

INTERNATIONAL SECURITY

UDC: 327.84(497); 355.357(497)
Biblid 0543-3657, 65 (2014)
Vol. LXV, No. 1153–1154, pp. 140–157
Review Paper

Marina KOSTIĆ¹
Srđan PETKANIC², M.A.

(RE)ORGANIZATION OF THE MILITARY SECURITY AND INTELLIGENCE SECTOR OF WESTERN BALKAN STATES IN THE CONTEXT OF EUROPEAN AND EURO-ATLANTIC INTEGRATION

Abstract: The security and intelligence sector reform is part of the overall endeavours of the state to adapt itself to the new global security challenges, regional environment and needs of national security and economic strength of each country. In balancing between these three levels of determinants, the state adopts strategic, normative and organizational arrangements of the security and intelligence sector. In the Western Balkan region, this question is even more sensitive and important since the cooperation in the field of security and intelligence is the last indicator of the adaptation and stabilization of this region to the requirements of the European and Euro-Atlantic integration. The basis for cooperation is found primarily in global security threats such as terrorism, organized crime, failed states and proliferation of weapons of mass destruction. To better suit this purpose, the defence sector reform in the Western Balkans has taken place under the auspices of the NATO-sponsored defence reform groups and similar bodies. This is why the same organizational patterns of the military and intelligence sector in the region occurred. They will be presented in the form of an overview of the security and intelligence sector of the Western Balkan states. The

¹ Faculty of Business Studies and Law, Belgrade, marina.kostic@fbsp.edu.rs.

² Institute of European Studies, Belgrade, psergio1@yahoo.com.

This article is part of the work on the project 179014 of the Institute of European Studies, which is financed by the Ministry of Education, Science and Technological Development of the Republic of Serbia.

pattern has the form of establishing a single civilian, i.e. security and intelligence agency as an independent governmental body and a single military agency/service as an organizational part of the Ministry of Defence. The main issues to be examined in this paper deal with the question how these contemporary trends influence the military security and intelligence sector in Serbia and what might be the alternatives.

Key words: European and Euro-Atlantic integration, security sector reform, military intelligence and security services, Serbia, Western Balkan region.

Introduction

This article observes, explains and suggests possible future relations and models of military security and intelligence services in the Republic of Serbia by using the integration theory and comparative area study, while the region of Western Balkans is the basis and the Republic of Serbia is the special case of the research. The reasons for dealing with this theme are the importance of the topic and frequent announcements of the reorganization of the military security services in the process of security sector reform in Serbia. The aim of the research is to present a scientific description and classification and in some parts, a scientific explanation and prediction related to the future models of organization of military security and intelligence services.

In order to fulfil these objectives, the article deals with the contextual issue of the Western integration as part of the overall globalization process and the framework of the defence sector reform. It continues with explanation of determinants on the global, regional and national level that influence the organization of military security and intelligence sector and emphasizes the domination of those externally, globally and regionally related issues, which predominantly shape the states and their institutions in the context of globalization. In the third part, the article provides an overview of the security and intelligence sector in the Western Balkans states as the basis for conclusions about the trends in the organization of the military security and intelligence sector in the Western Balkans and the most possible scenario for Serbia. In order to give a proper understanding of the debate about the security and intelligence service organization the article deals with the arguments *pro et contra* single services.³ It should make us

³ To avoid the confusion in using the terms “single”, “security” and “intelligence” when we speak of the “single services” or “security and intelligence services/agencies” of the Western Balkans states, it should be emphasized that the term “single” refers to the combined internal, external, intelligence and counterintelligence component; the term “security” includes the internal, preventive and counterintelligence component of the services and the term “intelligence” refers, primarily, to its external (or foreign) component. In that sense, for example, the civilian Security Informative Agency of the Republic of Serbia is a “single agency”, since it comprises internal and external, counterintelligence and intelligence components.

aware of the advantages and shortcomings of both models - separated and single services. At the final part, on the basis of the conclusions from the previous parts the article tries to perceive the future model of relations among the military security and intelligence services in Serbia and provide some alternative models, without the intention to opt for any of them.

European and Euro-Atlantic integration processes as the context of defence sector reform in the Western Balkan states

Globalisation, seen as the process of growing interdependence and deeper integration in the world, influences the role of the states in the international society. They are not any more self-centred and self-help units, but the subjects involved in increasing cooperation and partnership relations within the frame of various regional and global integration processes. These processes tend to make states as similar as possible by providing the same standards and models of functioning of their institutions. In that sense, the enlargement of the existing international institutions – international organizations and regimes – whose net of partnership is almost global, influences the choices of states, especially the small ones. The North Atlantic Treaty Organization (NATO), the European Union (EU) and other Western-made international institutions, became considerably enlarged after the Cold War by including Eastern European states in their membership and many others in their partnership policy. By the enlargement strategies of these organizations a set of principles in the fields of politics, economy, institutional capacity and military operational capabilities for the states wishing to join them was established.

Integration processes, as part of the overall process of globalization, have kept on shaping the national interest, foreign, security and defence policies of the states involved. Within the European Union, it is expected from all member states to harmonize their legal systems and foreign policy decision with the EU common strategies, positions and actions. This is why all EU or NATO candidate states are largely urged to undertake reforms, including the security sector reform and adapt to the common standards and principles. In the defence area, this standardization process is conducted through the establishment of Defence Reform Groups and similar bodies as well as through various bilateral arrangements and assistance.

