their own country of "true socialism" and their allies. As a result, indoctrination by the idea of national (actually, state) security to be above all had become so widespread that the whole apparatus of law enforcement bodies being focused on performing exactly this function was perceived as something quite normal. Inevitably, the issue of the respect to and safeguarding human security, including personal security and observance of human rights, was pushed far away from any priority.

After having received such kind of heritage, to change the overall situation in favour of human

---

1. Schirch, Lisa (editor). Handbook on Human Security: A Civil-Military-Police Curriculum. The Hague: Alliance for Peacebuilding, GPPAC, Kroc Institute, November 2015, https://www.peaceportal.org/documents/130617663/0/FINAL+HANDBOOK+November+30+1154.pdf.

dimension of security turned out a challenge and extremely difficult task that requires not only radical reformation of the police, army, intelligence services etc. but the system of values and to some extent, the whole social mentality. To achieve this goal in times of the acute crisis lasting for over three years – actually, in times of the undeclared officially "hybrid war" with the Russian Federation, named instead "Anti-Terror Operation" (ATO), makes the task even more complicated.

State security under threat

Indeed, from the very beginning of the dramatic events of 2014 – the occupation immediately followed by the Russian annexation of Crimea, the survival of Ukraine as an independent sovereign state was put under question. Caught fully unprepared for such kind of aggression, with practically non-existing army and security bodies, disordered and dysfunctional governmental institutions and parliament, Ukraine struggled for its very existence, and under such circumstances, state security at that time seemed indeed above all.

Apart from many other aspects, general frustration was caused by the failure of international community to react properly to the unprecedented case in the post-WWII Europe – direct annexation of a part of the neighbouring state's territory. Especially shocking this act of aggression looks in light of the Budapest Memorandum signed on December 5, 1994, by Ukraine, also the US, UK and Russia as the Non-Proliferation of Nuclear Weapons Treaty (NPT) depositary states as a condition of Ukraine's joining the NPT as a nuclear weapons-free state. This decision entailed relinquishing its nuclear arsenal – the world's third largest, to Russia. By this document the signatory states declared commitments to Ukraine's security through the Memorandum on Security Assurances, providing pledges to Ukraine in the case of the use of force against its territorial integrity—precisely the kind of situation that occurred in Crimea in 2014. Of course, the Budapest Memorandum is a diplomatic, political document and not a legally binding treaty; nor does the memorandum foresee any

punitive provisions in case of its breach. However, it does linked the fulfilment of these security commitments to Ukraine's nuclear renunciation, and brutal violation of them by one of the signatory states may have deteriorating consequences not only for Ukraine but also for the very future of the NPT – the treaty aimed to curb the spread of weapons of mass destruction around the world – by obviously discouraging other states from joining it and thus undermining the regime of non-proliferation.[2] Concerning Ukraine, it could – and should – look for some other potential means of re-considering the Budapest Memorandum in order to incline the US and the UK to use stronger leverage in response to Russia's aggression and in such a way, strengthen its state security that is still under threat.

Human security and human rights on the occupied territories

Current situation in the occupied Crimea and in the east of Ukraine, although differing in the nature of threats, presents gravest danger not only for those taking part directly in military actions, but for the civilians, too. The Donbas war has already taken nearly 10.000 of human lives; number of hostages and "disappearances" also amounts to thousands. Situation with human rights observance on the occupied territories is horrible and constantly deteriorating. Ukrainian, including Crimean, HR groups try hard to monitor brutal violations, collecting and documenting confirmed cases of summary executions, 'disappearances' (abductions), arbitrary detentions, numerous searches etc. It turned out that one of the major threats to many of detainees is a widespread practice of tortures by 'investigators' aiming to force the victims to 'recognise' the crimes committed.

In the report "Surviving Hell",[3] human rights activists spoke with those who had been held cap-

tive by the militants. They found that over 87% of Ukrainian soldiers and 50% of civilians taken prisoner by the militants in Donbas had been subjected to torture, inhuman or degrading ill-treatment. In over 40% of the cases, key roles had been played by Russian Federation mercenaries, FSB or people who identified themselves as Russian military personnel.

Recently, adviser to the Security Service of Ukraine (SBU) chief Yuriy Tandit claims that 3,136 Ukrainian prisoners of war and civilian hostages have been released or tracked since Russia has unleashed aggression in Donbas.[4] Numerous war crimes and crimes against humanity are recorded on the occupied territory.[5]

Such tragic examples as continuous shelling of the village Avdiivka by the militants led and fully supported by Russian troops and the so-called "volunteers" remind to some extent the Syrian Aleppo: it repeatedly caused not only collapse of any kind of vital infrastructure responsible for electricity and water supplies, ruined buildings and other damages, but resulted in a number of local residents wounded or dead. On the occupied territories, all human rights and freedoms are brutally violated, raising a question of what can be done by Ukraine and international community to stop this lawlessness and prevent further crimes.

In contrast to lawlessness on the occupied territories of Donbas where lootings, beatings and other crimes are realities of everyday life, one can expect that in the annexed Crimea, at least legislation of the RF could have been observed. But this is not the case. Human rights situation in Crimea is worse than in other regions of Russia, and abundant violation of both international and domestic legal norms and standards has its own specificity. There are systematic attempts to suppress the voices and/or activities of any person or

---

2. For more details, see: "The Nuclear Fallout of Trump's Possible Détente with Putin" by Mariana Budjeryn and Andreas Umland, February 16, 2017, http://hir.harvard.edu/nuclear-fallout-trump-possible-detente-putin/.

3. Surviving Hell: Testimonies of Victims on Places of Illegal Detention in Donbas, http://www.osce.org/odihr/185431?download=true.

4. UNIAN, 21 March 2017, https://www.unian.info/war/1834126-sbu-over-3000-ukrainian-hostages-freed-or-tracked-amid-russian-aggression-in-donbas.html.

5. Donbas in Flames: Guide to the conflict zone, https://prometheus.ngo/wp-content/uploads/2017/04/Donbas_v_Ogni_ENG_web_1-4.pdf.

group manifesting – or just being suspected of – disagreement with the fact of occupation, but first and foremost – of the indigenous Crimean Tatar people. Systemic discrimination, persecutions and repressions targeting Crimean Tatars aim at their intimidation and forcing them to leave the peninsula which is their only homeland.

As a result of occupation and according to the most cautious estimations, there are at least 24 political prisoners, 16 'disappeared' and 10 persons killed. Among them, number of Crimean Tatars is: 18 out of 24, 10 out of 16, and 7 out of 10. (Proportion of Crimean Tatars within the whole population of Crimea is about 14 – 15%). The banning, in the fall of 2016, of the Mejlis - the main representative organ of the Crimean Tatar indigenous people – as an 'extremist organization' is an unprecedented case of banning not just an 'organisation' or 'association' but the body elected by the whole indigenous people.

Especially endangered are Crimean Muslims, subjected permanently to numerous searches, detainments and arrests under charges of belonging to Hizb ut-Tahrir (from 2003 claimed by the RF legislation to be an 'extremist organization'). But in general, 'groups of risk' the members of which are under continuous threat and whose rights, freedoms and security are brutally violated, include all people with pro-Ukrainian stance, not accepting the Russian occupation and being punished for the slightest expression of their 'dissent' – like manifestations of Ukrainian and Crimean Tatar flags, national symbols and communicating in mother tongue.[6]

Up to date, all efforts to ensure unimpeded access to the occupied territory of Crimea and Donbas of national and international monitoring missions remain fruitless. Claims and calls for this articulated by the most influential international bodies such as the UNO, OSCE, Council of Europe, European Parliament etc. did not bring any positive results,

in particular, due to the veto right imposed by the RF that is simultaneously an aggressor state and a permanent member of the UN Security Council. Activities of the OSCE Special Monitoring Mission (SMM) are restricted by counter-actions of the armed occupants preventing them from proper functioning, denying access to storages of heavy weapons, shooting down their drones, and threatening the lives of the OSCE personnel. Proposals to substitute the SMM by international police mission or UN peacekeepers so far failed; in 2016, the information that all leaders of the 'Normandy four' countries agreed for the deployment of the OSCE police mission armed with personal weapons was renounced by the Russian side. As the Kremlin's press service said, "the Russian Federation supports the activities of the OSCE monitoring mission in Donbas, not the police mission".[7]

Facing such a deadlock and helplessness to restore the post-WWII world order, Ukraine might try to strengthen human security regime on the occupied territories – relying, first and foremost, on the internationally recognised fact of the occupation of Crimean peninsula – by using more effectively the existing instruments of international humanitarian law. In this respect, let us recall certain provisions of the 4th Geneva Convention of 1949 – the treaty ratified by both Ukraine and Russia.[8]

According to this convention, the provisions of Part II cover the whole of the populations of the countries in conflict, without any adverse distinction based, in particular, on race, nationality, religion or political opinion, and are intended to alleviate the sufferings caused by war (Art. 13). In the context of the application of further particular articles, special attention should be paid to the institution of the so-called 'Protecting Powers'. As is stipulated by Art.9, "The present Convention shall be applied with the cooperation and under

---

6. For more details, see: "Crimean Tatars as an Indigenous People" (in Ukrainian) by Natalya Belitser, Kyiv, 2017, pp. 1 – 120, and bibliography and references within.

7. UNIAN, 04 June 2016: http://www.unian.info/politics/1365857-handguns-for-self-defense-kremlin-agrees-on-armed-osce-monitors-in-donbas.html.

8. Convention (IV) relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949: https://www.icrc.org/ihl.nsf/7c4d08d9b287a42141256739003e636b/6756482d86146898c125641e004aa3c5?OpenDocument.

the scrutiny of the Protecting Powers whose duty it is to safeguard the interests of the Parties to the conflict. For this purpose, the Protecting Powers may appoint, apart from their diplomatic or consular staff, delegates from amongst their own nationals or the nationals of other neutral Powers. The said delegates shall be subject to the approval of the Power with which they are to carry out their duties".

Defining the Status and Treatment of Protected Persons (Part III, Section I. Provisions common to the territories of the parties to the conflict and to occupied territories), convention states that "Protected persons are entitled, in all circumstances, to respect for their persons, their honour, their family rights, their religious convictions and practices, and their manners and customs. They shall at all times be humanely treated, and shall be protected especially against all acts of violence or threats thereof and against insults and public curiosity" (Art. 27.). Moreover, Protected Persons shall have every facility for making application to the Protecting Powers, the International Committee of the Red Cross, the National Red Cross (Red Crescent, Red Lion and Sun) Society of the country where they may be, as well as to any organization that might assist these several organizations shall be granted all facilities for that purpose by the authorities, within the bounds set by military or security considerations them (Art. 30.). Apart from the visits of the delegates of the Protecting Powers and of the International Committee of the Red Cross, provided for by Article 143, the Detaining or Occupying Powers shall facilitate, as much as possible, visits to protected persons by the representatives of other organizations whose object is to give spiritual aid or material relief to such persons. No physical or moral coercion shall be exercised against protected persons, in particular to obtain information from them or from third parties (Art. 31).

Taking into account this year conscription campaign, for the young Crimean residents especially relevant is Art. 51 clearly stressing that the Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pres-

sure or propaganda which aims at securing voluntary enlistment is permitted.

In view of the repeatedly surfaced insinuations that Ukraine is responsible for violating human rights in Crimea by introducing restrictions on trade, water and electricity supplies, Article 55 must be kept in mind and used as a strong argument: "To the fullest extent of the means available to it, the Occupying Power *has the duty* of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate".

Concerning the notorious "Case of 26 February" accusing Crimean Tatar leaders and activists in what happened during the mass protest action in Simferopol when Crimea was still formally under jurisdiction of Ukraine, Art. 70 should be applied, because "Protected persons shall not be arrested, prosecuted or convicted by the Occupying Power *for acts committed or for opinions expressed before the occupation,* or during a temporary interruption thereof, with the exception of breaches of the laws and customs of war". Very important is also Art. 74, according to which "Representatives of the Protecting Power shall have the right to attend the trial of any protected person, unless the hearing has, as an exceptional measure, to be held in camera in the interests of the security of the Occupying Power, which shall then notify the Protecting Power. A notification in respect of the date and place of trial shall be sent to the Protecting Power". Not less significant is provision of Art. 76 that "Protected persons accused of offences shall be detained in the occupied country, and if convicted they shall serve their sentences therein…" (Whereas, for example, those arrested for a criminal offence on suspicions of belonging to or supporting the activities of Hizb ut-Tahrir were tried and sentenced to from five to seven years of imprisonment in the Rostov city on the territory of the RF).

So, potential opportunities of strengthening human security and human rights regime in the occupied Crimea by application of the 4th Geneva

Convention and its Additional Protocol look rather appealing; nevertheless and despite references to this legally binding instrument of international law in the recent PACE resolution, it is not yet used in full measure. The main obstacle to this is, first of all, the implied Russia's objection to observe its obligations as those of the Occupying Power. Indeed, by the end of 2015, the RF already refused to present yearly reports on the fulfilment of such obligations under the pretext that "such reports might become too heavily politicised". Blocking of this proposal occurred at a sitting of the International Red Cross Committee in Geneva and was supported by several other countries; as President of the ICRC responded with regret, in such a way, "the states missed the opportunity to help to protect millions of people".[9]

At the same time, as is known, Geneva Conventions created the main basis of the international humanitarian law and as such, in contrast to other treaties, could not be revised according to the established procedure.[10] Therefore, to find legitimate ways of repudiation these particular instruments would be much more difficult than, for instance, refusing to abide the decisions of the International Criminal Court or the European Court on Human Rights. Therefore, Ukraine must do its best to promote observance of those obligations, in particular, by initiating the formation of the system of Protecting Powers foreseen by the 4th Geneva Convention.

This particular opportunity should not be unheeded in view of the unfulfilled pledges of the states – signatories of the Budapest Memorandum. Feeling at least moral and political responsibility with regard to Russia's military aggression against Ukraine, both the US and the UK might perceive favourably such a request. The two other countries – namely, France and China, members of the NPT as the states possessing nuclear arsenals, supported (orally) the Assurances although did

not put their signatures. These states could also be invited to join a club; the RF, on its side, should be proposed to nominate its own candidates for the role of the Protecting Powers.

It should be noted that the idea of attracting Protecting Powers in order to alleviate human rights and human security situation on the occupied territories is already dealt with by a number of Ukrainian CSOs, in particular, human rights and expert communities. Regrettably, their addresses and proposals along this line to governmental officials – including those from the Ministry of Foreign Affairs – until now met a deaf ear. Also, while the case of Crimea as an occupied territory has been officially recognised not only by Ukraine but, in 2016, by a number of international resolutions, the situation with the uncontrolled parts of Donetska and Luhanska oblasts is much more complicated. Despite the fact that those regions have already been recognised as occupied by the Decree of the Verkhovna Rada,[11] opposition to defining them as such in national legislation by a special bill is rather strong, coming, in particular, from the 'profile' Ministry on Occupied Territories and Internally Displaced Persons.[12] This creates additional difficulties in imposing responsibility on the RF in terms of human rights observance and satisfying the population of the uncontrolled "Separate Regions of the DLO" need in food, goods, electricity et al. – the 'hot' issue especially after introducing by the government of the 'blockade' of uncontrolled territories.

In terms of human security, the most acute problem is that of running there the local elections before all troops and ammunitions would be withdrawn and Ukraine regaining its control over the Ukrainian-Russian border. Unfortunately, not only Russia but some Western partners of Ukraine, interpreting certain (rather confusing) points of the 'Minsk agreements' and the

---

9. RF refused report on observance of the Geneva Convention (in Russian), 11 December 2015, http://www.bbc.com/russian/news/2015/12/151210_russia_geneva_conventions_review.

