WESTERN BALKANS SECURITY OBSERVER

CAN SERBS AND ALBANIANS LIVE TOGETHER?

Privatization of security

Energy security

Contents

NORWEGIAN EMBASSY

NATO
OTAN

The Centre for Civil-Military Relations promotes the public and responsible participation of civil society in increasing the security of the citizens and state based on modern democratic principles, as well as security cooperation with neighbouring countries and Serbia's integration into the Euro-Atlantic community.

Belgrade School of Security Studies is a special division of the Centre for Civil-Military Relations set up to carry out systematic research and promote academic advancement of young researchers thus contributing to the development of security studies in Serbia.

Contact
Centre for Civil-Military Relations
Gundulićev venac 48
11000 Beograd
tel/fax 381(0)11-32 87 226
        381(0)11-32 87 334
www.ccmr-bg.org
office@ccmr-bg.org

Editor's word

I HAVE a great pleasure to introduce to you a novel and different, fourth issue of the journal Western Balkans Security Observer. The difference is due to at least three reasons. The first is that the journal now has a new visual identity. We have tried to strike a balance between strict professionalism, on the one hand, and the refreshing creativeness of our young researchers, on the other. The binoculars are there to clearly perceive and confront the key security issues of the region. Furthermore, the editorship has decided to have four annual editions of the journal, as of January 2007, instead of six printed so far. Another novelty is found in the challenging and hot topics addressed by this edition. We, first, have two texts analysing the regulations on the expanding private security sector in Serbia and the causes behind its growth. One of the related key questions we will be facing in the future is whether this phenomenon is part of the solution or else a part of the problem of security. Increasingly tense political relations between Russia and the EU due to gas and oil supplies were a good enough reason for us to probe into the energy security of Serbia. In addition to private and energy security, increasingly present in the academic and political debate is also the topic of using biometric technology in security management. This edition offers an article explaining the characteristic features of the Serbian debate on biometric personal identity cards. Along with several new topics, this edition also offers interesting views on some already broached issues. Thus, two articles deal with what could be done to improve the coexistence of Serbs and Albanians in the municipalities of Bujanovac, Preševo and Medveđa. Also, you could find everything you wanted to know about the policy of conditionality but did not know who to ask, in an article signed by a researcher of the Belgrade School of Security Studies. The third novelty is a column intended for reviews of websites and professional publications. Thus, this edition looks into one of the most important web portals addressing security. ■

Filip Ejdus

Can Serbs and Albanians live together?

Patrick Hondus

"All of this will vanish one day. Most probably we will see some more destruction and some more violence… But people will eventually realize that is in our interest to get together again. Not by a decree, as it was before, but because of the realisation that people cannot live segregated… They will get together again… that is natural."[1]

(Enver Petrovci)

NOTHING and no one can today refute the abysmal state of relations between Serbs and Albanians. This perceived animosity is well reported in the papers and in the news, is carefully examined by historians and political scientists, and is frequently revisited in political discourses. To argue differently would be one utopian venture. But this cannot be accepted. More so if one knows that Serbs and Albanians were not adversaries from the moment they met many hundreds years ago. Numerous accounts as distant as the medieval ages and as near as the late second half of the last century, suggest that these two communities enjoyed relatively harmonious relations. Serbs and Albanians interacted and intermarried with each other. These relations changed dramatically in the past one hundred and fifty years and it is symptomatic that they deteriorated with the emergence of nationalism as a new political ideology in Europe. These relations have never recovered since. And the consequence is today's Kosovo.

In this paper, arguments are presented against current divisions. The paper begins with an argument rejecting the "ancient hatred" rationale. In the second part, the paper takes a critical review of the use of national myths and interpretations of central historical events by local national elites. In the nineteenth and the early twentieth century, Serbs and Albanians were massively exposed to nationalist propaganda of local elites keen on restoring their nations and statehoods of the past. For that end, these elites

[1] Enver Petrovci, an acclaimed former Yugoslav actor of ethnic Albanian origin, in an interview for the United Nations Radio in Kosovo on the subject of the province's future: http://www.unmikonline.org/radio/scripts/English/april05/140405.htm (accessed on 1st April, 2006).