“Internationalization” of states does not only shape institutional and procedural components of national security architecture, but also the perception of foreign, security and defence priorities. It shapes the national strategies according to the new world agenda set by the main international organizations and states. It is commonly accepted in the security area, that this new agenda has shifted the perception of security challenges, risks and threats from primarily military to security ones like fight against terrorism, failed states, proliferation of weapons of mass destruction,

organized crime, civil wars, environmental changes, etc. Having in mind that defence policy, as part of broader security policy, should also serve in achieving the foreign policy ends, armed forces have changed their role in the new world environment according to the change of the foreign policy objectives. As former United Nations Secretary General Boutros Boutros-Ghali stated in his famous report *Agenda for peace* in 1992: “Armed forces would mainly be used as an instrument of collective security” (Bredow, 2000, p. 45). This is very much true if we look at the objectives of the armed forces reform of Eastern European countries after the Cold War. Namely, since the participation of these forces in the new NATO- or EU-led military interventions and missions was highly expected, achieving interoperability and military professionalization became a top priority for their defence reform.

Changed perception of the role of armed forces has also led to the shift of legitimacy in using military power. In the security environment where aggression is no more seen as the main security threat armed forces “are losing their technical and moral justification to promote national interests and to project national power into the international system” (Bredow, 2000, p. 50). Also, it is officially considered illegal for intelligence services to plan or carry out secret operations abroad for the purpose of achieving foreign policy objectives or protecting the country’s national interests (Milosavljević and Petrović, 2009, p. 209). Nevertheless, the use of force after the Cold War and various scandals of interception of telecommunications and tapping have proven that this has applied to everyone else but the leading state and its close allies.

The Western Balkan region has been part of the European and Euro-Atlantic integration processes, although it was struck by the recent civil war and state fragmentation. The states in this region needed to adapt quickly to the new global requirements and after the process of disintegration, entered the process of re-integration.

In this context, it is expected that the arrangement of the military security and intelligence sector follows the changes of the purpose of national armed forces and that it should be organized in accordance with the “collective security” demands and established models.

Determinants of military security and intelligence sector organization

In order to emphasize some of the most important determinants of the military security and intelligence sector we classify them on the global, regional and national level.

The first group of determinants, which are the result of the globalized context of the world politics, operate on the global level. It refers to the changed nature of security challenges, risks and threats after the Cold War, the process of globalization and complex interdependence. These determinants have led to the lesser

importance of traditional military threats and actors and increased influence of non-military security challenges, risks and threats and non-state actors (as the “producers” as well as “solvers” of contemporary security problems). For example, the main security threats listed in the European security strategy (2003) and later in the Report on implementation of European Security Strategy (2008) are terrorism, proliferation of weapons of mass destruction, regional conflicts, failed states and organized crime. In order to counter these threats states need strong security services and a comprehensive approach. Globalization, also, led to the lesser importance of geographical distance and changes of the purpose and use of armed forces, as it was mentioned previously.

Fading of the division of threats to military and non-military, the shift of legitimacy of using armed forces as well as the need for a comprehensive approach to the new security challenges, risks and threats may be the reasons for consideration of models of organization of security and intelligence sector in the way that combines security and intelligence components into one civilian and one military security and intelligence agency/service, or even military and civilian components into one intelligence and one security agency taking into consideration the military component within them. For example, in the contemporary context, some small country could rationalize its security intelligence sector by establishing: (1) Civil security and intelligence agency and military security and intelligence agency (or service within the Ministry of Defence) or (2) National Intelligence Agency and National Security (Counter-Intelligence) Agency, both combining the military and civilian component in the same nature of activity. The first model is the pattern in the Western Balkan states. Beyond any doubt, the presented models are, proposed only to small and economically weak countries which, at best, could rely on the defence protectionism of much stronger allies and organizations.

At the regional level, determinants of the security and intelligence sector include the nature of security environment, conflict potential of the specific region and the role of international organisations in the given region. The increasing integrative processes and cooperation in the security and defence field has led to the increase of multilateral intelligence cooperation and standardization of procedures in their activities. Standardization of intelligence procedures and systems of communication are the precondition for intelligence support of multinational operations (Lazović, 2013, p. 52-53). International standards, created by international organizations such as the EU or NATO, are promoted through multilateral and bilateral assistance and arrangements and regional initiatives and organizations and adopted through bilateral and multilateral agreements and intelligence sharing.

The indicators of this process could be found in the establishment of cooperation among the Western Balkan states in the fields of security, defence and intelligence. As the facilitators of this process, the Western sponsors have created

several regional initiatives and organizations such as the Regional Cooperation Council (RCC), South-East Europe Defence Ministerial (SEDM), Forum for Western Balkan Defence Cooperation-SEEC, RACVIAC- Centre for Security Cooperation etc. Initiatives taken in the RCC, for example, include the South East European Military Intelligence Chiefs (SEEMIC) Forum and South East European Counter-Intelligence Chiefs Forum (SEECIC). The Republic of Serbia participates in the SEEMIC and its fifth conference was held in September 2013 in Split, Croatia. In 2010, in Belgrade, at the initiative of the RCC and under the patronage of the Director of the European Union Military Intelligence Staff, the chiefs of nine military intelligence agencies from South East Europe (SEE) signed the statement on cooperation and improving intelligence sharing among them. This cooperation cannot be separated from the EU enlargement process and mutual response to the European and global security challenges, where the region of the Western Balkan has a special place because of its geopolitical position.