10. Ibid.

11. Decree № 254-VIII, 17 March 2015, http://zakon3.rada.gov.ua/laws/show/254-VIII.

12. See, for example: Kiev: In the Donbass Russian control, not occupation, January 26, 2017,
http://ukropnews24.com/kiev-in-the-donbass-russian-control-not-occupation/.

order of their fulfilment, often insist on this particular point to be realised without strong guarantees of the proper and effective security for all actors and stakeholders to be involved in the electoral process.[13]

We believe that the whole matter of human security on the occupied territories is worth of broader discussion at national and international levels with the engagement of all interested parties.

Human security in the 'Mainland' Ukraine

First steps

After initial shock of 2014, Ukraine rather quickly restored its state apparatus, military forces, law enforcement and security agencies, and became able to start taking the first necessary steps on the path of safeguarding human security. The first visible signs of departing from the habitual functions of law enforcement bodies are related to the appearance of the 'new police' beginning from the reformed patrol police.

Briefly, the whole story has begun on July 2, 2015, when Verkhovna Rada (Parliament) of Ukraine adopted innovative law 'On National Police'.[14] Civil society actors – mostly, human rights activists – participated in developing the draft and some of their proposals were accepted by lawmakers. Two days later, 2000 new policemen started patrolling the streets of capital city Kyiv. Those young men and women (21 -35 years old) have been intensely trained for three months; training courses pursued not only improving professional capacities but also introducing ethical norms and principles inherent in civilised democratic world. In those courses – in particular, concerning human rights and non-discrimination – trainers and independent experts from CSOs were actively engaged. Such kind of training was by itself 'experimental',

because never before such a 'multistakeholder' approach had been used.

Reaction of the society was quite remarkable. It should be recalled that before 'Revolution of Dignity' (2013 – 2014) people's mistrust in post-soviet 'militiamen' was almost absolute. In critical situations, any help from them was not expected; public opinion polls showed the level of support by only 2% of citizens, whereas 66% were for a total reformation of the whole law-enforcement system. Brutal attitude of militia special units (in particular, notorious 'Berkut') responsible for beatings, killings and tortures of protesters added to the existing tensions. Therefore, much societal hopes and expectations have been invested in the creation of a modern, Western-type police. Despite rather severe rules and procedures for the selection of candidates, a number of applicants were very high: from 5 to 30 candidates (in different cities) for one vacancy. It is interesting to note that about two thirds of the applicants have higher education, and that between 20% and 40% of them were females. Former militiamen amounted to only 10% of the applicants.

The new police performance was met by quite positive attitude of the population, but at the same time, subjected to the insistent and assertive observation and constant monitoring – both formal and informal. Each move and/or incident with the involvement of policemen has been vividly discussed by Internet users and covered by numerous bloggers. In particular, people positively react to the objective actions of the new patrolling police targeting those violators belonging to 'VIPs' who used to be 'above the law'.

Transparency of the recruiting 'new people for the new police' and further proceedings have been found 'unprecedented' because of establishing numerous channels of communication.[15] Hotline was actively propagated asking, inter alia, to report on any violations perpetrated by the patrol-

---

13. See, for example: 4 March 2016, http://www.eurointegration.com.ua/news/2016/03/4/7045779/.

14. Law of Ukraine On National Police, http://zakon3.rada.gov.ua/laws/show/580-19.

15. For example, apart from the official web-site (https://www.facebook.com/police.gov.ua?fref=ts), an open group "New Police: Feedback" appeared on Facebook as soon as on July 8, 2015 (see: https://www.facebook.com/groups/362866477171436/).

ling police. Also, sharply increased number of calls on '102' emergency number may reflect the increased population trust.

It is important to note that the proclaimed ideology of these police forces is quite different from the former one. Basic concepts are formulated as: *'collaboration, communication, and providing services'*. The main goals are designated as *'to serve and protect' ("We are not to punish, we are to ensure your security")*. Indeed, there are many positive responses describing such cases. As a result, after one month of police operations, the level of confidence in them raised significantly: according to the sociological poll by 'RATING' agency, 82% of the residents of Kyiv endorsed appearance of the new police, and 69% of the respondents expect improvement of criminal situation in the city and of their own security; approximately half of them hope also for the successful contribution to counteract corruption. Vision of their activities as a 'first step for better future' was widely shared by police personnel themselves and society at large.

Of course, this 'honeymoon' between ordinary people and new police did not last long; quite a few new servicemen turned unable to meet high expectations and were fired or abandoned the service on their own will. Nevertheless, nowadays the approval rate is slightly above 50% that is still in sharp contrast to previous overwhelming mistrust.

In view of the intense (and not slackening) attention to the activities of the new police, it is surprising that not less important element of ensuring human security – operations of the Ukrainian *CIMIC* (civil-military cooperation) Group – practically escaped wide public discussion and media coverage. This special unit, established by the General staff yet in 2014 according to NATO standards, accomplishes a lot of important functions, in particular, at the territories of Eastern Ukraine liberated from local separatists and supporting Russian militaries, and coming under the jurisdiction of central authorities. Traditional CIMIC mission usually consists in developing cooperation with local bodies and administrations, regional

and international NGOs and other CSOs and population in general, in particular, providing humanitarian aid, participating in the exchange of prisoners of war and those who perished.

In addition to these conventional tasks, officers of the Ukrainian CIMIC group are also actively engaged in less widespread activities – like repair of the destroyed objects of infrastructure vital for restoring life-support system. The need for this was conditioned by the practically non-functioning bodies of local administrations and self-government in some of the towns and settlements located in the zone of ATO (Anti-Terror Operation). These activities, especially in Donetska oblast, promoted remarkably improved relations between Ukrainian militaries and local population: according to Colonel Nozdrachev, the Head of the CIMIC Group, support increased from 20-30% a year ago to 80 – 85% in summer 2015.[16] Scarce knowledge about and low level of interest to the CIMIC Group-Ukraine can be explained, perhaps, by the lack of publicity and PR-actions, also by rather rare interviews and other events attracting media.

It could also be added that although human rights and human security are usually regarded as linked inseparably, in the situation of crisis they sometimes come to clashes. For example, since officially war in Ukraine is not recognised (it's still named not a 'war' but 'ATO'), and state of emergency not declared, some human rights activists fight any restrictions relating, in particular, to public events, including rallies and other public gatherings, imposed sometimes by state officials under circumstances of increased danger of provocations and/or terrorist acts threatening human lives. Therefore, although the first steps towards building trustworthy and comprehensive system of modern military and police forces, aimed at not only national but also human security, can be regarded as a moderate success, much more work in this direction is needed. Ever increasing activity of civil society and its rising role in reformation of

---

16. For full text of the interview (in Russian), see: http://censor.net.ua/resonance/347362/nachalnik_simic_alekseyi_nozdrachev_god_nazad_podderjka_vsu_v_nekotoryh_gorodah_donetskoyi_oblasti_kolebalas.

security sector might be a cornerstone of further achievements.

'Mainland Ukraine': groups of risk

Situation in Ukraine controlled by legitimate central, regional and local authorities, poses quite different concerns relating to human rights and human security. Several "risk groups" could be identified as being in especially vulnerable position.

Apart from traditionally vulnerable members of Roma ethnic minority who often suffer from discrimination and sometimes acts of violence perpetrated by local gangs and ordinary residents, new challenges have appeared relating to the increased number of refugees, asylum seekers, but also public figures becoming the targets of assassinations and/or terrorist acts.

The fate of asylum seekers from Russia and other authoritarian post-Soviet states is difficult and often dramatic; to get a special status of 'a person in need of a special protection'[17] means coming through exhausting procedure of fighting with the Migration Service habitually denying their claims, and then trying to overcome the negative decisions through court appellations. Since the overwhelming majority of refugees and asylum seekers from the RF and some Central Asia countries are opponents of the existing there regimes persecuted for their political and public activities, their extradition would mean a serious threat to their freedom and even life.[18]

Under Ukrainian law, judges cannot force migration authorities to deliver asylum or other appropriate status, only to reconsider applications; therefore, the 'happy end' in Ukraine for political refugees seems possible only after attracting serious attention of the HR community and media covering their cases. "It is unacceptable to not provide asylum for

people facing persecution for peaceful opposition activities in their own country," asserted the Kharkiv Human Rights Protection Group (KHRPG) – one of the most efficient NGOs applying great efforts to help the potential victims.[19] In this respect, quite remarkable is a story of three young persons from Krasnodar who were detained for 15 days in summer of 2014, placed on a terrorist watch list and charged with extremism after the attempt to organise a rally demanding broader autonomy for the southern Russia's region Kuban.[20] (Actually, their slogans on the 'federalisation' were mocking Russia's claim to 'federalise' Ukraine).

One of them, Vyacheslav Martynov, fled immediately to Kharkiv where received a strong support from the KHRPG and after several court sittings, did obtain the desirable status in November 2015. The second one, Pyotr Lubchenkov, also having escaped to Ukraine in 2014, remained under the threat of being sent back to Russia until the beginning of 2017, when the eventual decision of rejecting Russia's claim for his extradition was adopted by the General Prosecutor Office of Ukraine. Their colleague Daria Polyudova, who chose to stay in Russia, was sentenced to two years in prison in December 2015 on charges of 'calling for Russia's territorial integrity infringement' -- a sentence that sparked an outcry from rights groups around the world. This story clearly indicates the necessity to reform the Migration Service of Ukraine keeping the former attitude towards the political refugees, and demonstrates that concerted efforts and assertiveness of civil society actors are often able to conquer the old bureaucratic machine traditionally neglecting both human rights and human security.

Another category of persons experiencing enhanced risks to their security and very life, concerns some VIPs or well-known public figures

---

17. In contrast to refugee status, this term actually applies to "political refugees" – the notion absent in Ukraine's legislation.

18. See, for example, analysis by Refat Chubarov, 16.11.16 14:18: http://censor.net.ua/news/415245/rossiya_zasypala_ukrainu_zaprosami_o_vydache_ee_grajdan_kotorye_pytayutsya_nayiti_zdes_ubejische_chubarov.

19. How can Ukraine claim it's safe to send opposition activists back to Russia? By Halya Coinash, 14.01.2016, http://khpg.org/en/index.php?id=1452720155.

20. Seeking Asylum In Ukraine, Russian Dissidents Get Cold Shoulder. By Claire Bigg and Tetiana Iakubovych, January 20, 2016, http://www.rferl.org/content/ukraine-russian-dissidents-find-no-asylum/27499333.html.

becoming the targets of assassins and subjected to man-hunting, abduction or meeting death as a result of terrorist acts.

A few cases of protecting them successfully are known to wide public. One of them is the story of Ilia Bogdanov – former FSB officer who arrived in Ukraine coming from Russia in summer of 2014, and joined as a volunteer fighter first the 'Donbas' battalion, then the DUK 'Pravyi Sector'. Afterwards, he received Ukrainian citizenship, lived in Kyiv and disappeared on 12 November 2016. As it turned out, Bogdanov was kidnapped by a group of people and kept in isolation for further transfer to Russia. In a course of special operation worked out by the SBU, the criminals were detained at the Ukrainian-Russian border, and Bogdanov was liberated, as informed at a common briefing General Prosecutor of Ukraine and Head of the Security Service of Ukraine.[21]

Unfortunately, not all assassinations eventuated in such a happy end. Resonance murder of the prominent journalist Pavel Sheremet on 20 July 2016 resulted from the explosion of his car, and that crime remains yet unsolved despite all the endeavours of the Ukrainian investigators and engagement of the experts from the FBI and Europol.[22]

The most recent murder in the centre of Kyiv of Denis Voronenkov, former Russian State Duma deputy who in October 2016 left Russia and moved to Ukraine together with his wife – famous singer Maria Maksakova – was even more shocking. Very soon after arrival in Ukraine (on 6 December 2016) he was granted Ukrainian citizenship and was considered a witness of the extreme value for the prosecution and preparation of criminal case against the former president of Ukraine Victor Yanukovych and, assumedly, for sharing information about the possible links between Ukrainian 'Berkut' and Russian special services during

the Maidan events. On February 14, Russian FSB put him on a Federal 'Wanted' list; on March 23, he was killed by the assassin.

This tragedy has revealed, among many other repercussions, serious gaps and drawbacks in the system of ensuring the safety of key persons possessing information invaluable for state affairs. A number of questions arise, in particular, how was he found by his killers, and how was his safety secured. As prominent Ukrainian journalist and blogger Yuri Butusov wrote, "...after public announcements made by prosecutor's office officials, they should have offered security of a totally new level, with involvement of SBU or Interior Ministry, who are obliged by the law to ensure safety to persons involved in a criminal investigation". Butusov reached conclusion that "Voronenkov's assassination is the first blatant terrorist attack in Kyiv obviously orchestrated by the Russian secret services. We may see more attacks soon. It is necessary to investigate and draw conclusions out of it in order to prevent new casualties in this secret war.[23]

Human security and social networks

New risk groups spread predominantly among teenagers appeared, rather unexpectedly, among active participants of popular Internet social networks, in particular, VKontakte. First and foremost, this threat relates to the so-called 'suicide groups' whose users, following a set of commands and instructions from their administrators, are led gradually to suicidal acts often eventuated by fatal casualties.[24] In Ukraine, over the last few months the cyber-police unit has blocked more than 500 'groups of death' in Internet, and arrested over 200 accounts of their organisers and 'curators'. As was stated during the briefing, this unit receives daily approximately 70 applications about children disappeared, and there are firm

21. See more: http://news.bigmir.net/ukraine/1039700-SBU-osvobodi-la-pohicshennogo-eks-sotrudnika-FSB .

22. See more: http://censor.net.ua/news/431834/natspolitsiya_ne_isk-lyuchaet_versii_o_prichastnosti_k_ubiyistvu_sheremeta_boyitsov_nats-gvardii_knyazev.

23. Denis Voronenkov was to meet his Moscow acquaintance, who left for Russia right after assassination. By Yuri Butusov, 05.04.17 14:24, http://en.censor.net.ua/resonance/434710/denis_voronenkov_was_to_meet_his_moscow_acquaintance_who_left_for_russia_right_after_assassination.

24. See, for example: https://www.novayagazeta.ru/articles/ 2017/02/16/71537-sporim-na-lyam-chto-za-mnoy-nikto-ne-pridet-nikogda.

evidence that 15-20% of the latter participated in the Internet 'traps'.[25] As has been emphasised, effective counteraction to this danger implies close collaboration of parents, teachers, and psychologists with law enforcement bodies. In addition, some professional psychologists warn about dangers linked to the people's need in security and sympathy, and sometimes detrimental effects caused by the involvement in discussions on the social networks often full of 'hate speech'.

Conclusions

In Ukraine, an old-fashioned doctrine of 'state security above all' still has an upper hand over the rather new (especially for the 'post-Soviet space') notion of human security and the necessity to develop a whole system of protection aimed at both individuals and vulnerable groups.

Current situation – in particular, annexation of the Crimean peninsula be the RF and continued war waged against local militants and Russian troops in Eastern Ukraine – presents new challenges complicating realisation of the ambitious plans in this direction. Nevertheless, the first steps are already being taken, whereas further success depends, *inter alia*, upon the active engagement of CSOs, and their regular collaboration with state bodies. International experience in counteracting terrorism and ensuring human security is also of great importance. In general, in all areas dealing with human security, tremendous consolidated work is still ahead.

---

25. See: http://mvs.gov.ua/ru/news/6140_Pravoohraniteli_zablokirova-li_bolee_500_tak_nazyvaemyh_grupp_smerti_i_bolee_200_ih_kurato-rov_FOTO_VIDEO.htm.