Since all states of the Western Balkan region are members or partner countries of the NATO and members or associate members of the EU, they are organised in line the recommendations and standards of these organizations in order to become liberal-democratic states embedded in the new world order paradigm. The paradigm of liberal order and its creation has led to the formation of the so called “policy transfer mechanisms”. They include the transfer of characteristics, shared norms and values, standards and prescriptive solutions to many problems from the Transatlantic Alliance to the states in transition (Forester, 2002, p. 27). For example, the reform of the security and intelligence sector in Serbia is carried out by the Intelligence and Security System Reform Team, which is part of the larger Defence System Reform Team of the Ministry of Defence and the Serbian Armed Forces. This team works within the framework of the Serbia-NATO Defence Reform Group (Kovač, 2007, p. 81-82). It is officially stated that: “The group was jointly established in February 2006 to provide advice and assistance to the Serbian authorities on reform and modernisation of Serbia’s armed forces, and to build a modern, affordable, and democratically-controlled defence structure” (NATO). This Group has participated in the creation of the strategic and doctrinal documents and will probably be the main protagonist of the future creation of the single Law on Security and Intelligence Services of Serbia, which is expected to be adopted in the years to come. In Bosnia and Herzegovina, the defence reform is carried out by the Defence Reform Commission where the NATO military headquarters in Sarajevo have a leading role. These examples provide the reason to consider the NATO the leading creator of standards in the field of defence, security and security and intelligence system in the Western Balkan region. According to the diffusion theories, the same centre of influence provides the same model of solutions which can be applied to the organization of the military security intelligence sector. The proclaimed purpose of the policy transfer and cooperation is the restoration of trust and breaking down the barriers

between former enemies in the Western Balkans and the creation of democratic states which could serve as part of the collective security efforts.

The last group of determinants, which is at the national level, comprises the size of the state, strength of the national economy, national security challenges, risks and threats and the state's own experiences in this field. The perception of these determinants largely depends on the state's national foreign policy objectives. Determinants on the national level should influence the prioritisation of security challenges, risks and threats, the ways and possibilities of collecting data and the choice of security strategies. For small and economically undeveloped states, it is recommended to have single services (Laml-Novák, 2003). In that case, the negative aspects of single services should be taken into consideration. Almost all states of the Western Balkan region have the model of single, security and intelligence, civilian agencies and military services.

As far as national security challenges are concerned, the National Security Strategy and the National Defence Strategy of the Republic of Serbia (2009) define as the main security and defence threats the unlawful unilateral declaration of independence of Kosovo, separatist aspirations of some ethnic and religious groups, armed rebellion and terrorism. These Strategies consider aggression "unlikely", which points to the predominance of the civil components of national security. The Croatian National Defence Strategy (2002) states that the conventional military threats as the dominant source of insecurity in the Europe of the Cold War, lost its primacy, so greater emphasis is now put other sources of their emergence – social, economic, political, etc.

At the end, the nature and experiences of creation of single civilian services in the states of the Western Balkan region should be also taken into consideration when thinking about eventual reorganization of military security and intelligence services. The main dilemma and source of tensions could be in the experience that, in these single services, the security and counterintelligence component is dominant and that intelligence part is usually in the function of security one (Jevđović, 2009, p. 58). In Serbia, the tasks of the Security and Informative Agency are the protection of security of the Republic of Serbia and detection and prevention of activities aimed at undermining or disintegrating of the constitutional order of the Republic of Serbia; search, collection, processing and evaluation of security and intelligence data that are of concern for the Republic of Serbia's security and informing the relevant authorities of these data as well as other activities determined by the Law (Article 2, the Law on the Security Information Agency). The Croatian Law on the Security and Intelligence System (Art. 23, tab. 2) pays more attention to the intelligence component and defines the tasks of the Security Intelligence Agency as collection, analysis, processing and evaluation of data of political, economic, scientific-technological and security and of nature that refers to *foreign states* (italic by M.K.), organisations, political and commercial alliances, groups and persons,

especially those who indicate intentions, possibilities, covered plans and secret activities aimed at threatening national security and data that are important for national security of Republic of Croatia. These two examples point to the fact that in case of single services, the security and intelligence component should be clearly divided.

Given overview of the global, regional and national determinants of the security and intelligence sector in the Western Balkan region is not exhaustive and final, but tends to include those most influential. It has helped us perceive the net of external and internal pressures that affect the choices of states when it comes to institutional arrangements. In our analysis, the external, structural dimension prevails. According to our conclusion that global and regional determinants tend to create or impose the same pattern of the security and intelligence sector arrangement in the whole Western Balkan region it is clear that it is only a false dilemma whether the Serbian military services will stay separated or become unified.

Another argument for this conclusion comes from the description of the military security and intelligence sector of the Western Balkan states which is presented in the following section.

An overview of the security and intelligence sector organization in the Western Balkans

Under the influence of global and regional determinants, plenty of ex-Soviet bloc states as well as the Western Balkan states have implemented the model of single civilian and single military agency/service. In these cases, the division line is on the civil-military axis. Also, some of them have organized the functioning of the security and intelligence sector in the legally comprehensive way.

Security and intelligence services as parts of the security and intelligence sector fall under the strategic, normative and organizational reform frameworks of each country. Like other countries of the former Yugoslavia and Eastern Europe, the Republic of Serbia has, organized its services in accordance with the contemporary democratic principles and standards, since they have been a prerequisite for its multilateral integration. As we have already mentioned, regional cooperation in all fields is seen as a precondition for the proclaimed top priority – integration in the European Union.

The contemporary arrangement of the security and intelligence sector of the Republic of Serbia,⁴ including the military security and intelligence services, started with its independence and the new Constitution in 2006. The first, strategic

⁴ In Kosovo, there is the so-called Kosovo Intelligence Agency as an independent administrative unit covered by the Law on Kosovo Intelligence Agency (2008). Also, within the Ministry for the Kosovo Security Forces there is the Intelligence and Security Department (Qehaja, F. and Vrajolli M., 2012, p. 111).

phase of the security sector reform had been finished after the adoption of the National Security Strategy and Defence Strategy in 2009. The second phase started with the creation of the normative framework and implementation of adopted laws related to this issue – the Law on Foundations for Regulations of Security Services in the Republic of Serbia (2007), the Law on the Security Information Agency (2002/2007) and the Law on the Military Security Agency and the Military Intelligence Agency (2009). Organisational reform of the Serbian security and intelligence sector, as the last and narrowest phase in this reform, is underway. In Serbia, there is one civilian single agency embracing an internal and external, intelligence and counter-intelligence component. What could be expected is the creation of the same model of military security and intelligence service, i.e. single service in the near future. This objective was already announced for the period from 2008 to 2010, but it has not yet been achieved. Anyway, mistakes made in the establishment of the civil security and intelligence agency (Bezbednostno-informativna agencija (BIA) – The Security Information Agency), like the unclear and insufficient differentiation of its functions, should be avoided (Petrović, 2012, p. 3).

The strategic framework of the Croatian security sector is defined by the National Security Strategy and National Defence Strategy adopted in 2002. The security and intelligence sector of the Republic of Croatia is covered by the Law on Security Intelligence System (2006). This Law provides for two security-intelligence services: the Security Intelligence Agency (SOA) and the Military Security Intelligence Agency (VSOA). As the result of the merger of the two previously mentioned agencies that have existed from 2002 – the Croatian Intelligence Agency and the Croatian Counter-intelligence Agency, SOA, has both intelligence and counter-intelligence tasks which they carry out in and out of the country. On the other hand, the previous Military Security Agency was renamed the Military Security Intelligence Agency, since it can operate abroad. Beside the establishment of these agencies, the Croatian Law on the Security and Intelligence System regulates oversight, control and coordination of security services, their organization and management, as well as, status, rights, duties and responsibilities and the ways of payments for the employees of the Agencies. It could be stated that, although run by one director, intelligence and counter-intelligence activities of the VSOA are clearly determined and defined.⁵ What is similar to Serbia is that,

⁵ “VSOA collects, analyses, processes and evaluates data on armed forces and defence systems of other states, external pressures which could influence the defence security, and on activities abroad that are directed to threatening the defence security of the country.” (Art. 24, tab. 2). “VSOA in the area of the Republic of Croatia collects, analyses, processes and evaluate data on intentions, possibilities and plans of certain persons, groups and organisations in the country which as their objective have the threat of defence capability of state, and take measures of detection, tracking and countering these activities.” (Art.24, tab.3), The Law on Security intelligence System of 2006, NN 79/06 i 105/06.

although being an organizational part of the Ministry of Defence, VSOA is called “agency” and not “service”. What is different is the number of laws that regulate this issue, since in Serbia there are three laws that regulate security and intelligence sector. It should be noticed that in February 2013, at the extraordinary session of the Serbian National Assembly, the adoption of a single law that would regulate the security and intelligence sector was announced. Also, at the same session, there were some voices that called for military security and intelligence services merger (National Assembly of the RS, 2013).

In Albania, the main security strategic documents are the National Security Strategy (2004) and the National Defence Strategy (2007). Two main security and intelligence services are the State Intelligence Service (SHISH) and the Military Intelligence Service (SHIU). They are covered by two separate laws – the Law on National Intelligence Service (1999) and the Law on the Military Intelligence Service (2003). Similarly to the Serbian and Croatian models, SHISH operates as an autonomous agency. On the other hand, the SHIU is part of the Ministry of Defence. Minister of Defence and Prime Minister have direct responsibility for the control of the SHIU. In the case of Albania, the dominance of global and regional determinants are proven by the fact that in October 1997, the United States Central Intelligence Agency sent a team of experts to assist the government in restructuring the National Informative Agency, the predecessor of SHISH, as well as in the processes of appointment and dismissal of the Directors of the two services.