Human Security – Important Element for Democracy Building in Armenia

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

Introduction

Human security has been prioritized by different international organization. With the shift from traditional warfare and security to new trends of terrorism, hybrid wars, human security has been especially highlighted by the Western World. The United Nations (UN), Organization for Security and Cooperation in Europe (OSCE) has reconceptualised the state centred security putting a special emphasis on the human security. It is mostly the Western World, in democratic state where the human security and the welfare of an individual is a crucial component of state and security building. Human dignity, political freedoms and safety of an individual are important elements of an establishment of a democratic state.

Since the collapse of the Soviet Union, the newly independent states started to build their own foreign and internal policy and ensure their own security. Armenia, a post-Soviet country, that strives to establish a democratic state, is a member of the UN and OSCE and thus is committed to the core priorities of these organizations.

On one hand the Nagorno Karabakh conflict and the closed border with Turkey and on the other hand inherited Soviet legacy lead to a strong emphasis on the military security. At the same time thanks to cooperation with OSCE, UN, EU, NATO Armenia implements various reforms that include components of human security. This paper looks at security sector reforms in Armenia and how human security in Armenia is approached. It starts with overall assessment of security in the country and then proceeds to the reforms in the police sector, fight of organized crimes, data protection and etc. It assesses the adopted respective legislation and highlights the missed out elements and violations that lead to a threat to the human security in Armenia.

Reconceptualising State-centred Security

Armenia, a post-Soviet country in the South Caucasus, has an escalating conflict with Azerbaijan and a closed border with Turkey. The dividing lines of the South Caucasus in terms of security are strong. The state-centered security often prevails in Armenia. As the National Security Strategy of the Republic of Armenia reads Azerbaijan and Turkey are a security threat for Armenia[1]. Protracted Nagorno Karabakh conflict, Armenian-Turkish closed border, Russian military bases in Armenia - these are the main security issues of the country. The conflicts in the South Caucasus region are not frozen. Only a year ago the war between Armenia, Nagorno Karabakh and Azerbaijan restarted. The April 2-4 2016 war reminded how fragile and vulnerable the situation between Armenia and Azerbaijan is.

The fighting of April involved artillery and rockets, multiple launch rocket systems, armoured units and combat helicopters with infantry. Drones were used from Azerbaijani side. Armenia and Azerbaijan give different numbers of casualties but fatalities were perhaps as high as 200[2].

Turkey is yet another disturbing neighbour. Turkey keeps its border closed with Armenia since the 1990s and is in close relations with Azerbaijan. In fact Armenia connects with the world through Georgia and Iran.

For insuring its security Armenia has become a member of the Collective Security Treaty Organization. Russia is considered to be a military ally and ensures the security of Armenia. Russia has its military bases in Gyumri, in the second largest

---

1. National Security Council at the RA President Office, 'National Security Strategy of the Republic of Armenia (RA)', 26 January 2007, available at: http://www.mfa.am/u_files/file/doctrine/Doctrineeng.pdf.

2. International Crisis Group, Europe Report N°239, 'Nagorno-Karabakh: New Opening, or More Peril?', 4 July 2016.

city of Armenia. Armenia has a military agreement with Russia for 50 years till 2049. Russian-Armenian Agreement on joint air defence system was signed in December of 2015. Militarized security is a priority for Armenia.

At the same time Armenia's commitment towards its international obligations, cooperation with the West and membership in international organization led to the need of reforms in the security sector. Obviously, after the collapse of the Soviet Union the newly independent state inherited the Soviet legacy and it was the support of the West that brought to some innovation and reforms in the security sector.

Human security has become one of the major fields of international organizations. The UN Commission on Human Security (CHS) defines human security as a protection of human freedoms, fundamental freedoms and human fulfilment. It means protecting people from threats, creating political social, environmental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity. This definition aims at moving away from traditional state-centric concept of security that focused primarily on the safety of state from military aggression, it aims at reconceptualising human security as an individual oriented concept with the goal of protecting and empowering the individuals. The new definition also draws attention to the threat towards various aspects of human life, and highlights the interface between security, development and human rights. The new definition promotes new integrated and people-centred approach to advancing peace, security and development[3].

OSCE defines human security as a combination of peace and the rule of law in which fight against trafficking, security of minorities and socially vulnerable groups, appropriate legislation and the

rule of law must be a high priority. Individual is the ultimate beneficiary of security rather than the state. Individual's security includes livelihood and dignity and for achieving such security the individual must be protected and empowered[4].

Human security is not defined broadly or as a separate entity in the legislation of Armenia. However, thanks to various requirements from international organizations Armenia undertakes reforms which are meant for human security.

Legal Framework Addressing Human Security

Specific foundations for ensuring human security have been provided in the legislation of Armenia. Although indirectly, but human security has been addressed by adoption of laws on freedoms and rights as well as by joining international conventions.

With establishing its independence in 1991 Armenia adopted its own legislative framework. It adopted a law "On Press and Mass Media" on October 8, 1991, "On Public-Political Organizations" on February 26, 1991, "On Non-governmental Organizations" on November 1, 1996. The Electoral Code of the Republic of Armenia was adopted in 1999. The legislation aimed at insuring rights and freedoms of its citizens.

For becoming a member of international organizations such as the UN and Council of Europe, adoption as well as harmonization of legislation with international criteria was required. Adhering to the international standards required Armenia to have the direct responsibility of creation and protection of necessary conditions for the realization of the rights and freedoms of people.

Thus for example in 1998 Armenia joined the Universal Declaration of Human Rights, contributing to the enhancement of respect towards human rights and fundamental freedoms in Armenia.

---

3. Human Security Unit, United Nations, 'Human Security in Theory and Practice. An Overview of the Human Security Concept and the United Nations Trust Fund for Human Security', 2009, available at: http://www.un.org/humansecurity/sites/www.un.org.humansecurity/files/human_security_in_theory_and_practice_english.pdf.

4. Gerd Oberleitner, 'The OSCE and Human Security', *Security and Human Rights* (2008).

Armenia also became a party to the International Covenant on Civil and Political Rights, taking obligation to protect and provide for the freedom of movement, equality before the law, the right to a fair trial and presumption of innocence, freedom of thought, conscience and religion, freedom of opinion and expression, peaceful assembly, freedom of association, participation in public affairs and elections, and protection of minority rights.

In 1993 Armenia also acceded to the International Convention on the Elimination of All Forms of Racial Discrimination. The convention required to guarantee the basic civil, political, economic, social and cultural rights regardless of race, colour, tribal, ethnic and national origin of the individual. In 1993 Armenia also acceded to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In 2002 Armenia Ratified the European Convention on Human Rights.

The Office of Human Rights Defender in Armenia is also aimed at ensuring freedoms of citizens of Armenia. According to the Draft Constitutional Law on the Human Rights Defender of 2016, the Defender shall, in case of a complaint or upon own initiative, consider violations of human rights and freedoms enshrined in the Constitution and the laws of the Republic of Armenia.

Perhaps the main problem for Armenia is the implementation of the legislation. The legislation of Armenia has been harmonized with the criteria of the UN and Council of Europe. Thus freedoms and rights are ensured according to the legislation, however in practice often these laws are violated.

NATO and Security Sector in Armenia

NATO has played an important role in security reforms in Armenia. Armenia launched its cooperation with NATO back in the early 1990's. However, a new, more in-depth phase of this cooperation began in the early 21st century. Thus, in December 2005 the first Individual Partnership Action Plan with NATO (IPAP) was signed, after which

numerous NATO delegations visited Armenia, a NATO Information Centre was opened in Yerevan, as well sessions of the North Atlantic Council-Armenia were held in a 26 + 1 format. As part of the IPAP implementation, NATO formed an international advisory group which facilitated the drafting of the Armenian National Security Strategy. Since June 2008, NATO weeks have been organized in Armenia on a yearly basis (the last one was held in November 2016); in July 2008, the Armenian militaries along with the military personnel from the United States, Georgia, Azerbaijan and Ukraine participated in NATO exercises held in Georgia, whilst in September the «Cooperative Longbow / Lancer-2008" trainings took place in Armenia. In March 2010, NATO Parliamentary Assembly (NATO PA) held its first "Rose-Roth" conference in Yerevan (and already the third one was held in Yerevan in June 2015), while on 11 September of the same year NATO commenced the "Armenia-2010" exercises in Armenia related to disaster control.

The IPAP reforms implemented in the framework of strategic reviews of defence and emergency situations, as well as the creation of the Crisis Management Centre were particularly significant for Armenia. A number of important documents were developed and approved within the IPAP framework, including the Civil Defence Doctrine, Development of Military-Industrial Complex Concept, Information Security Concept and the Strategy on Border Security and Integrated Management of Armenian Borders.

Armenia is currently completing its fourth IPAP program for 2014-2016. This program includes hundreds of events, where special attention is paid to border security issues, improvement of military education system, environmental issues and civil crises, as well as strengthening cooperation in the field of emergency situations. Currently, the Armenian side together with the Alliance are developing an updated version of the Individual Partnership Action Plan for the next three years. Please note that already in the first IPAP signed in 2005, among other objectives of the framework for cooperation with NATO, one was the fair and democratic election of the

mayor of Yerevan city (be reminded that after the constitutional reform of 2005 the mayor was to be elected by the citizens).

NATO has also assisted in establishing Armenian peacekeepers. Thus, a peacekeeping team of the Armenian troops was formed in Afghanistan back in February 2010, as part of a German group. Since 2004, Armenia is participating in a NATO-led international peacekeeping mission in Kosovo.

It is also important to note that NATO countries do not supply offensive weapons to South Caucasus countries with unresolved conflicts. For example, NATO does not supply Armenia and Azerbaijan with any heavy and offensive weapons, due to the unresolved Nagorno-Karabakh conflict which is different to Russia.

Reforms in the Police Sector

One of the major contributions towards reforms in the security sector of Armenia is done by OSCE. The OSCE Office in Yerevan was established by a decision of OSCE Permanent Council in 1999 and commenced operations in February 2000. OSCE received the mandate to improve democratic policing practices. In 2002 a Politico-Military Officer to the Office in Yerevan was appointed providing capacity to the OSCE to assist the host country. The OSCE's police assistance activities started with the visit to Armenia by the OSCE Senior Police Adviser in June 2003. It was exactly the period when OSCE started to expand its involvement in law enforcement cooperation with many newly independent countries of the former Soviet Union. OSCE supported Armenia in establishing community-based policing model to foster cooperation, mutual respect and trust between the police and the population. Community-based policing and police education reform were to be important parts of the reform. In November 2008, a memorandum of understanding was signed to establish two joint OSCE/police working groups: one dealing with the further development of a community-based policing model

and the other with creating a modern and integrated police education sector[5].

Police sector is one of the most important areas that need consistent reforms since this is body that is negatively perceived by the populations, has low trust among the people and unfortunately serves to the President and the authorities of Armenia. For example, the traffic police are particularly unpopular and are perceived to be interested in bribes, rather than keeping roads safe. According to the Global Corruption Barometer 2013, 66% of respondents in Armenia consider the police of the country corrupt or extremely corrupt[6]. The police also frequently follows the orders of the authorities and uses disproportionate violence towards peaceful protesters.

Political Freedoms of Individuals Are Under Threat

Unfortunately, the reforms in the security sector often are not implemented or are implemented partially. Despite the efforts by the international organizations, the police in Armenia remains the body that uses violence during protests instead of insuring human security and public order during the protests. They serve to the authorities rather to the public order.

Cases of violence have become usual in Armenia. For example the Presidential elections of 2008 ended with mass protests where 10 people were shot to death. According to the Human Rights Watch Report on the day of elections riot police without any warning attacked the demonstrators, using rubber truncheons, iron sticks, and electric shock batons[7].

Political freedoms and safety of humans were put under even more severe threat the follow-

---

5. Carel Hofstra, ' Police Development Activities of the OSCE in Armenia', OSCE Yearbook (2011), available at: https://ifsh.de/file-CORE/documents/yearbook/english/11/Hofstra-en.pdf.

6. Trasnparency International, ' Global Corruption Barometer 2013', 2013, available at: http://www.transparency.org/gcb2013/country/?country=armenia.

7. Human Rights Watch, 'Democracy on Rocky Ground', 2009, available at: https://www.hrw.org/report/2009/02/25/democracy-rocky-ground/armenias-disputed-2008-presidential-election-post-election.

ing years. During the social movement called Electric Yerevan police referred to excessive use of violence. On June 23 2015 protests were dispersed brutally. Armenian police made 237 arrests after roughly breaking up a Yerevan sit-in[8].

Even more cases of violence and arbitrary detentions happened in summer 2016. On July 17, 2016 largely peaceful protests erupted after armed men from radical opposition group seized a police station. Armenian police used excessive force against peaceful protesters on July 29, 2016 and assaulted journalists reporting on the demonstrations. Police used stun grenades, which wounded dozens of demonstrators and some journalists, some severely. The police also beat journalists and protesters and detained dozens of people9. The use of violence was without any basis and unfortunately the number of detained people and political prisoners grew.

Ombudsman Office

Establishment of the Human Rights Defender's Office was an important step towards importance of human rights in Armenia. Areas such as procedural rights and the rights of servicemen, prevention of torture and ill-treatment,children's rights, civil, socio-economic and cultural rights are under protection of the Human Rights Defender of Armenia.

On October 21, 2003, the RA Law "On the Human Rights Defender" was adopted. The RA Law "On the Human Rights Defender" stated that the Defender was an independent and irremovable official, who protects human rights and freedoms violated by state and local self-government bodies and officials governed by the fundamental

principles of legality, civil society and social justice (Article 2)[10].

It is also important to nore that the military servicemen are protected by the Human Rights Defender. According to Article 8.2 of the RA Constitution, "the armed forces of the Republic of Armenia shall maintain neutrality in political matters and remain under civilian control"[11]. The armed forces are under civilian control by the Human Rights Defender, also by civil society as well as international organizations. The Human Rights Defender's role in the RA armed forces became even more important with the establishment of the post of adviser on military affairs and issues of military servicemen in the Human Rights Defender's staff in 2007, under the RA-NATO Individual Partnership Action Plan. The Office aims at protecting military servicemen, only conscripts, but also officers, whose rights have been violated by their superiors[12].

Fighting Human Trafficking

The EU is one more actor that stimulates reforms and puts emphasis on human security. As part of the visa facilitation process between the EU and Armenia, Armenia needs to undertake reforms in the area of "public order and security" that reuqires fight against organized crime and trafficking. In December 2011, Armenia adopted a National Strategy to improve the effectiveness of the fight against organised crime. UN Convention against Transnational organized crime and its Protocols, 2003 was ratified on 1st July, 2003. Regarding counteracting trafficking in human beings, the relevant changes were made into the national legislation and a law on "Making Amendments and Addenda into the RA Criminal Code" was adopted

8. EurasiaNet News Agency, 'Armenia: Police Disperse "Electric Yerevan" Protest', June 23 2015, available at: http://www.eurasianet.org/node/73976.

9. Human Rights Watch, 'Armenia: Excessive Police Force at Protest', August 1 2016, available at: https://www.hrw.org/news/2016/08/01/armenia-excessive-police-force-protest.

10. Webpage of Human Rights Defender of the Republic of Armenia, n.d., available at: http://www.ombuds.am/en/defender/history.html.

11. Amendments to Constitution of the Republic of Armenia, adopted 06.12.2015, available at: http://www.parliament.am/parliament.php?id=constitution&lang=eng.

12. OSCE Publication, 'Armenia and Democratic Control of the Armed Forces: Analysis and Perspectives' (2011), available at: http://www.osce.org/yerevan/84943?download=true.

on November 18, 2009. The Criminal Code was amended in April 2011 in relation to combating trafficking in human beings, toughening punishment for trafficking in children and persons with mental health problems. National Plan for Action to Combat Trafficking in Persons for 2010-2012 was approved by government in September 2010. Concil of Europe Convention on action against trafficking in human beings, 2005 entered into force on 1 August 2008.