Strategic documents of Bosnia and Herzegovina include the Security Policy (2006) and the Defence Policy (2008). It has, as the civilian agency, Intelligence and Security Agency which was established under the Law on Intelligence and Security Agency in 2004 as an independent administrative organization. Similarly to the previously mentioned states, B&H has the Department for Security and Counter-intelligence Affairs and the Department for Intelligence Affairs and Strategic Analysis within the Sector for Intelligence and Security Affairs of the Ministry of Defence.

The strategic framework of security sector in Montenegro includes the National Security Strategy and Defence Strategy, which were both adopted in 2008. In regard to the security and intelligence services, within the Ministry of Defence of Montenegro the Department for Military Intelligence and Security Activities operates as an independent organisational unit, which is defined by the Law on Defence. Also, as the civilian security service, there is the National Security Agency whose activities are regulated by a special law. In March 2014, the Government of Montenegro adopted the Draft Law on Foundations for Regulation of the Intelligence Security Sector of Montenegro.

In Macedonia, as the strategic document, there are National Security Strategy (2008) and Strategy of Defence (2010). As civilian services, Macedonia has the Intelligence Agency (IA), which is an independent intelligence service under

authority of the President and the Directorate for Security and Counter-intelligence (DBK) within the Ministry of Internal Affairs. As the military service, there is the Army Intelligence and Counter-Intelligence Unit within the Ministry of Defence. In case of Macedonia, the military service is single, but the civilian is divided along the intelligence-counter-intelligence axis, where the security and counter-intelligence component is within the framework of the Ministry of Internal Affairs. The work of the Intelligence Agency is defined by the Law on Intelligence Agency (1995). The Law on Interiors defines the work of DBK which carries out security and counter-intelligence tasks like prevention from espionage and counter-terrorism.

Some authors stress that all these services, which are similarly organized throughout the region, have the same characteristics - dominance of the security and counterintelligence component - and that intelligence work which should be dominant in the strategic level is almost invisible and in the function of the security component (Jevdžović, 2009, p. 58). Analogue to the examples from the region, it could be expected that the same model, i.e. military security and intelligence (or single) service, as part of the Ministry of Defence, is going to be established in Serbia. We have come to this conclusion without affirmation of the given pattern and only by following the trend established by the global and regional determinants in the Western Balkan region.

Nevertheless, it is desirable to estimate arguments for and against the security and intelligence services merger in order to examine possible consequences and alternatives to the established model.

Arguments pro et contra military security and intelligence services merger in Serbia

From 2002, the Law on Security Services of FR Yugoslavia had regulated the security and intelligence sector. It enabled the civilian control of the Federal Government of Yugoslavia over the military security and intelligence services, since they were removed from the General Staff and established as organizational units of the Federal Ministry of Defence. This Law established the Military Intelligence Service and the Military Service of Security. In the State Union of Serbia and Montenegro (2003-2006) military services existed as organisational units of the Ministry of Defence and, by the ministerial order from September 2003, they were renamed to the Military Intelligence Agency (VOA) and Military Security Agency (VBA). In this period, from 2003 to 2006, one of the biggest problems in the security and intelligence sector was the coordination and competitiveness of military and civilian security and intelligence services, since the military services operated at the federal level and were under control of the Federal Ministry of Defence, while the civilian services operated at the level of each member state of the State Union.

In 2006, with the dissolution of the State Union, VOA and VBA became directly subordinated to the Minister of Defence of the Republic of Serbia. Although the Law on Military Intelligence Agency and Military Security Agency from 2009 defined them as organizational units of the Ministry of Defence, they continued to be “agencies” and not military “services”.

According to the counter-intelligence nature of the Military Security Agency, the Law on Military Intelligence Agency and the Military Security Agency defines its objectives as security and counter-intelligence protection of the Ministry of Defence and Armed Forces of Serbia within which it performs general security, counter-intelligence and other duties and tasks of importance for the Republic of Serbia's defence (Article 5). On the other hand, the Military Intelligence Agency of Serbia performs intelligence tasks such as collection, analysis, evaluation, protection and delivery of data and information on potential and real dangers, activities, plans and intentions of foreign states and their armed forces, or international organisations, groups and persons (Article 24). Although the merger of these two services was announced for the period before 2010, it has not yet happened most of all because of the resistance of the services themselves, but, also, because of the strength of the arguments against the merger. Still, during the discussion on changes of the Law on VOA and VBA, in February 2013, dilemmas over this topic emerged (CEAS, 2013).

The arguments that are most frequently mentioned in favour of the creation of a single military, i.e. security and intelligence service are the size of the state and rationalization of the state budgetary costs. Besides, it is necessary to consider if the state in question is small or large, economically developed or undeveloped, with a defensive or offensive national strategy of security and defence. In the case of a small country with defensive strategy, the establishment of single civilian and military services is recommended (Laml-Novák, 2013). Also, the advantages of security and intelligence services could be as follows: better coordination of activities of services in the field, obtaining of uniform reports and a more efficient response to contemporary challenges, risks and threats (Petrović, 2009, p. 13.). Single services carry out intelligence and counter-intelligence tasks abroad as well as in the state, which gives them a full insight into the information they obtain. That creates a complete security and intelligence cycle and could provide an efficient response to the recognized security challenges, risks and threats.

On the other hand, the most frequent arguments against merger of security and intelligence services are the lack of competition and mutual control i.e. the non-existence of various sources of information as well as the different nature of activities, crafts and personnel which performs intelligence and counter-intelligence tasks. Methods and objectives of military intelligence and security services could be complementary, but it does not have to be the case. VOA, for example, carries out primarily foreign intelligence tasks and VBA covers the area

of state, performing security and counter-intelligence duties. The creation of a military security and intelligence service is, also a “political question whose implementation needs a lot of time” (CEAS, 2013).

According to the Ehrman categorization of intelligence services to external, internal and single, i.e. those which combine external and internal components, the strong argument against a single service is that, from the historical point of view, they existed primarily in totalitarian states and represented strong instruments of repression (Ehrman, 2009). According to this attitude, only in consolidated democracies with low level of security challenges, risks and threats, like Canada, single services can have a meaningful role, although even they realize the need for a strong foreign intelligence rather than a single one (Parkinson, 2008). Poland, for example, in 2006, despite the NATO objection and because of the large number of irregularities in work, abolished the previous Military Information Service and created two independent military services – the Military Counter-Intelligence Service and Military Intelligence Service. This is the example which quite opposite to the trends in the region of the Western Balkans.

Conclusion: propositions for further research

The research which has been carried out in this paper shows that the global and regional, i.e. external determinants prevail in determining which model of security and intelligence sector organization would be implemented. That is because the choice of the model depends on what security objectives should be fulfilled – national or hegemonic/international.

Types of services, i.e. models that can be established originate from the possible combinations of the civil-military and intelligence-counterintelligence components. All states of the Western Balkan region have applied the model that separates civilian and military agencies/services and combines the intelligence-counter-intelligence component. Civilian agencies have been founded as independent administrative units and military services as organizational parts of the Ministries of Defence, usually regulated by the Law on Defence. It should be expected that the same model would be implemented in Serbia, probably with the adoption of the single Law on Security and Intelligence System. It is also possible to maintain the *status quo*, where Serbia would maintain one civilian security and intelligence agency and two military, security and intelligence, services. That would create, for sure, the lowest political risk.

On the other hand, alternative models could combine other components depending on the security and intelligence determinants and arguments. Their relation can range from simple coordination to full integration. According to the EU aspirations of Serbia, it is desirable to have in mind the European intelligence structure that supports the Common Foreign and Security Policy, which embraces

the EU Intelligence Analysis Centre (EU INTCEN) and the EU Military Intelligence Directorate (EUMS INT DIR), which is part of the EU Military Staff. Both of them are parts of the European External Action Service (EEAS). These bodies gather intelligence and security information provided by the EU member states and have some of their own intelligence capacities. The civilian and military analyses and productions of EU INTCEN and EUMS INT DIR are pooled by the Single Intelligence Analysis Capacity (SIAC) in order to deliver single, all source, military-civilian analyses. In this case, the division of civilian and military intelligence units is preserved, but the single mechanism which combines their products emerged as the result of the EU's ambition to take a comprehensive approach to managing crisis – “essentially merging the civilian and military elements of its missions” (Fägersten, 2014, p. 97).

Being implemented on some particular states this could mean the creation of a single Foreign Intelligence Agency which would embrace civilian-military intelligence products, and the National Security Agency which would carry out civil-military security and counter-intelligence tasks. This model would combine civil-military components and preserve the division on intelligence and counter-intelligence tasks and internal-external areas of operation. This model could also be justified by negative arguments on intelligence-counter-intelligence merger and determinants of security and intelligence sector. In this case, resources and information would be gathered in activities of the same nature with clear distinction between intelligence and security/counter-intelligence tasks. The idea of the creation of a single Foreign Intelligence Agency is not new and was presented in the Democratic Left Alliance parliamentary election campaign in Poland in 2001 (Nowak, 2013). Ukraine, for example, established the Foreign Intelligence Service of Ukraine (FISU) as the main intelligence government body and the Security Service of Ukraine (SSU), which includes military counter-intelligence bodies, continuing to operate as the main state counter-intelligence government body. Both of them combine military and civilian personnel. It is interesting to know that at this moment, the head of the FISU is a military officer and the head of the SSU is a diplomat.

The model of creation of the Foreign Intelligence Agency and the National Security Agency comes, above all, from the global determinants of security and intelligence sector. A comprehensive approach to security, where military determinants do not prevail, requires overcoming of the division going along the military-civilian axis and specialization of activities going along the axis intelligence/counter-intelligence axis (if the rationalization is necessary). The danger of the absence of competition and mutual control of services could be overcome by strengthening of internal control. In this way, a country could get two strong agencies – intelligence and counter-intelligence – that would be directed not only to the protection of the Ministry of Defence and Armed Forces, but also to the whole country in all dimensions. This kind of changes would require a political decision,

consensus of all relevant actors, patience, as well as overcoming of particular interests and culture of military and civilian subjects. Anyway, the question of alternative models of a security and intelligence sector organization demands further research on theoretical and practical levels.