The legislative part is mostly fulfilled by the Government of Armenia. However there are still areas that Armenia need to work on, especially in terms of implementation of the adopted legislation. Accroding to the Eastern Partnership Visa Liberalization Index the stratgey on fighting organised crime is not fully implemented. There are serious concerns regarding corruption. The liegislation is close to international standards, however implementation remains a challenge. An Anti-Trafficking Board was established under the Ministry of Territorial Administration. The anti-trafficking activities are coordinated by the Council on Trafficking Issues, headed by the Deputy Prime Minister. The interagency Working Group on Trafficking has been established to support the Council being led by the Director of the Department of International Organizations of the MFA. Representatives from non-governmental and international organisations are also included in the Working Group[13].

Cases of Human Trafficking

According to the 2016 Trafficking Report Armenia is a source and, to a lesser extent, destination country for men, women, and children subjected to sex and labour trafficking. Armenian women and children are subjected to sex and labour trafficking within the country as well as sex trafficking in United Arab Emirates (UAE) and Turkey. Chinese women have been

subjected to sex trafficking in Armenia. Armenian men are subjected to forced labour in Russia and, to a lesser extent, in Turkey. Armenian women and children are vulnerable to forced begging domestically. Some children work in agriculture, construction, and service provision within the country, where they are vulnerable to labour trafficking. Articles 132 and 132-2 of the criminal code of Armenia prohibit both sex and labour trafficking and prescribe penalties of five to 15 years' imprisonment. The government investigated 14 new trafficking cases in 2015, compared with 10 in 2014. Authorities initiated prosecutions against two defendants and courts convicted three traffickers in 2015, compared with seven prosecutions and convictions in 2014. Two traffickers received sentences of 11 years' imprisonment and one received 11 years and six months' imprisonment[14].

Data Safety of Individuals

The legal framework for data protection is based on the 2002 law "On Personal Data", which is generally in line with European standards (namely: the Council of Europe Convention on the Protection of Individuals with regard to the Automatic Processing of Personal Data as well as the relevant European Directives).

However despite the fact that the law is in place and is in line with European standards, some areas are still not regulated. Accroding to the Eastern Partnership Visa Liberalization Index in contrary to the EU practice, there are limited sanctions for breaches. Moreover, the Armenian data protection law does not foresee the establishment of a specialized, national data protection authority nor has it delegated responsibility over the supervision of data protection to a particular governmental institution. The most concerning issue is that the law "On Personal Data" does not include a section limiting the transfer of personal data abroad. The relevant section of the law was removed during

---

13. Eastern Partnership Visa Liberalization Index (2015), available at: http://monitoring.visa-free-europe.eu/armenia.

14. U.S. Department of State, '2016 Trafficking in Persons Report', available at: https://www.state.gov/j/tip/rls/tiprpt/countries/2016/258714.htm.

the revision of the law of May 23, 2006[15].

There are disturbing facts that the data of Armenian citizens is being trasferred to the Russian Federation. The Border Management Information System (BMIS) that contains a database on Armenian citizens and vehicles that have crossed the border of the Republic of Armenia has been functioning since 2006. To an enquiry, the Armenian National Security Service informed that they granted the Russian Border Protection Department of the Federal Security Service access to the BMS system[16]. It is noteworthy that the Armenian Naitional Security Service makes a reference to the 1992 agreement between Armenia and Russia on the "Status and Activity of Border Troops of the Russian Federation in the Territory of Armenia", without mentioning any specific provision. It is obvious that the data protection in Armenia is threatened as the 1992 agreement cannot contain any clause related to the electronic system created in 2006.

Conclusion

The state centred security is a priority in Armenia. The Nagorno Karabakh conflict, frequent skirmished in the Line of Contact between Nagorno Karabakh and Azerbaijan, the closed border with Turkey automatically lead to an importance of military security in the South Caucasus. On the other hand Armenia is a member of international orga-

nizations and is in fragile transition towards democracy. The commitments and cooperation with the Western actor leads to importance of human security. Thus OSCE has been working with the Armenian authorities on reforming the police sector. The EU has established a partnership for fighting organized crimes and human trafficking, ensuring data protection. NATO implements the Individual Action Plans with Armenia in military, emergency and scientific areas.

Partially Armenia has undertaken important reforms. In terms of legislation the country managed to establish a legislation that is mostly in line with the European practice. However there are still important fields that hinder the development of human security. Corruption and lack of political will to implement the legislation are one of the main problems. Thus, during peaceful protests the police refers to excessive use of violence and political freedoms are under threat. Additionally the country has problems of data protection by transferring data of individuals to the Russian Federation.

Armenian authorities and Western actors will need to work on implementation of the adopted legislation, fight the corruption. Moreover the Western actors need to continue empowering civil society sector in Armenia as this is the body that has civilian control in the security sector, can monitor and demand changes in the state policy.

15. Eastern Partnership Visa Liberalization Index (2015), available at: http://monitoring.visa-free-europe.eu/armenia.

16. Asparez webpage, 'Russian Federal Security Service Has Access to Personal Data of Armenian Citizens' (2016), available at: http://www.asparez.am/wp-content/uploads/2016/12/Personal-info-eng.pdf.

Human Security and Security Sector Reform in Georgia: A Critical Reflection

Bidzina Lebanidze, Georgian Institute of Politics

The concepts of Security Sector Reform and Human Security

Security Sector Reform (SSR) and Human Security (HS) are relatively new concepts that emerged in the developmental studies and political practices after the end of the Cold War and since then belong to the democracy- and a state-building toolbox of the Western community. Both of them and especially HS represent "a paradigm shift from traditional national security approaches"[1] toward a new understanding of security that puts the individuum in the center and questions the centrality of the state's role. The HS re-conceptualizes the concept of security significantly by *"moving away from traditional, state-centric conceptions of security that focused primarily on the safety of states from military aggression, to one that concentrates on the security of the individuals, their protection, and empowerment."*[2]

To analyze the various aspects of human security in Georgia the paper employs the analytical mechanism developed by the United Nations Trust Fund for Human Security (UNTFHS) and the United Nations Human Security Tool (UNHST) – the key UN bodies responsible for the development of human security strategies.[3] In the UN conceptual document, seven types of HS are identified: economic, food, health, environmental, personal, community and political.[4] Based on various sources, this pol-

icy paper proposes four basic types of HS that in SSR (Table 1). The remainder of the paper follows this categorization and explores the role of HS in SSR and broad security strategy of Georgia in four main security areas: personal and community, political, environmental and economic security (Table 1).

Table 1: Reconceptualization of the concept of security on basis of Human Security and Security Sector Reforms (Author's compilation based on various sources[5])

Types of Human Security
Personal security *Threats: Physical violence, crime, terrorism, domestic violence, child labor* **Community security** *Threats: Inter-ethnic, religious and other identity-based tensions*
Political security *Political repression, human rights abuses, absence of democratic checks and balances, autocratic governance*
Environmental security *Threats: Environmental degradation, resource depletion, natural disasters, pollution*
Economic and social security *Threats: Food security, hunger, famine, unemployment, healthcare*

Relativization of the state's role

According to D.Law, "at their core human security and security sector reform are both critical reac-

1. Kaldor, Mary, Martin, Mary, and Selchow, Sabine, 'Human Security: A European Strategic Narrative', 2008 <http://library.fes.de/pdf-files/id/ipa/05172.pdf>, 2.

2. United Nations, 'Human Security in Theory and Practice. An Overview of the Human Security Concept and the United Nations Trust Fund for Human Security' <http://www.un.org/humansecurity/sites/www.un.org.humansecurity/files/human_security_in_theory_and_practice_english.pdf>, 6.

3. The United Nations Trust Fund for Human Security (UNTFHS) <https://docs.unocha.org/sites/dms/HSU/Background%20on%20the%20UNTFHS.pdf>

4. United Nations, 'Human Security in Theory and Practice. An Overview of the Human Security Concept and the United Nations Trust Fund for Human Security' <http://www.un.org/humansecurity/sites/www.un.org.humansecurity/files/human_security_in_theory_and_practice_english.pdf>, 6.

5. Law, David M., 'Human Security and Security Sector Reform. Contrasts and Commonalities', *Sicherheit und Frieden (S+ F)/Security and Peace*, 2005, 14–20; United Nations, 'Human Security in Theory and Practice. An Overview of the Human Security Concept and the United Nations Trust Fund for Human Security' <http://www.un.org/humansecurity/sites/www.un.org.humansecurity/files/human_security_in_theory_and_practice_english.pdf>; United Nations, 'Human Security – Trajectory and Application at the United Nations', 2016 <http://www.un.org/humansecurity/sites/www.un.org.humansecurity/files/untfhs_ppp_-_human_security_may_2016.pdf>; Renard, Thomas, 'The European Union: a new security actor?', *Robert Schuman Centre for Advanced Studies Research Paper No. RSCAS*, 45 (2014).

tions to the state in its role as a security provider."[6] From the perspective of SSR that became a cottage industry after the Cold War, the support of Western donors to SSR in developing countries should have been focused on both efficiency and political accountability of state services.[7] As D.Law argues, "security sector reform recognizes that the security of individuals and that of the state are not necessarily identical, and that not all security problems will have a state-centric solution."[8] On the other hand, the concept of human security, "usually identified with the thinking of the UNDP and the Commission on Human Security, tends to downplay the role of the state and the legitimate use of force, and play up the importance of indirect threats and human development."[9]

Yet it should be also noted that Georgia experiences today acute forms of very traditional threats that had been buried in oblivion in the majority of Western countries where the concept of human security has emerged in the first place. Whereas the international terrorism remains the only traditional threat in the Western societies, in countries like Georgia there are a whole range of existential dangers that belong to traditional threats: military conflict with neighboring country, occupied territories, a very fragile ceasefire and shifting demarcation lines in conflict areas, security and military accidents on daily basis. Therefore, it is no surprise that traditional state-centered aspects of security reforms are still deeply ingrained in thinking of Georgia's political elites. In conflict-ridden societies like Georgia, human security dimension can only supplement but not substitute the traditional state-centered dimensions of security and security sector reform. It is similar to the democracy-stateness dilemma: stateness should always precede democratization.[10] One can only have a democracy if there is

a functioning state in place.[11] For instance, the most severe human rights violations especially but not exclusively in the conflict zones of Georgia happen not because of the Hobbesian nature of state but because of its ineffectiveness to fulfill its main Weberian functions such as having a monopoly on violence or protecting basic rights and freedoms of its citizens. Therefore, whereas the incorporation of HS in SSR is a welcome development and shall be part of any SSR reform in developing countries, the Western donors shall also pay their attention to traditional security threats which are derived from specific local contexts. By doing so the core liberal-democratic values should not be compromised. In the case of conflict-ridden countries, such as Georgia, the best approach would be not to replace "state security" by "human security" as some supporters of the HS concept would argue,[12] but to combine the two approaches in order to get both efficient and accountable civil-military management of security and military sectors.

Personal and Community security

Human rights violation based on inter-ethnic tensions in the conflict areas remain one of the main challenges for HS in Georgia. After the 2008 Russia-Georgia War, Georgian governments have pursued a double-track strategy towards conflict regions. On the one hand, their strategy was aimed at preventing the recognition of the independence of Abkhazia and South Ossetia on the international stage. On the other hand, they tried to engage local communities on the site. However, little has changed after the war. Despite the presence of the European Union Monitoring Mission (EUMM) the human rights violation frequently happen in the areas where neither the EUMM nor Georgian authorities have access to monitor the situation and prevent crime. The 2008 war which was dubbed by Human Rights Watch as "a disaster for civilians",[13]

6. Law, David M., 'Human Security and Security Sector Reform. Contrasts and Commonalities', *Sicherheit und Frieden (S+ F)/Security and Peace*, 2005, 15.

7. Ibid, 16.

8. Ibid, 16.

9. Ibid, 17.

10. Fukuyama, Francis, '"Stateness" First', *Journal of Democracy*, 16/1 (2005), 84–8.

11. Ibid.

12. See: Law, David M., 'Human Security and Security Sector Reform. Contrasts and Commonalities', *Sicherheit und Frieden (S+ F)/Security and Peace*, 2005, 14–20.

13. HWR, 'Georgia: International Groups Should Send Missions', 2008 <https://www.hrw.org/news/2008/08/18/georgia-international-groups-should-send-missions>.

was accompanied by grave human rights violations. 160 000 people were displaced in Georgia, a significant amount of whom have not yet returned to their homes. Since then, the protection of the basic right of internally displaced people (IDP's), for instance by the provision of living spaces, has been a priority of Georgian government.[14] However, and despite the financial support by the West, the governments finds it hard to allocate sufficient resources in the state budget to secure the housing space for all IDPs'.

After the 2008 War, the HS has become a key component of Georgia's strategy of engaging the local communities on the other side of the conflict lines. For instance, thanks to a special program launched by the Georgian government, the residents of the breakaway regions can receive a "high-quality medical treatment in Georgia at no cost."[15] "State Strategy on Occupied Territories: Engagement Through Cooperation" – a main strategic document adopted by Georgian government after the 2008 War also lists mostly the HS measures as the key mechanisms of conflict resolution.[16] Most of them are target the local communities on both sides of the conflict.[17] The measures include facilitation economic interaction and improvement of socio-economic conditions, improved mechanisms for human rights protection, better healthcare, rehabilitation of infrastructure and preservation of cultural heritage and identity.[18] However, the Georgian government has so far been lacking concrete action plan of how to implement the declared goals on the ground. Hence, with a few exceptions, the majority of the HS goals has so

far remained on paper.

Protection of basic human and community rights is also problematic in the Georgia proper. Whereas the overall situation in terms of human rights and political and civil freedoms has improved after the 2012 electoral power change, in certain areas it remained same or even deteriorated further. This primarily concerns the protection of LGBTI rights and also in some cases religious communities. On a positive note, it should be noted that despite the strong societal opposition, the Georgian government adopted the Anti-discrimination legislation in 2014,[19] however, its proper implementation remains a challenge.

Democratic control and Checks and balances

One of the key aspects of any security sector reform is a civil control of state security, military, and police services. Until recently Georgia had a strong presidential system and oversight functions on military and security apparatus were monopolized by dominant position of the president. After recent constitutional changes, however, Georgia abandoned strong presidentialism and adopted the mixed presidential-parliamentary system. Accordingly, the parliamentary oversight over military and security agencies has increased dramatically and presidents influence was downgraded. Today, parliament enjoys a veto power on declaring the martial law and state emergency by the president, it approves the use of military force and approves the documents adopted by the National Security Council and activates the law on the strength of military personnel.[20] Parliament has oversight authorities on issues of state secrets and on decisions on Georgia's participation in peacekeeping missions.[21] Hence, also formally president remains the Commander-in-Chief of the military forces,

14. Kakachia, Kornely, Lebanidze, Bidzina, Larsen, Joseph et al., 'The First 100 Days Of The Georgian Dream Government. A Reality Check', 2017 <http://gip.ge/the-first-100-days-of-the-georgian-dream-government-a-reality-check/>.

15. Menabde, Giorgi, 'Why Are Ossetians and Abkhazians Coming to Georgia for Medical Treatment?', *Eurasia Daily Monitor*, 12/43 (2015) <https://jamestown.org/program/why-are-ossetians-and-abkhazians-coming-to-georgia-for-medical-treatment/>.

16. Government of Georgia, 'State Strategy on Occupied Territories: Engagement Through Cooperation' <http://www.civil.ge/files/files/SMR-Strategy-en.pdf>.

17. Ibid.

18. Ibid, 2.

19. Civil Georgia, 'Anti-Discrimination Bill Adopted', 2014 <http://www.civil.ge/eng/article.php?id=27192>.

20. Atlantic Council of Georgia, 'Georgia's Security Sector Review Project', 2014, 104–5 <http://pdf.usaid.gov/pdf_docs/PA00K6SB.pdf>.

21. Ibid, 106.

his competences are quite limited and mostly encompass representative functions.

Natural disasters and environmental degradation

Overall, Georgian authorities have been paying a very little attention to environmental and natural challenges and problems. Especially under the previous government of Mikhail Saakashvili the neoliberal economic policies and multiple waves of deregulation resulted in environmental disaster. According to the special report by international Energy Agency (IEA) in 2012 Georgia became a number one country in the world with mortality rate attributed to air pollution [22] surpassing all other countries of the world. High rates of air pollution have a number of reasons. Public transportation system is not sufficiently developed and as a result, the majority of the population uses private cars as the preferred mode of transport.[23] According to one source, the amount of privately owned cars has almost doubled within the last five years.[24] Most of them are second-hand vehicles imported from the EU, US, and Japan and with an average age of 10-15 years.[25] Moreover, due to liberal deregulation reforms in the transportation area, such as removal of roadworthiness testing of vehicles since 2004, and the recent suspension of periodic testing of exhaust gases, there are currently no control mechanisms left leading to high emissions from motor transport in Georgia.[26]

Economic security

The strategic documents adopted both by the current and previous governments acknowledge the central role of economic development for Georgia's national security. The 2011 National Security Con-

cept (NSC) considers the sustainable economic development to be a key ingredient for guaranteeing country's national security.[27] The NSC acknowledged the security threats related to low employment and economic backwardness such as social cleavages, the absence of middle class, and increased criminal activity.[28] Moreover, the fast economic development is also directly related to the resolution of territorial conflicts since Georgian strategy mostly draws on its own soft power – or its economic and cultural attraction to the population in conflict areas.[29] Hence, improvement of socio-economic conditions for the population has been a key component of Georgia's broad security strategy including the SSR. However, the approaches of previous and former governments significantly differ from each other. Whereas Mikhail Saakashvili's government mostly resorted to the neoliberal policies focusing only on growth component but neglecting the area of social welfare.[30] The current Georgian Dream (GD) government has been doing the opposite: it implemented a number of bold social initiatives including the universal healthcare reform but does not have a comprehensive strategy how to achieve a sustainable economic growth.[31] Overall, it can be said, that, in practice, the GD government pays more attention to social aspects of human security, however, due to the absence of sufficient economic growth the long-term sustainability of a welfare state established by the GD is anything but guaranteed.[32]

Conclusion

Table 2 summarizes the HS-related best (and worst) practices and the main challenges in

---

22. International Energy Agency, 'Energy and Air Pollution', 2016 <http://www.iea.org/publications/freepublications/publication/WorldEnergyOutlookSpecialReport2016EnergyandAirPollution.pdf>, 34.

23. Caucasus Business Week, 'Georgia is No. 1 Among the Deadliest Air Polluted Countries', 2016 <http://cbw.ge/georgia/georgia-no-1-among-deadliest-air-polluted-countries/>.

24. Ibid.

25. Ibid.

26. Ibid.

27. Ministry of Foreign Affairs Of Georgia, 'National Security Concept of Georgia', 2012 <http://www.mfa.gov.ge/MainNav/ForeignPolicy/NationalSecurityConcept.aspx?lang=en-US>.

28. Ibid, 4.

29. Government of Georgia, 'State Strategy on Occupied Territories: Engagement Through Cooperation' <http://www.civil.ge/files/files/SMR-Strategy-en.pdf>.

30. Kakachia, Kornely, Lebanidze, Bidzina, Larsen, Joseph et al., 'The First 100 Days Of The Georgian Dream Government. A Reality Check', 2017 <http://gip.ge/the-first-100-days-of-the-georgian-dream-government-a-reality-check/>.

31. Ibid.

32. Ibid.

Georgia's SSR and beyond. Overall, we can draw a few lessons from how Georgian governments have utilized the HS components in the SSR and broad security strategy of Georgia. Georgian governments have successfully incorporated the aspects of HS in their strategies of conflict resolution, however, their practical implementation remains limited in scope. Democratic oversight of military, security and police forces has also increased recently. Overall, however, the "humanization" of Georgia's Security Sector remains a work in progress and social, economic, political and even physical security of country's citizens remains under threat.

Table 2: Utilization of HS components in Georgia's SSR

Types of Human Security	Best practices	Main challenges
State-centrism and human-centrism	The importance of individual rights and freedoms is acknowledged by all strategic documents; However, state-centrism has not been abandoned.	The presence of traditional threats (occupation, breakaway regions, wars, security accidents) prevents the shift from state-centric to human-centric thinking.
Personal and community security	Human Security - the key component of the Soft Power-based conflict resolution strategy; Utilization of healthcare and other social services to attract Abkhaz and Ossetian citizens; Housing for IDPs'.	Frequent security accidents; The absence of basic human rights for the local population including physical security; Inability of state to establish monopoly on violence in occupied zones.
Political security	Strong parliamentary oversight of military and security structures; Parliament has veto power in most military and security-related affairs (state of emergency and martial law, military missions, size of army).	Checks and balances under threat due to upcoming constitutional amendments; The inclusion of civil society actors in SSR-related legislative and implementation processes insufficient.
Environmental security	The world's highest mortality rate caused by air pollution.	Uncontrolled deregulation leads to increased air pollution and other environmental problems.
Economic and social security	The importance of socio-economic development for national security acknowledged in all strategic documents.	Low economic growth endangers the sustainability of currently developing "welfare state" that may potentially result in intense social cleavages and societal fragmentation.

Political Security as one of the Main Conditions for Human Security in Moldova

Ion Manole, Promo-LEX Association, Moldova

Introduction

As the term and concept of Human Security is relatively new and appeared at the beginning of 20th century's 1990s, i.e. when the Cold War ended, we'll start by highlighting that East European states adopted quickly and, often unconditionally, all international documents and instruments.

The new democracies – as they were often called – had a tougher task to adapt quickly and efficiently to the political and geopolitical changes on the European continent and to also ensure the classical security of the nations and territory under their administration.

Moldova, for instance – just like Georgia, Azerbaijan or Armenia – started state reconstruction in conditions of war. This has severely affected all democratic processes and the development of those countries' societies. These countries started off with a handicap of a determinant and decisive nature for the degree of democratization and development of the state, as a whole, and of the communities, in part.

While Central European countries (Poland, the Czech Republic, Slovakia, Hungary or the Baltic states), just liberated from dictatorship, launched the reform of the society, administrative systems and of their economies – the post-Soviet countries had to deal permanently with the fact that their interior affairs were barged in, with illegal external interventions, including military interventions. To keep its influence on the new states that just broke away from the soviet empire, the Kremlin authorities – having all the necessary tools left over from the USSR (diplomacy and experience in influencing and misinforming the civil society) – machinated various scenarios to destabilize from within, so as to get control over the new political elite. They won easily the information war from back then and

gained, in fact, a rich experience which later proved to be very useful in destabilising other states and misinforming other people. The international community and organizations did not want to condemn such behaviour outright. They might have believed that Russia too will grow democratic and modern before long. We can see thus that once a serious issue threatening regional security is tolerated, it can grow much worse in time, making the regime or government that flagrantly violate international law rules turn into a major risk for their own citizens and for the entire world.

Losing control over a part of its territory was a major challenge for the Republic of Moldova. We may conclude, after 25 years, that it was not able to deal with it. For this reason, not only the territory, but also the political elite and the society, in general, ended up on different sides, which undermined military, political and economic security. With nothing to guarantee military and political security, the risk of threats so strong as to seriously affect economic security, which in its turn reflects on human security, is huge.

Therefore, the concept of human security lies in changing the focus from state-security-related aspects to the security of the individual. State security turned slowly in a matter of secondary importance, with the security of the individual becoming a priority. In general, once the Cold War ended, individuals' perceptions about the types of threats they are exposed to changed gradually. Once the globalization phenomenon gained momentum, the security of the individual, i.e. human security, came to the fore.

It was starting from 1992 that the concept of human security saw the light, being initially elaborated on by UN institutions and following these objectives:

1. Security of the individual, not of the state;

2. Security of the community that the individual is part of;

3. Protecting individual's living environment against threats;

4. Ensuring minimum income;

5. Access to basic needs.

Given these circumstances, we may say that human security is about protecting all human beings against the worst and most widely spread threats, regardless of whether they are food-related, economic, ecologic, personal or political.

To ensure that human security is achieved more efficiently, two key courses of action where identified: a) development of protection strategies by the state, international agencies or non-governmental organizations defending different categories of persons against threats; b) development of empowerment strategies allowing people to strengthen their resistance in difficult conditions. The issue at hand is whether it is possible or not to guarantee a high, or even minimum, degree of human security**,** if state security is not guaranteed itself. A state that cannot guarantee neither military, nor political security is, probably, not able to guarantee efficiently human security. We want to highlight, in this context, that political security is very important to achieve a minimum degree of human security. This conclusion was arrived at because a society can respond to threats either by having the community itself take action or by attempting to transfer the issue to the political environment. Therefore, most of the times, the communities, society or the individuals need the politicians to get involved to legitimate and ensure a particular order in their activities, including by transferring or sharing responsibility.

Legal framework

The Constitution of the Republic of Moldova,[1] adopted on July 29, 1994, is the foundational legal document of Moldova, including the security zone. According to the Law on the Intelligence and Security Service,[2] the Intelligence and Security Service is a state organ specializing in ensuring state security, and the activity of this structure is under parliamentary control. It is important to emphasize here the basic principles of the Intelligence and Security Service, including legality, respect for fundamental human rights and freedoms, humanism, and non-partisanship. According to Law 753 on the Service's activity from 23.12.1999, article 4, paragraph 1, it ensures respect for human rights and freedoms and does not allow the limitation of human rights and freedoms, excluding cases covered by the constitution or other legislative acts.

Another relevant law in this area is the Law on State Security, adopted 30.10.1995,[3] which stipulates that state security is an integral part of national security. By state security the Law means the protection of the country's sovereignty, independence and territorial integrity; of its constitutional regime; of its economic, technical-scientific and defensive potential; and of the legitimate rights and freedoms of the people to be protected against subversive or intelligence activity by foreign special services and organizations and against criminal activities by groups or individuals.

Neither Law 112 from 22.05.2008 for the approval of the Concept of National Security for the Republic of Moldova[4] nor the National Security Strategy of the Republic of Moldova[5] shifts the emphasis from state security to human security.

According to the relevant legal acts, emphasis is placed on state security. Although human security is not excluded, it is identified with general guarantees about respecting fundamental human rights and freedoms. However, due to the fact that a foreign military is present on national territory, a frozen conflict remains unresolved, and other factors deriving from these major problems, we are facing a vicious cycle. These factors do not contribute to economic and social development. Therefore, in the absence of these guarantees,

1. http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311496.

2. http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311721.

3. http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311700.

4. http://lex.justice.md/md/328010.

5. http://lex.justice.md/md/340510.

Moldova remains vulnerable from an economic and social perspective — aspects that are priorities for human security.

The current situation of the country in the security field

Any society tries to ensure its security as this is one of the key-conditions for development. The society is, in fact, a human entity created out of people and groups of people who share a set of features (race, ethnicity, history) living together and associating with one another, and sharing feelings like those related to identity and symbols.

There is also the term of societal security, and a society, as a rule, feels threatened when it believes it is exposed to identity-related risks. Living in the ex-soviet space and having researched human security aspects, including the security of the individuals in a society, we cannot disregard the fact that the constant threats to new states were, for the most part, related to identity. Identity polemics in Moldova were underlain by socio-political destabilization, and they never stopped during the 25 years of independence. On the contrary, there are some political forces that, time and again, reawaken and exploit them quite thoroughly to draw attention away from the issues in the society, splitting and antagonizing it in this way. In such conditions, the individuals – members of the society – are dragged into these endless and useless arguments, and do not pay attention to identifying certain risks to the security of the state or to human security. However, the community in such states and societies has little room to develop security strategies, which makes them vulnerable to the threats coming not only from outside, but form inside too. This state of affairs is particularly typical of the states that are not in control of their entire territory. Moreover, the risks that Moldova is exposed to are not only of non-military nature as there is a foreign army staying on its territory – an illegal military entity and peacekeeping troops (that do not have an international mandate either, as they consist of representatives of the belligerent parties).

Thus, we go back to the issue of a state's actual capacity to ensure and guarantee human security when state security itself is vulnerable. But this is virtually impossible, and the Republic of Moldova is an example that confirms it. Politics play a key role in settling this issue because political security is one of the main aspects that can contribute to ensuring a satisfactory level of human security.

Once independence was achieved, the Moldovan political class did not undergo any polishing and, therefore, most of the former soviet political elite kept, or recovered very quickly, the control on administrative institutions. Therefore, this political class was mostly concerned with keeping its control and influence in the society rather than with reforming state institutions and developing sustainable development strategies to ensure that the country and its citizens can enjoy a high degree of security.

Without such reforms, indispensable for sustainable development, and without long-term strategies – a number of phenomena developed, which made the active and educated population leave the Republic of Moldova. The massive population exodus phenomenon represented, in fact, for a period of time, a huge opportunity for the development of the country and of the society. The remittances played a major role in the survival of the national economy and accounted for a big and constant GDP share[6]. Thus, given that the citizens were providing for a big amount of financial resources and were willing to return to Moldova both with the money earned and the gained experience, the political class had a relatively easy or rather simplified task to ensure that the country develops. Unfortunately, however, the political elite was not able to create and provide a favourable environment to attract investments and ensure economic growth, which – in their turn

---

6.   http://moldnova.eu/ro/infografic-evolutia-remitentelor-2000-2016-economia-pierde-un-pilon-important-12668.html.

– would have established favourable conditions for human security.

As many as 25 years away since independence was achieved, the aforementioned issues, the territorial division and the split society, but also political instability – all of these, in their turn, affecting quickly and severely the standards of living – led to the fact that the Republic of Moldova is turning from one of the most populated countries in the region into a country where the massive out-migration phenomenon reached alarming proportions. For this reason, we will stay focused on human security aspects, addressing them via a detailed approach and analysis of political security. Without a firm and certain political security, talking about a minim level of human security would become irrelevant, as the politicians are the ones that can and must do something about the efficient prevention of any destabilisation that could become a serious threat to the security of individuals and about the creation of some conditions and efficient ways to protect and defend human rights. This was well noticed in our region, where political instability led to huge vulnerabilities not only in terms of non-military matters.

Political security relates to the organisational stability of states, government systems and ideologies that legitimate them. We could thus say that political security could mean protecting the already developed governing policy that is clearly oriented towards the development of the society. So, with regards to attacks on political security, we should clearly understand what we mean by it and what values are protected by such a type of security. According to some sources, political security means defence against any form of political repression[7]. There is another viewpoint according to which political security means stable decision-making and legal rules passed by political figures. The wide scope of political security covers governance activities, starting from voting and separation of powers in a state to the accountability of the electees and protection of

fundamental freedoms**,** and even to the stability of the government, including the sharing of advantages. According to the UN, one of the most important aspects of political security is that the population can live freely in a society that observes the fundamental human rights[8]. The report contained findings that the worst repressions and violations of human rights took place right during times of political instability and turmoil. However, looking at the experience of the countries in our region, we can see that political instability and turmoil are often caused, fed or encouraged from outside the country.