Reference list

- Bredow, W. von. (2000). Renationalization of military strategy? New challenges for the armed forces in changing global environment. In J. Kuhlmann and J. Callagan (Eds.). *Military and Society in 21st Century Europe – A Comparative Analysis* (pp. 45-53). Transaction Publisher, LIT, Hamburg.
- Centar za evroatlantske studije – CEAS. (2013). *Objedinjavanje obavestajnih i bezbednosnih službi? [The intelligence and security services merger?]*. Accessed Jun 1, 2013 from http://ceas-serbia.org/root/images/Objedinjavanje_obavestajnih_i_bezbednosnih_agencija.pdf
- Central Intelligence Agency. (2013). *The CIA World Factbook*. Accessed Jun 3, 2013 from <https://www.cia.gov/library/publications/the-world-factbook/index.html>.
- Ehrman, J. (2009). *Toward a Theory of CI*. CSI Publications 53 (2), August. Accessed August 15, 2013 from <https://www.cia.gov/library/center-for-the-study-of-intelligence/csi-publications/csi-studies/studies/vol53no2/toward-a-theory-of-ci.html>.
- Foreign Intelligence Service of Ukraine. Accessed May 14, 2014 from <http://www.szru.gov.ua>.
- Fägersten, B. (2014). European Intelligence Cooperation. In Isabelle Duyvesteyn, B. de Jong, J. van Reijn (Eds.). *The Future of Intelligence: Challenges in the 21st Century* (pp. 94-111). Rutledge.
- Forester, A. (2002). West Looking East: Civil-Military Relations Policy Transfer in Central and Eastern Europe. In H. Born, M. Caparini & P. Fluri (Eds.). *Security Sector Reform and Democracy in Transitional Societies* (pp.27-37). Nomos Verlagsgesellschaft, Baden-Baden.
- Jevdović, D. (2009). Po uzoru na JNA [Modelled on the Yugoslav National Army]. *Odbrana*, 97, 58-63.
- Kovač, S. (2007). Reforma obavestajno-bezbednosnih službi u Srbiji [Intelligence and security service reform in Serbia]. In Hadžić Miroslav (Ed.). *Zbornik radova sa međunarodne naučne konferencije „Reforma sektora bezbednosti u Srbiji – dostignuća i perspektive. Beograd”*, 30-31. Oktobar 2006. (str. 79-85). Beograd: Centar za civilno-vojne odnose.

- Laml-Novák. *Intelligence options for a small country*. CENAA. Accessed Jun 3, 2013 from <http://cenaa.org/analysis/intelligence-options-for-a-small-country/>.
- Lazović, R. R. (2013). Međunarodna obaveštajna saradnja [International intelligence cooperation]. *Vojno delo*, summer 2013, 33-56. Ministarstvo odbrane Republike Srbije.
- Milosavljevic, B., Petrovic, P. (2009). Security-Intelligence Services in the Republic of Serbia, in Hadžić, M. (Ed.). *2008 Yearbook of Security Sector Reform in Serbia* (pp. 208-235). Belgrade: Centre for Security Policy.
- North Atlantic Treaty Organization. (2013). *NATO's relations with Serbia*. Accessed September 3, 2013 from http://www.nato.int/cps/en/natolive/topics_50100.html.
- Nowak, R. *The system of Polish intelligence services after 1990*. Rieas. Accessed August 13, 2013 from www.rieas.gr.
- Parkinson, LtC. (2008). *Has the time arrived for a Canadian foreign intelligence service?* Canadian Military Journal 7(2), 15-22. Accessed August 15, 2013 from <http://www.journal.dnd.ca/vo7/no2/parkinson-eng.asp>.
- Petrović, P. (2012). *Nadzor službi bezbednosti na Zapadnom Balkanu: slučaj Srbija [Supervision of the security services in the Western Balkan: the case of Serbia]*. DCAF. Accessed May 30, 2013 from http://bezbednost.org/upload/document/nadzor_sluzbi_bezbednosti_na_zapadnom_balkanu_-_sl.pdf
- Petrović, P. (2009). Kritički osvrt na Zakon o Vojnoobaveštajnoj agenciji i Vojnoobaveštajnoj agenciji [A critical observation of the Law on the Military Security Agency and the Military Intelligence Agency]. *Bezbednost zapadnog Balkana*, 15, 11-21.
- Qehaja, F. and Vrajolli M. (2012). Kosovo. In F. Klopfer et al. (Eds.). *Almanac on Security Sector Oversight in the Western Balkans* (pp. 103-127). BCSP and DCAF, Belgrade.
- Regional Cooperation Council. (2010). *Nine South East European military intelligence chiefs sign cooperation statement in Belgrade today, under RCC auspices*. Accessed February 13, 2014 from <http://www.rcc.int/press/0/130/nine-south-east-european-military-intelligence-chiefs-sign-cooperation-statement-in-belgrade-today-under-rcc-auspices>.
- Security Service of Ukraine. Accessed May 15, 2014 from <http://www.ssu.gov.ua>
- Stockholm International Peace Research Institute. *The SIPRI Military Expenditure Database*. Accessed Jun 3, 2013 from <http://milexdata.sipri.org/>.

Strategic and Legal Documents:

- Albania: *On the organisation of the National Intelligence Service* (NIS), Law No. 7495, 1998, amended by the law Nr. 8479, 1999.
- Albania: *On the Military Intelligence Service*, Law No. 9074, 2003.