Way back in 1991, B. Buzan would say, referring strictly to political security, that 'Political threats target the organisational stability of a state. Their purpose can vary from making pressure on the government for it to adopt a particular policy – to overthrowing the government, inciting to secessionism and disorganisation of a country's political system so that it becomes weak in front of a military attack. The idea of a state, particularly when it comes to its national identity and ideology, as well as the institutions that illustrate it, are usually targeted by political threats. Since the state is essentially a political entity, the political threats are at least as frightful as the military ones. The weaker the state is, the more this is true.'[9] Therefore, the internal security of a state and, certainly, that of a society (community), is directly dependant on the state's ability to efficiently fulfil its role of guarantor of sovereignty and welfare and to prevent instability. National security cannot be supported in an impoverished and needy country[10]. Political security is thus in a tight relationship with economic security, while human security depends entirely on the extent to which political security and economic security are ensured, since an economically-weak state

7. See definition on: http://definitions.uslegal.com/p/political-security%20.

8. Human Development Report 1994, New York, Oxford University Press, 1994, p. 44.

9. Barry Buzan, People, States and Fear. An Agenda for International Security Studies in the Post-Cold War Era, Harvester Wheatsheaf, 1991.

10. D. Dolghin and others, „Riscuri şi ameninţări la adresa securităţii României, Actualitate şi perspective" [Risks and Threats to the Security of Romania. Topicality and Outlooks], National Defence University publishing house, 2004.

cannot be politically stable and, therefore, there is no genuine human security.

The political dimension of security relates to 'both the relationship between the state and its citizens, and the international relations of that state' (Sarcinski 2005). So, the political dimension can be analysed in two levels: internally – as good or bad governance, and externally – in relation to international security and international law (Sarcinski 2005)[11].

Current Challenges to Human Security

Scientific researchers took on the trend of highlighting that focusing on the security of a state is, under the current conditions, out of place, because as long as the individuals and the communities of that state are insecure – the state itself is fragile. We can only agree with this conclusion, as these two concepts are interdependent. One cannot guarantee the security of the individuals as long as the security of the state is fragile and we also understand that ensuring a state's security is not possible without guaranteeing and respecting the human dignity, human rights and human security of all those living on the territory of a state. This interdependence is topical and very relevant particularly for countries like the Republic of Moldova, which was not able to build a viable security system or ensure the security of its citizens, particularly because of not having control over a part of its territory and because illegal foreign military forces stay there. The case of the Republic of Moldova turns out to be very relevant particularly when analysing the events and the situation in eastern Ukraine, which is characterised by many elements typical of the scenario that the east of Moldova was involved in about 20 years ago. For the Republic of Moldova the Transnistrian conflict and the stagnating solutions meant to settle it, represent a substantial impediment and barrier to development. Moldova continues to be among those countries where investments into the econ-

omy are exposed to serious risks because it does not have control over a piece of territory, it does not have any customs control on an important segment of the state border, it has international obligations to defend efficiently the rights of those living on that territory that is out of the control of constitutional authorities and particularly because of the threats of military nature. Considering these aspects, it is practically impossible not to tackle the issue of the rule of law, which is certainly vital for the development of the society and for guaranteeing human security.

Another major challenge for human security in Moldova, which might well be the greatest and worst one, is migration. One thing ends up depending on another and the problems become more difficult to solve, as though caught in a vicious circle. Because of the economic, political and social risks and threats, an increasing number of citizens prefer to leave Moldova, which over the past few years has been losing population, social and healthcare services and provided few jobs. These conclusions were drawn following a survey conducted by the National Population and Development Commission, which assessed the demographic security index. According to the draft Security Concept – a document that is almost ready but its approval and implementation are delayed – the demographic issue is one of the most important and relevant when it comes to vulnerability. The authors of this document realised the need to ensure that the Republic of Moldova will works efficiently in this field, it is vital to implement a population policy, the objectives of which would be to stop demographic decline and the general population ageing process typical of the Moldovan society, and to reach a positive population increase rate in the future. Regretfully, the authorities ignore or delay the adoption of concrete urgent strategies or plans to stop this phenomenon, which is gaining momentum dramatically, primarily because a big share of the active and educated citizens – young people, highly qualified professionals – migrated out of the country, which has its toll on the development potential of the country. Therefore, the issues of ensuring and guaranteeing human security will become much

11. Nicoleta Lasan, Public Administration and Social Policy Magazine, No 4 (5 December 2010), p. 43.

more difficult to resolve. According to the World Bank report on poverty in the Republic of Moldova, Moldova is one of the poorest countries in Europe[12], struggling to progress. One can certainly say that poverty is what made people migrate, but now, because of the exodus, dealing with the current condition of the economy becomes even more difficult.

Political corruption, which flourished over the last 10 years, has been a constant challenge and threat to human security in Moldova for the past 25 years. The Moldovan political class was not and is still not concerned with solving the issues that the state and the society are facing. The political elite is practically involved in settling personal scores, in scandals or activities meant to protect their interests. The political parties – blinded by their desire to stay in power at any cost – do not know or respect the declared political doctrines and ideologies and machinate all kinds of scenarios that draw the attention away from the real issues. The phenomena of political corruption and protectionism, put together with flawed management at state administration level, reduced the trust of the population in the political class, in the rule of law and in the self-governance capacity. Even in such conditions, the current government develops rapidly contradictory regulations – often by violating procedures or ignoring the public opinion – while the true issues of the society are left unattended or are only tackled perfunctorily. Corruption and lack of reforms in justice, education, healthcare or administrative systems deprive the citizens of any guarantees of security.

Conclusions

Therefore, because of the dividing elements tackled in this piece of analysis, Moldova failed in promoting a national idea that would consolidate the society and bring all the categories of citizens together around shared values, regardless of their ethnicity, language, social or religious status. A national idea would also mitigate the risks and threats to human security because it would both explain and involve the entire society in the democratic process and in the governing of the country. In current situation, half of the population is geopolitically oriented to the west, while the other half – to the east, with the authorities and political forces not having the support of the entire society.

These circumstances, findings and analyses, which sometimes look apocalyptic, are hard to accept or comprehend, but only by tackling or discussing these serious matters can we identify ways to both solve them and prevent such phenomena and situations from happening in other countries where the conditions are similar. Moldova is no role-model when it comes to ensuring or guaranteeing human security, but it certainly could be taken as an example so as to prevent or stop certain trends in other countries.

To ensure human security in the Republic of Moldova, it is necessary to implement structural reforms as soon as possible, thus creating conditions of development. In fact, such reforms started when the European Union-Republic of Moldova Association Agreement was signed, and they need to be finalized to reform democratic institutions and to align the legislation and practices with European standards. These reforms and changes would allow for an increase in the standard of living and for better economic indicators, which would provide for the guarantees necessary for human security.

---

12.   http://documents.worldbank.org/curated/en/71586146798951
3808/Reducerea-s%C4%83r%C4%83ciei-%C5%9Fi-prosperitate-par-
tajate-%C3%AEn-Moldova-progrese-%C5%9Fi-perspective.

Rights and Security of a Person in Belarus

Andrei Porotnikov, Belarus Security Blog

Having regained its independence, Belarus had a relatively democratic political system during the period of 1992-1996. The constitutional referendum of November 1996 dealt a deathblow to it. Its results consolidated the actual absolute power of Aleksander Lukashenko. The leader of Belarus concentrated all state power in his hands, putting de facto the end to the system of separation of powers, although retaining it de jure[1].

Having come to power as the result of the only free presidential elections of 1994, A. Lukashenko faced some challenges, which demanded simultaneous reactive actions. The State of Belarus was in dysfunction. In the midst of economic hard times, there was the problem of criminalization, the process of merging of business, officials and organized crime was quite evident. Reduction in armed forces from 250 thousand in 1992 to about 100 thousand by the end of 1994 released tens of thousands of officers into "nowhere", many of which were battle-hardened. Some of them, unfortunately, descended to a life of crime. The Belarus army itself was struck by military hazing, which sometimes ranged up to open threats of violence and physical attack from soldiers towards officers, with the first refusing to follow the requirements of the statutes. All of this was complicated by the internal political struggle.

A. Lukashenko, riding to power on the wave of populism, continued to maintain the image of a people's president, a defender of a common person. The establishment of an absolute rule enabled to do away with organized crime quite quickly. A sudden disappearance of a number of active members of the organized criminal community of Belarus[2,3] contributed to the process. Officially, the state has nothing to do with it; however, the authorities do not deny the fact of extralegal executions. The crime rate, as well as combating political opposition, caused a rapid increase in the number of militia and secret service agencies. That allowed to employ a significant part of the officers selected for redundancy.

The situation was ambivalent: on the one hand, the development of the government apparatus promoted the increase in the level of security of a person; on the other hand, a person was deprived of political rights and freedoms.

Turning now to consideration of the situation with the security of a person in Belarus, we should point out three clusters of issues to be reviewed:

1. General-political context of the situation.

2. State of contingent of enforcement structures.

3. State of a person in terms of ensuring its safety.

The political situation in Belarus

According to the results of the elections to the National Assembly in 2004, no candidate from the democratic forces received a deputy's seat in the parliament. This situation continued until 2016, when the authorities de facto appointed one representative of the opposition forces to be a deputy. The Lower Chamber of the National Assembly has in total 110 members. At present, even a hypothetical possibility of peoples influence on policy in the sphere of ensuring national and public security has been lost. Actually, the institute of elections in Belarus is of a decorative

---

1. The Constitution of the Republic of Belarus of 1994 (as subsequently amended in view of the changes adopted at the Republican referendums dated November 24, 1996 and October 17, 2004), access point: http://pravo.by/pravovaya-informatsiya/normativnye-dokumenty/konstitutsiya-respubliki-belarus/.

2. President Lukashenko is not afraid of "law", access point: http://kommersant.ru/doc/289400.

3. Lukashenko admitted that in the 90-ies he used to order to shoot bandits on the Moscow-Brest road, access point: https://www.gazeta.ru/auto/news/2013/10/11/n_3246405.shtml.

nature, with the representative bodies, including the Parliament, performing only the function of legitimization of the will of A. Lukashenko and those officials appointed by him.

The existing security system in Belarus is based on the personal views of the country's leader. Its main objective is to preserve the existing political regime. This situation is hiding behind such euphemisms as "protection of constitutional order", "ensuring public order" or "maintaining social and political stability." In the mind of the Belarus leader, basic rights and freedoms of an individual must be limited to the provision of physical security and some set of purely social guarantees (access to education, health care, support in case of disability). Whereby the current authorities of Belarus do not recognize a citizen as a political subject.

The rule of law and the equality of citizens before law are proclaimed officially, while protection of the rights and freedoms of an individual is indicated as the primary task of the state (Article 2 and Section 2 of the Constitution of the Republic of Belarus). At the level of relations of individuals between themselves or with the lower state authorities this statement in most cases is observed. But only until the interests or needs of an individual contradict the interests of the state. In the form in which these interests are understood by the top political leaders of the country. Within the existing legal system of Belarus legal regulations and procedures are important, but not crucial.

The Belarus regime, not being economically and technologically self-sufficient, cannot completely ignore international norms and standards. And it is forced to partially simulate following them. And partially to follow. But only in those cases which do not endanger the invariability of the existing political system.

The practice of introduction of amendments to legislation in the area of national security as fait accompli deserves a special mentioning. It means some innovations are implemented in the everyday activities of law enforcement agencies first.

And often without any formalization, even in departmental acts. And then the corresponding changes are made to legislation. Belarus is not a legal state in the real sense of the word, that is why the practice of illegal actions is quite popular.

The Constitution containing a number of regulations which guarantee rights and freedoms of man and citizen, is only partly a document of direct effect. The practice of actions of Belarus authorities starts on the basis that with regard to rights and freedoms, the fundamental law is a declarative document. And with regard to the duties of a citizen towards the state, the Belarus regime treats it as a document of direct effect[4].

A wide range of repressive tools have been created in Belarus, and they are periodically put into action. It is worth mentioning that repressions are politically motivated and intend to intimidate political opponents of the regime, and not society as a whole.

The Belarus authoritative powers are characterized by the presence of the only monosubject – president A. Lukashenko. This has an impact on all spheres of socio-political life of the country. Including ensuring security. It should be borne in mind that not only and not so much the rules of formal legislation, as law enforcement practice and general political context of the situation make a difference in Belarus.

Situation inside the Belarus security sector agencies

During the last 22 years, legislation has been gradually expanding the powers of the power structures of the Republic of Belarus, which contingent has quite a wide range of rights and standard obligations: legitimacy, respect of the person's honour and dignity, humanism, rule of law, etc. *(further in the text in relation to the contingent of enforce-*

4. The Constitutional Court found no violations of law in the Decree "On Social Parasitism", access point: http://naviny.by/new/20170315/1489555204-konstitucionnyy-sud-ne-nashel-narusheniy-zakona-v-dekrete-o-tuneyadstve.

ment structures in Belarus, which has a military or special rank, we will use the term "employee").

The paradox of the current situation in Belarus is that persons engaged in the security procedures are much more restricted in their own rights than ordinary inhabitants. This is not about generally accepted restrictions associated with work activities in the national security system (for example, restriction on the right to strike and political activity). In practice, the Belarus law-enforcers are subject to obligations, which are in principle unlawful and have signs of violation of the fundamental rights of a man and of a citizen.

Security sector agencies traditionally suffer a shortage of personnel at lower positions. That carries an additional burden on existing personnel, which turns into the increase of working hours. However, overtime is often not compensated, the employees go to work after their daily duty, as there is no one to replace them, and the current volume of work does not allow for a proper rest. Direct management is reluctant to compensate overtime with free days, giving as a reason that the command subordinates took the oath and therefore must perform their duties in defiance of their personal time. It is a common practice to call the employees to their workplaces all of a sudden in their official rest days, recall them from vacation, and it is often not related to needs of the service. In fact, we are talking about forced labour, which is contrary to Articles 41 and 43 of the Constitution of Belarus.

The practice of disciplining of various kinds and deprivation of a bonus payment is worth a particular mentioning. Thus, awarding the management of units of law enforcement agencies by the results of a calendar year for saving budgetary resources is quite common in Belarus. Such saved funds are formed also at the expense of taking away a bonus from employees. And that, in its turn, encourages punishment even for minor offenses.

A separate issue is the culture of relationship between a commander and a subordinate. Boorish attitude to subordinates, their humiliation and insult are common practice. Often it happens in public in front of all the contingent of the unit.

Formally, disciplinary penalties and behaviour of an immediate commander may be appealed to military unit superiors. However, in practice such actions are actually useless: cancellation by military unit superiors of the decision of a lower commander, or more over, his punishment upon the complaint of the command subordinate, is seen as undermining the authority of the management hierarchy.

Compulsory subscription to institutional editions (where they exist) is violation of the rights of employees of law enforcement agencies. Moreover, these publications are often unreasonably expensive. To ensure that all the circulation of departmental publications is spread, the employees may be required to arrange the subscription of other persons to them, where such people may even not be employed by the system of law enforcement agencies: local authorities, petty offenders (minimum punishment in case of subscription).

Mandatory money collection for various kinds of events, regardless of whether they are of interest to the staff, are also common.

Officers of enforcement agencies are often forced to enter various pro-government NGOs.

A separate issue is the interaction of law enforcement agencies and the Orthodox Church. As a result, employees must often participate in the activities of a religious nature during their working hours, regardless of their wish, which is a direct violation of Article 9 of the Law "On the Status of Military Servicemen[5]". Moreover, Orthodox priests participate in military ceremonies. Recently the practice of involving Catholic priests has become popular as well. However, it is worth mentioning that the rate of churching in Belarus amounts to only 6%[6]. At the same time, the church is indepen-

---

5. The Law of Belarus "On the Status of Military Servicemen", access point: http://www.mil.by/ru/all_about/normative_base.

6. Religion in Belarus, access point: https://ru.wikipedia.org/wiki/Религия_в_Белоруссии.

dent of the state and the institute of chaplains neither exists nor is planned in Belarus.

It is worth pointing out, that the Belarus law enforcement agencies are noted with quite a high level of discipline, control and political loyalty to the leadership of the country. It would be impossible to achieve a high level of overall security in the country without that[7]. And controllability of law enforcement structures is ensured by an integrated control system.