- Bosnia and Herzegovina: *Zakon o Obaveštajno-sigurnosnoj agenciji Bosne i Hercegovine* [*The Law on Intelligence – Security Agency of Bosnia and Herzegovina*], Official Gazette, 12/04.
- Bosnia and Herzegovina: *Zakon o odbrani* [*The Law on Defence*], Official Gazette, 88/05.
- Croatia: *Strategija nacionalne sigurnosti Republike Hrvatske* [*The National Security Strategy of the Republic of Croatia*], Official Gazette, 32/02.
- Croatia: *Strategija obrane Republike Hrvatske* [*The Defence Strategy of the Republic of Croatia*], Official Gazette, 33/02.
- Croatia: *Zakon o sigurnosno-obavještajnom sustavu Republike Hrvatske* [*The Law on Security and Intelligence System of the Republic of Croatia*], Official Gazette, 79/06 and 105/06.
- European Union: *A Secure Europe in a Better World – the European Security Strategy*, Brussels, 2003.
- European Union: *Report of the Implementation of the European Security Strategy: Providing Security in a Changing World*, Brussels, 2008.
- Law on Kosovo Intelligence Agency*, Kosovo Assembly, June 2008.
- Macedonia: *Zakon za odbrana* [*The Law on Defence*], Official Gazette, 42/2001.
- Macedonia: *Zakon za Agencija za razuznavanje* [*The Law on Intelligence Agency*], Official Gazette, 19/1995.
- Macedonia: *Zakon za Policija* [*The Law on Police*], Official Gazette, 114/2006.
- Montenegro: *Strategij aodbrane Crne Gore* [*The Defence Strategy of Montenegro*], Official Gazette, 79/08.
- Montenegro: *Zakon o agenciji za nacionalnu bezbjednost* [*The Law on National Security Agency*], Official Gazette, 28/05, 2005; 86/09, 2009 and 20/11, 2011.
- Serbia: *Zakon o osnovama uredjenja sluzbi bezbednosti* [*The Law on Foundations for Regulation of Security Services*], Sl. glasnik RS, 116/2007.
- Serbia: *Law on Security Informative Agency of 2002*. Sl. glasnik RS 42/2002 and 111/2009.
- Serbia: *Law on Military Intelligence Agency and Military Security Agency of 2009*. Sl. glasnik RS 88/2009 and 17/2013.
- Serbia: *Strategy of National Security 2009*. Sl. glasnik RS 88/2009.
- Serbia: *Transcripts from the Third extraordinary session of National Assembly of Republic of Serbia*, February 14, 2013.

Marina KOSTIĆ
Srđan PETKANIĆ, M.A.

(RE)ORGANIZACIJA VOJNOG BEZBEDNOSNO-OBAVEŠTAJNOG SEKTORA DRŽAVA ZAPADNOG BALKANA U KONTEKSTU EVROPSKIH I EVRO-ATLANTSКИH INTEGRACIJA

Abstract: Reforma bezbednosno-obaveštajnog sektora je deo ukupnih nastojanja država da se prilagode novim globalnim bezbednosnim izazovima, regionalnom okruženju i potrebama nacionalne bezbednosti, kao i svojoj ekonomskoj snazi. U balansiraju između ova tri nivoa determinanti, država usvaja strateške, normative i organizacione aranžmane bezbednosno-obaveštajnog sektora. U regionu Zapadnog Balkana ovo pitanje je još osetljivije i značajnije budući da je saradnja bezbednosno-obaveštajnih agencija/službi država regiona poslednji pokazatelj njegove adaptacije i stabilizacije u odnosu na zahteve evropskih i evro-atlantskih integracija. Osnov za saradnju se, pre svega, nalazi u borbi protiv globalnih bezbednosnih pretnji, kao što su terorizam, organizovani kriminal, „propale“ države ili širenje oružja za masovno uništenje. Kako bi na jedinstven način odgovorile na ove zahteve, reforma sektora odbrane u državama Zapadnog Balkana odvija se pod okriljem NATO sponzoriranih grupa za reformu odbrane i sličnih tela. To je jedan od razloga zbog kojeg je došlo do stvaranja istog obrasca vojnog obaveštajno-bezbednosnog sektora u regionu po kome je u državama ovog regiona stvarana jedna civilna bezbednosno-obaveštajna agencija, kao posebna organizacija Vlada ovih država, i jedna vojna bezbednosno-obaveštajna služba/agencija, koja se organizaciono nalazi unutar ministarstava odbrane ovih država. Prikaz ovog sektora država Zapadnog Balkana biće predstavljen u posebnom delu članka. Istraživački problem kojim se ovaj članak bavi je način na koji će navedeni trend u organizaciji vojnog bezbednosno-obaveštajnog sektora u državama Zapadnog Balkana uticati na Republiku Srbiju i moguće alternative takvom scenariju.

Ključne reči: Evropske i evro-atlantske integracije, reforma sektora bezbednosti, vojne bezbednosno-obaveštajne službe, Srbija, region Zapadnog Balkana.

Received: 8. 4. 2014,

Revised: 26. 5. 2014,

Accepted: 31. 5. 2014.