There are several possibilities of monitoring the activities of law enforcement agencies and their staff. Baseline is control of direct supervisors. According to Military Regulations, a direct supervisor/commanding officer shall control and be responsible for strict compliance of his subordinates with the requirements of legislation, including in the field of protection of the rights and freedoms of an individual[8],[9]. In practice, however, this control is not always effective. Red tape in law enforcement agencies often leaves the direct supervisors no time to implement full control over the activities of their subordinates.

The second level of control is interdepartmental, which is carried out by the structures of a higher rank.

Further on, the activities of security agencies are controlled by their own internal security departments and by the KGB.

It is worth mentioning, that the above types of control are primarily aimed to combat and prevent offence against the interests of the service. They are also developed to ensure loyalty, dependence

and controllability of the law enforcement unit.

There is also a system of supervision by the public prosecutor. Which is largely of a bureaucratic nature, and is aimed to ensure the implementation of the targets of the law enforcement structures activity. Sometimes it acts as a response to the complaints or the facts of illegal activities of law enforcement officials, which got out. In practice, there is often a merge of public prosecution office and law enforcement agencies on a low level. And sometimes of local authorities and businesses, leading to covering each other's backs and actually harbouring negative side of things. One of recent examples is the situation in Gomel, where KGB officers, executive authorities and business merged[10]. As a result, KGB officers commissioned by merchants conducted illegal gathering of information and wiretapping of competitors negotiations.

The highest supervisory body is the President of the Republic of Belarus, or his authorized bodies, or the Government of Belarus, appointed by the President[11],[12],[13].

Belarus legislation provides for litigation of the decisions and actions of law enforcement agencies with respect to an individual or a legal entity. In practice, however, the percentage of settlement of grievances is not high; an unspoken presumption of good faith of the representatives of the state is in force.

The ideological apparatus, which is formed in all law enforcement agencies of Belarus, is also worth mentioning. Together with quasi-social structures, where participation of Belarus law-enforcers is mandatory, ideologues are shaping the system aimed to

---

7. We are on the list of the most secure countries in the world, access point: https://www.sb.by/articles/my-v-spiske-samykh-bezopasnykh-stran-mira.html.

8. Disciplinary Regulations of Law Enforcement Agencies of the Republic of Belarus, access point: http://www.pravo.by/pdf/2003-62/2003-62(004-011).pdf.

9. Decree of the President of the Republic of Belarus, dated June 26, 2001, No. 355 "On Approval of the Basic Military Regulations of the Armed Forces of the Republic of Belarus", access point: http://prokuratura.gov.by/sm.aspx?guid=90916.

10. The situation in the field of national security and defence (April 2014), access point: https://www.bsblog.info/polozhenie-v-oblasti-nacionalnoj-bezopasnosti-i-oborony-aprel-2014-goda.

11. The Law of Belarus "On State Security Bodies of the Republic of Belarus", access point: http://kgb.by/ru/zakon390-3.

12. The Law of Belarus "On Law Enforcement Agencies of the Republic of Belarus", access point: http://etalonline.by/?type=text&regnum=H10700263#load_text_none_1_.

13. The Law of Belarus "On the Armed Forces of the Republic of Belarus", access point: http://www.pravo.by/document/?guid=3871&p0=V19201904.

deal with not only indoctrination of personnel and its education in the spirit of loyalty to Belarus supervisors, but also with the control over personal life of employees of law enforcement agencies.

Security of a person

The Belarus authorities have at their disposal a vast range of repressive tools. It is worth emphasizing, however, that we do not mean repressions in general, but the repressions of politically active part of society. The system of security of Belarus is aimed primarily to ensure political security of the ruling regime.

Due to the lack of civilian democratic control, the activities of law enforcement structures are not transparent. There are pro-forma Public Councils at the law enforcement structures that actually represent a set of persons, who are absolutely loyal to the authorities, or even civil servants, whose main task is to create some semblance of democracy. Actually, it is a complete sham.

A large range of information relating to law enforcement agencies is not published under the Law "On State Secrets"[14].

Although law enforcement agencies guidance documents formally declare commitment to protection of fundamental rights and freedoms of an individual, in practice we encounter regular evidence of their oppression.

Thus, employees of law-enforcement agencies often operate under the formula "no one is above the law, but some have privileges." It means that in relation to persons, leading an anti-social lifestyle, the behaviour which is unacceptable in relation to socialized citizens is considered to be acceptable.

In Belarus they adopted a number of administrative and criminal statutory provisions that are

repressive against dissidents: Articles 358[1] "Intelligence activities", 361 "Calls for Actions Aimed to Cause Damage to the National Security of the Republic of Belarus", 369[1] "Discrediting the Republic of Belarus", 369[2] "Receiving Foreign Donations in Violation of the Legislation of the Republic of Belarus" of the Criminal Code; Articles 23.34 "Violation of Procedure for Organisation and Holding Mass Events", 22.9 "Violation of Legislation on Mass Media" of the Code of Administrative Offences.[15,16]

Another story is unjustified and disproportionate use of violence by law enforcement officers against participants and just random witnesses of political protests. In this case, law-enforcers have almost complete indulgence for violation of law. Though in some cases of excess use of force you can often achieve at least some satisfaction, if violence is used in connection with political activity, then the system of covering each other's backs comes into force. Criticism in relation to the activities of law-enforcers is met with accusations in an attempt to discredit the law enforcement structures with the aim to destabilize the political situation in the country.

At the same time, as it was mentioned above, general crime rate in Belarus is quite low. This is connected both with the development of the system of law enforcement agencies and their high efficiency, and rapid economic growth during the period of 2001-2013.

Moreover, the Belarus authorities have made considerable efforts to improve the image of the law enforcement structures of Belarus abroad. The country is an active participant in the global fight against organized crime. And as to fight against human trafficking – Belarus is on top of the list.

In addition, in recent years the Belarus law-enforcers have been putting considerable efforts to pre-

---

14. The Law of Belarus "On State Secrets", access point: http://kgb.by/ru/zakon170-3.

15. The Criminal Code of the Republic of Belarus, access point: http://etalonline.by/?type=text&regnum=HK9900275#load_text_none_1_.

16. Administrative Violations Code of the Republic of Belarus, access point: http://etalonline.by/?type=text&regnum=Hk0300194#load_text_none_1_.

vent domestic violence and protect children, combat cybercrime and illegal trafficking of synthetic drugs.

Conclusions

The situation concerning security of a person in Belarus is ambivalent. On the one hand, the existing system of law enforcement agencies effectively provides internal and external security. On the other hand, its priority is to ensure the integrity of the existing political regime. A low level of general crime rate became possible not least due to the long period of rapid economic growth and rising incomes[17].

The situation with security of a person in Belarus is characterized by the following features:

• the security system is not transparent and is absolutely beyond the control of the society;

• the democracy of the system has a declarative nature, that is often a sham or, at best, used in an extremely selective way;

• the rule of law and equality of citizens before law are proclaimed, but not fully implemented;

• the state deprives its citizens of the political subjectivity;

• employees of law enforcement structures are limited in their civil rights beyond the law, although this fact is not evident for the society;

• except for the restrictions as to political rights, the situation with security of a person in Belarus can be characterized as generally favourable.

---

17. Incomes of the Belarusians have set a new abysmal record. Is there a reason for panic?, access point: http://www.kp.by/daily/26621/3639603.

Assessing the Essential Elements for Democratic Control of Armed Forces in Lithuania

Grazvydas Jasutis, General Jonas Zemaitis
Military Academy of Lithuania

Introduction

An analysis of the baffling issues arising from the democratic control over military structure forms the basis of this chapter, with particular reference to legal and institutional arrangements in Lithuania. The "raison d'être" of the armed forces in contemporary democratic European States is paramount and justified by the need to protect and to ensure the security of the societies of the respective States from external threats, and – nowadays more than ever – to safeguard democratic values, the rule of law and the human rights and fundamental freedoms of all persons subject to that national jurisdiction[1]. The research objective of this chapter focuses on the democratic control over militaries in Lithuania where security situation fluctuates and becomes less predictable.

On 17 January 2017, the Parliament of the Republic of Lithuania adopted the National Security Strategy, which stipulates the vital and primary interests of national security, the key risk factors, dangers and threats posed to these interests, sets the priorities and long- and medium-term tasks of the development of the national security system and foreign, defence and domestic policies. According to the Article 8, in the current period the main threat for the security of the Republic of Lithuania is posed by aggressive actions of the Russian Federation violating the security architecture based on universal rules and principles of international law and peaceful co-

existence[2]. The question stands open whether new threat developments have an impact on civilian role and civilian control over militaries. Specifically, is it in line with the international community's thought and its broader democratic perception, which goes beyond military threats, arms control and disarmament, and incorporates commitments to human rights and democracy?

While civilian control of the military is a sine qua non condition for democracy, the degree and type of such control will vary according to the system of government, historical traditions and cultural values, and different perceptions of threat[3]. The topic has never grasped significant attention of the Lithuanian scholars and practitioners. Vaidotas Urbelis explored the democratization and integration processes in the Baltic States with some reference to Lithuania[4]. He mentioned that positive change was obvious in the establishment of civil control over defence policy in the Baltic States. Examples of illegal acts from the military sector, which could threaten the interests of the society or the State, have vanished due to firm control of the national defence system exercised by the political authorities. While particular incidents may still occur in future, it is likely that these will be isolated instances that can be handled on a

---

1. Report on the Democratic Control of the Armed Forces adopted by the Venice Commission at its 74th Plenary Session. Venice, 14-15 March 2008. Strasbourg, 23 April 2008 CDL-AD(2008)004 Study no. 389 /2006.

2. Aggression against the neighboring countries, annexation of Crimea, the concentration of modern military equipment of the Russian Federation, its large scale offensive capabilities and their exercises near the borders of the Republic of Lithuania and other states, especially in Kaliningrad Region (Karaliaučius), cause international tension and threaten world peace. Capacity of the Russian Federation to use military and economic, energy, information and other non-military measures in combination against the neighboring countries, ability to exploit and create internal problems of the states located in the Eastern neighborhood of the Republic of Lithuania as well as preparedness of the Russian Federation to use a nuclear weapon even against the states which do not possess it is a challenge to the security of the Republic of Lithuania and the whole Euro-Atlantic community. National Security Strategy of the Republic of Lithuania. Resolution No XIII-202 of the Seimas of the Republic of Lithuania of 17 January 2017.

3. Report on the Democratic Control of the Armed Forces adopted by the Venice Commission at its 74th Plenary Session. Venice, 14-15 March 2008. Strasbourg, 23 April 2008 CDL-AD(2008)004 Study no. 389 /2006.

4. Vaidotas Urbelis, "Democratization and integration: DCAF in the Baltic States"// Legal framing of the democratic control of armed forces and the security sector: norms and realities. Belgrad, 2001.

case-by-case basis. In his further study with Tomas Urbonas, he analyzed the development of democratic control over militaries. Authors argued that despite early problems, significant progress was made in the development of civilian and democratic control of the armed forces in Lithuania since independence.

In 1990-91, as part of its struggle for independence, Lithuania began establishing armed forces. In 1992-93, Lithuanians faced problems in this area because of the absence of a clear legal framework for civil-military relations and the economic problems facing the armed forces. Since 1994, Lithuania has put in place a clear legal framework for democratic control of its armed forces[5]. Significant insights can be found at the research of Kestutis Paulauskas and Algirdas Gricius, who explored the concept of democratic control over the Armed Forces in Lithuania[6]. The authors concluded that despite some unresolved issues, the civil democratic control over the military establishment has been successfully established in Lithuania. Certain unsettled issues of civil-military relations and insufficiently effective parliamentary oversight over the military structures remain a matter of further consolidation of the democratic political system and formation of civil society. However, these issues are inherent to most states and societies in transition. Grazina Miniotaite underlined in her research that the civil democratic control over the military was successfully established in Lithuania. However, recent documents are often characterized by attempts at reconciling the contradictory ideas of maintaining a sovereign nation state and seeking for a common space of security, which is indicative of a state in transition[7].

Karolius Liutkevicius prepared a study on parliamentary oversight towards the intelligence services[8].

This paper is divided into three parts. The first part is focused on theoretical framework and objectives of democratic control over militaries. The second part is devoted to the development of legal framework, and the third one centres on the parliamentary oversight in Lithuania. It came to the conclusion that Lithuania crafted advanced and living legal framework to place civilian control over militaries, which was well supported by internal and external factors.

The objectives of the democratic control over the military establishment

The civilian and military relations have been largely analyzed by scholars and practitioners and their dynamics remain multi-faceted. As Lary Diamond has underlined the control of the State and its key decisions and allocations lies, in fact as well as in constitutional theory, with elected officials (and not democratically unaccountable actors or foreign powers); in particular, the military is subordinated to the authority of elected civilian officials[9]. The countries, as especially those in transition, seek to find the most rational and balanced model to establish democratic control over the military establishment and intend to refer to some models that should fit them. Andrew Cottey, Tim Edmunds and Anthony Forster provided a common analytical framework to assess the progress made and problems faced by different Central and Eastern European countries in establishing democratic control over their armed forces. The common analytical framework argued that democratic control of armed forces involves three distinct but closely related elements: the non-involvement of the military in domestic

5. Tomas Urbonas and Vaidotas Urbelis, "The challenges of civil-military relations and democratic control of armed forces: the case of Lithuania" // Democratic control of the military in postcommunist Europe : guarding the guards. Houndmills: Palgrave, 2002

6. Kestutis Paulauskas and Algirdas Gricius. Democratic Control over Armed Forces in Lithuania. Connections. 2002.

7. Grazina Miniotaite. The Normative Construction of the Military in Lithuania Lithuanian Case PRIF- Research Paper No. I/14-2007.

8. National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies. Lithuania. Version of 6 October 2014. Lithuanian Social Research Centre. Institute for Ethnic Studies. Karolis Liutkevičius.

9. Larry Diamond, Developing Democracy toward Consolidation (Baltimore and London: The John Hopkins University Press, 1999), p. 11.

politics; democratic control of defence policy (in terms of force size and structure, defence spending and procurement); and democratic control of foreign policy (including decisions on the external use of force)[10]. DCAF indicated key principles that should be in place to regulate civil-military relations[11]:

1. The state is the only actor in society that has the legitimate monopoly of force; the security services are accountable to the legitimate democratic authorities;

2. The parliament is sovereign and holds the executive accountable for the development, implementation and review of the security and defence policy;

3. The parliament has a unique constitutional role in authorising defence and security expenditures;

4. The parliament plays a crucial role with regard to declaring and lifting a state of emergency or the state of war;

5. Principles of good governance and the rule of law apply to all branches of government, and therefore also to the security services;

6. Security sector personnel are individually accountable to judicial courts for violations of national and international laws (regarding civil or criminal misconduct);

7. Security sector organisations are politically neutral.

The fundamental principles mentioned above constitute credible platform for democratic control over militaries. Failed implementation or inability to employ them to full extent might have negative or even detrimental effects to further development of democracy and successful transition.

The development of legal framework for the democratic control over militaries in Lithuania

Following the thoughts of Vaidotas Urbelis and Tomas Urbonas, the concepts of civil-military relations and democratic control of the military that emerged as a consequence of political transformations in Lithuania in the 1990's are comprised of three principles[12]. First, subordination of the military to civilian authority by legal and institutional mechanisms. Second, the political neutrality of the military imposed by external limits and internalised through professional ethic. Third, non-interference of civilian authorities in the predefined military domain.

The build-up process of the Lithuanian Armed Forces was complicated and affected by various internal and external factors. After the collapse of the Soviet Union, Lithuania and the whole society searched for new democratic ways to consolidate the political system and to make it credible. The process of democratization is multi-faceted and included to some extent some interventions at the very beginning in the domain of civil-military relation. The Armed Forces (hereinafter referred as AF) were crafted from a scratch. In the early 90s the development process was rather chaotic with a single objective to build up some structures being able to slow down aggression deriving from the East. According to V.Urbelis, from 1990 to 1993 the development of defence structures proceeded in a somewhat confused manner, and the subordination of the military to civilian authority lacked appropriate over-

---

10. The framework suggests that a range of factors influence the prospects for democratic control of the armed forces in any given country: historical patterns of civil-military relations; the country's broad domestic political, economic and social context; the international context; domestic institutional factors (particularly, the constitutional, governmental and administrative arrangements relating to control of the armed forces); and issues of 'military culture' and military professionalism. Civil-Military Relations and Defence Planning: Challenges for Central and Eastern Europe in the New Era A. Cottey, T. Edmunds, A. Forster Working Paper 09/00.

11. Parliamentary oversight of the security sector: Principles, mechanisms and practices. IPU-DCAF handbook. Geneva, 2003.

12. Tomas Urbonas and Vaidotas Urbelis, "The challenges of civil-military relations and democratic control of armed forces: the case of Lithuania'//Democratic control of the military in post-communist Europe : guarding the guards. Houndmills: Palgrave, 2002.

sight mechanisms[13].

Three facts need to be explored in light of democratic control over military establishment, which include the adoption of the Constitution in 1992, the withdrawal of the Russian army and application for full fledged membership for NATO. The basic constitutional provisions on national defence (Chapter 13) outline the character of the civil-military relations[14]. According to Article 140, the State Defence Council, consisting of the President (Head of the Council), the Prime Minister, the Chairman of the Parliament, the Minister of National Defence, and the Commander of the Armed Forces, co-ordinates the main issues of the national defence. The Constitution establishes direct accountability of the Government, the Minister of National Defence and the Commander of AF to the Parliament for the management of the AF of Lithuania. The Parliament is also granted the right to impose martial law, to declare mobilizations, and to decide on the employment of the AF for the defence of state or for the implementation of international commitments (Article 142). The Constitution forbids the appointment of active servicemen as Minister of National Defence and names the President as the Supreme Commander of the armed forces[15]. These constitutional provisions constitute the legal basis for the application of the principle of civilian control over the AF.

As a matter of fact the Constitution enshrined fundamental principles in relation of democratic control over the military establishment. Nevertheless, experts claimed that the years

1992–1994 marked the 'transitional' phase of the Baltic States' civil-military relations, and were characterized by a period of economic and financial crises therefore Lithuania had an extremely limited legislative framework to support the establishment of democratic control over its AF[16]. Furthermore, Lithuanian political elite and newly create defence forces had to handle the presence of the Russian troops on the ground. A timetable for the withdrawal of the AF of the Russian Federation from the territory of Lithuania, with the deadline for the final withdrawal of the army being 31 August 1993, was signed on 8 September 1992. Later problems related to non-compliance with the timetable for the withdrawal of the Russian army and the suspension of the withdrawal, which was announced on several occasions, did not change the deadlines that had been set[17].

Political turbulences, economic uncertainties and limited funding overshadowed the real situation within the AF. Their popularity and credibility decreased and the implementation of the principles of democratic control of the militaries was lagging behind. The turning point in prompting the implementation and refinement process was caused by significant changes in the Lithuanian foreign and security policy. While at the beginning of 90s Lithuanian policy makers had placed neutrality as a primary choice of their foreign and security policy, in 1994 the situation changed. Immediately after the withdrawal of the Russians troops, on 5 October 1993 the political parties of Lithuania addressed the president regarding the integration of the Republic of Lithuania into NATO. And on 4 January 1994 the president sent a letter to NATO Secretary General Manfred Worner expressing the desire of Lithuania to become a NATO member. This move brought about significant changes in light of democratic control over militaries. Firstly, it indicated Lithuanian readiness to completely

---

13. There was also an insufficient or non-existent legal framework to support the reform process, and, perhaps more importantly, both the military and civilians lacked experience in constructing state defense policy. Political parties frequently clashed over fundamental principles of defense policy and were not able to provide clear guidelines for defense planning. Vaidotas Urbelis, "Democratization and integration: DCAF in the Baltic States" // Legal framing of the democratic control of armed forces and the security sector: norms and realities. Belgrad, 2001.

14. See more: Grazina Miniotaite. The Normative Construction of the Military in Lithuania Lithuanian Case PRIF- Research Paper No. I/14-2007.

15. Grazina Miniotaite. The Normative Construction of the Military in Lithuania Lithuanian Case PRIF- Research Paper No. I/14-2007.

16. Vaidotas Urbelis, "Democratization and integration: DCAF in the Baltic States" // Legal framing of the democratic control of armed forces and the security sector: norms and realities. Belgrad, 2001.

17. Freedom Day. Website of the Lithuanian Parliament. http://www3.lrs.lt/pls/inter/w5_show?p_r=9522&p_k=2.

Year	Document	Provisions
1996	The Basics of National Security of Lithuania	A section of the document is devoted to issues of "democratic control over the armed forces" (chapter 8) and is based on the relevant provisions in the Constitution. It is stressed that all decisions on defence policy and AF are to be made by the democratically elected civilian government. The document underwrites the publicity of decisions on defence policy and defence expenditure; it also establishes the main principles and procedures of the civilian control of AF. However, the document "failed to establish a clear definition of the parliamentary overview and provided only limited tools of accountability and control".
1998	Law on Organization of the National Defence and the Military Service	The law of 1998 sets forth the fundamentals of organization, command and control of the national defence system, and establishes the procedures for the implementation of military and civilian service within the national defence system. According to the law, the national defence system consists of 1) the Ministry of National Defence; 2) the AF and, in time of war, other armed forces: border police, special police units and citizens in organized resistance (guerrilla) units subordinate to the Commander of the Armed Forces; 3) the Lithuanian Military Academy, the Non-Commissioned Officer (NCO) School and other military schools; 4) other state institutions established by the Ministry of Defence or subordinate to the Minister of National Defence; 5) infrastructure assigned to National Defence and the enterprises established by the Ministry of National Defence. The Law prescribes that "the principle of democratic civilian control shall be applied to all institutions within the national defence system" (Art. 6). The document underwrites the requirement that Seimas determines the amount of funds to be allocated for the development of the AF, the acquisition of weapons and other support equipment.
2000/ 2004	Military Defence Strategy	It underlined that democratic control over the AF remained to be one of the four pillars of the Lithuanian defence policy. The process of formation of defence policy is the prerogative of civilians. The President of the Republic is the Supreme Commander of the State's AF. The chain of command of the military operations and other defence actions starts from the President of the Republic and, through the Minister of National Defence, passes to the Commander of the Armed Forces. The Commander of the AF is subordinated to the Minister of National Defence.
2002	National Security Strategy	Democratic control is of the main principles of the Lithuanian defence policy. The principle of democratic civilian control is well established. All the decisions on the defence policy of Lithuania and use of the AF are taken by the democratically elected civilian authorities.
2012/ 2016	Military Strategy	Democratic civilian control is fundamental principle in implementing military strategy, implying that democratically elected civilian authorities take decisions in relation to Lithuanian defence policy, enlargement of military capabilities and its usage.

change its orientation and move on towards the West. Secondly, it signalled commitment to implement NATO policy and values related to democratic control over militaries. The Parliament of Lithuania adopted new laws and regulations, which strengthened and embedded the concept of democratic control.

The wide spectrum of strategic documents and laws have created solid basis for civilian democratic control over the military establishment. Lithuanian membership at NATO has significantly contributed to the implementation of democratic control in line with mutually agreed principles and practice. To join the Alliance, nations are expected to respect the values of the North Atlantic Treaty, and to meet certain political, economic and military criteria, set out in the Alliance's 1995 Study on Enlargement. These criteria include a functioning democratic political system based on a market economy; fair treatment of minority populations; a commitment to resolve conflicts peacefully; an ability and willingness to make a military contribution to NATO operations; and a commitment to democratic civil-military relations and institutions[18]. Democratic political system and democratic control over militaries plays a significant role in the preparation process for membership. Lithuania fully complied with the requirements and this fact was legally established. The norms of civilian democratic controls are repeated even in the recent documents. For example, according to paragraph 5 of the 2016 approved Military Strategy, democratic civilian control remains fundamental principle in implementing military strategy, implying that democratically elected civilian authorities take decisions in relation to Lithuanian defence policy, enlargement of military capabilities and its usage.

The role of parliamentary oversight in Lithuania

As already mentioned, the Parliament plays a crucial role in establishing civilian control over militaries through holding the executive ac-

countable for the development, implementation and review of the security and defence policy, authorising defence and security expenditures, declaring and lifting a state of emergency or the state of war. In fulfilling the functions, the parliamentary oversight may deal with at least three issues[19]. Firstly, secrecy laws may hinder efforts to enhance transparency in the security sector. Especially in emerging democracies or conflict-torn countries, laws on secrecy may limit or jeopardise parliamentary oversight of the security sector. Secondly, the security sector is a highly complex field, in which parliaments have to oversee issues such as weapons procurement, arms control and the readiness/preparedness of military units. Not all parliamentarians have sufficient knowledge and expertise to deal with these issues in an effective manner. Nor may they have the time and opportunity to develop them, since their terms as parliamentarians are time-bound and access to expert resources within the country and abroad may be lacking. Thirdly, the emphasis on international security cooperation may affect the transparency and democratic legitimacy of a country's security policy, if it leads to parliament being left out of the process. It is therefore crucial that parliament should be able to provide input to, participate in debates and decisions in international arena.

The Parliament in Lithuania plays an important role in controlling the military[20]. Parliamentarians approve the budget, establish the legal basis for national defence, determine the level of AF, vote on appointment or dismissal of senior military officers, approve the policy guidelines and priorities. Acting on proposals made by the President of the Republic, they have a right to declare a state of war, issue mobilization and demobilization orders, determine AF availability for fulfilling

---

18. NATO Study on Enlargement 1995, www.nato.int.

19. Parliamentary oversight of the security sector: Principles, mechanisms and practices. IPU-DCAF handbook. Geneva, 2003.

20. Vaidotas Urbelis, "Democratization and integration: DCAF in the Baltic States" // Legal framing of the democratic control of armed forces and the security sector: norms and realities. Belgrad, 2001.

international obligations of the state.

However, this process continuously faces some issues. According to the study conducted by Kestutis Paulauskas and Algirdas Gricius, the Parliament lacked in relevant civilian expertise on military matters. Shortage of civilian expertise in its turn triggers other problems: lack of transparency in the procurement of weapons and ever-feasible corruption. The democratic control over the activities of other military structures, especially intelligence service, did not receive due consideration among the leading decision makers and member of parliament, posing some difficulties to the democratic political process[21]. Though their insights were revealed in 2002, some of them remain relevant and request further improvements. For example, the State Security Department is accountable to the Parliament of the Republic of Lithuania, as well as to the President of the Republic of Lithuania. The Second Investigation Department (military intelligence) is subordinated to the Minister of National Defence who is a civilian. Both the State Security Department and the Second Investigation Department are supervised by the Parliamentary Committee on National Security and Defence[22].

The Committee on National Security and Defence carries out parliamentary control of intelligence authorities, which includes determining whether the intelligence authorities carry out their activities in accordance with the laws of the Republic of Lithuania, examining complaints of persons regarding actions of intelligence authorities' officers, suggesting and preparing amendments to the legal acts regulating the activities of the intelligence authorities, as well as determining deficiencies in activities of the intelligences authorities and preparing recommendations for their elimination. The Committee has the right to receive intelligence authorities' reports, as well as oral and written explanations

from the heads and officers of intelligence authorities, however it does not have the power to carry out inspections and audits[23]. Intelligence services possesses exclusive rights to obtaining the information and their accountability always remains questionable and moves slightly beyond the parliamentary oversight. It would be very unlikely that the intelligence service could manipulate or misbehave nonetheless due to the nature and character of intelligence services such possibility might exist.

The second issue is related to procurement process in the military establishment. In summer 2016, a military procurement scandal took place in Lithuania. The public procurement office evaluated some contracts made by the Ministry of National Defence at the request of law enforcement authorities and found violations. President Dalia Grybauskaite said that it was "an open robbery of Lithuanian people" and urged Lithuanian Defence Minister Juozas Olekas to take personal responsibility[24]. She reminded that the country's defence ministry is responsible for the army's public procurement. Surprisingly the case surfaced in the wake of the Parliamentary elections and the social democrats lost it partly due to the military procurement scandal as they delegated the minister. This demonstrates that there is a room for improvement for parliamentary oversight though pro-active involvement of media and public opinion also played a role in invoking disciplinary and political sanctions to those guilty.

Conclusions

Lithuania crafted advanced and living legal framework to place civilian control over militaries, which was well supported by internal and external factors. The principles of democratic control en-

21. Kestutis Paulauskas and Algirdas Gricius. Democratic Control over Armed Forces in Lithuania. Connections. 2002.

22. The Law of the Republic of Lithuania on Intelligence, Article 21, 2012.

23. National intelligence authorities and surveillance in the EU: Fundamental rights safeguards and remedies. Lithuania. Version of 6 October 2014. Lithuanian Social Research Centre. Institute for Ethnic Studies. Karolis Liutkevičius.

24. Lithuanian defense officials shaken by suspicious public procurement. 31-08-2016 // http://m.apa.az/en/world-news/europe/lithuanian-defense-officials-shaken-by-suspicious-public-procurement.

shrined in strategic military documents and laws are constantly repeated demonstrating no lenience or flexibility to misbehaviour of those who might undermine the standards of civilian control. Even in the Military Strategy adopted in 2016 the democratic civilian control remained its fundamental implementing principle, implying that democratically elected civilian authorities take decisions in relation to Lithuanian defence policy, enlargement of military capabilities and its usage.

Though the democratic control over the military establishment has received little sustained scholarly attention in Lithuania in the recent years, their insights needed to be reassessed and reviewed. Their concerns were explicitly raised about the credibility of parliamentary oversight, which lacked in relevant civilian expertise on military matters leading to transparency issues in the procurement of weapons. Insufficient consideration towards the activities of intelligence services was among those pos-

ing some difficulties to the democratic political process.

It should be noted that the intelligence services are subordinated to the Committee of National Security and Defence that has pretty broad competence in the domain though it does not have the power to carry out inspections and audits. Furthermore, due to the nature and role of the intelligence services there is an existing possibility for slight misbehaviour though very unlikely in case of Lithuania.

The issue of military procurement was exemplified with the case surfaced in summer 2016, when the Ministry of Defence made some contracts violating the law. However, the president, media and public opinion invoked disciplinary and political sanctions to those guilty underlining that parliamentary oversight could be supplemented by other relevant instruments, not necessarily those set out in the law.

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 "[1]. 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.[2] 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[3]. 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[4].

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.[5] 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-

---

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

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.[6]

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[7].

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)[8].

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[9].

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: Ľupták, 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.[10]

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.

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;

---

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.

- 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.[11]

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.[12]

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.[13]

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.[14]

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.[15]

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[16] 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.[17]

---

16. Ibid.

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

About the authors

Maksym Khylko, 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

The Friedrich-Ebert-Stiftung, Kyiv Office

The Friedrich Ebert Stiftung is a political foundation with head office in Germany. Our activities focus on the core ideas and values of social democracy – freedom, justice and solidarity. Our International cooperation is facilitated by our network of offices in more than 100 countries to support a policy for peaceful cooperation and human rights, promote the establishment and consolidation of democratic, social and constitutional structures, including free trade unions and a strong civil society.

We are actively involved in promoting a social, democratic and competitive Europe in the European integration process. Established in 1996, our Kyiv office is leading a dialogue with Ukrainian partners in this spirit, including more general topics such as sustainable development and human security.