The author is independent researcher, London, UK

consciously ruined prospectives of good relations among local population of different faiths and ethnicities. In the third part, the paper assess the lack of democratic culture among present Serb and Albanian elites. The fall of communism was a momentous opportunity for the gradual settlement of any differences through the means of liberal democracy. Serbs and Albanians did embrace democracy, but mainly in declarative terms. Nationalistic agendas of the preceding century dominated the post-communist politics. And because nationalistic causes were given the priority, ethnocracies rather than democracies saw their establishment in the region.

Evidence of good relations between Serbs and Albanians

History of relations between Serbs and Albanians has not always been dismal. That this segment of history has been forgotten or disregarded by both groups is very much apparent today. The voluminous crimes committed by both sides, fairly recent by the time of their occurrence, have unsurprisingly overshadowed most distant memories and accounts of once good relations. But any argument that gives prominence to the idea of "ancient hatred" is unsustainable in the face of evidence suggesting better times. Challenging the perilous present may well resemble the mythical Sisyphus' hardship. However, one has to begin untangling largely fabricated historical accounts of the "set in stone" differences between Serbs and Albanians. There is a clear need to emphasise periods of history that have been deliberately suppressed by local nationalists.

To begin with, Horvat and Vickers in their writings talk about relatively harmonious and mutually beneficial relations between Serbs and Albanians in the medieval times. Horvat, for instance, describes how Serbian tsar Dusan cooperated with prominent Albanians during his conquest of what is presently Greece[2]. Albanians, in return for their loyalty and services, were given Greek farmlands and properties in Epirus and Thessaly by the tsar. Of greater importance are the alleged blood ties being formed at that time. One valiant assertion is that the mother of tsar Dusan was Albanian[3]. On the other hand, Skenderbeg, the legendary Albanian hero, is seemingly of an ethnically mixed background, with his mother reportedly being a Serb. One of his sons married Jerina, the daughter of Serbian despot Lazar Brankovic. Following the fall of Serbian state in 1459, Stefan Brankovic reportedly found sanctuary

[2] Branko Horvat, *Kosovsko Pitanje*, (Zagreb 1988), p. 84

[3] Ibid., p. 84

on the Skendberg's territory[4]. Prior to that, in the much celebrated Battle of Kosovo, Serbs and Albanians resisted the Ottoman invasion together[5]. That some attachment to this battle exists among Albanian can be confirmed by the largely forgotten custom among elderly Albanians and their forefathers of not undertaking any projects on Tuesday, the day of the Serbian defeat in Kosovo[6].

Reportedly, good relations between Serbs and Albanians continued in the aftermath of the Serbian defeat. Vickers writes that majority of Albanians in the region remained on good terms with local Serbs for some considerable time[7]. In addition, claims have been made that most of the borderland populations of Montenegro, Albania and Kosovo is of a mixed Albanian-Slavic origin. The Montenegrin clan of Kuci is an excellent example supporting such argument. The prominent leader of the clan, Marko Miljanov, believed that his clan was of a mixed Albanian-Slavic origin[8]. Moreover, in much later times, when a great deal of Albanians converted to Islam, numerous accounts by local and foreign travellers denote that some Muslim Albanian clans and families protected Serb Orthodox monasteries and graveyards from the local bandits and even from the ruling Turks[9]. And, a prominent Serbian social-democrat, Dimitrije Tucovic, held the view that Serbia and Montenegro were in the best position to forge exemplary relations with Albanians on the basis of numerous blood links among local tribes and ethnically mixed neighbourhoods[10]. Referring to more recent times, Dujizing argues that much of the Balkan populations are of mixed and diverse origin, and that Kosovo is no exception to that. It is evident, as he argues, that Kosovo's history has not been characterized only by conflict but by symbiosis and coexistence between Serbs and Albanians [11].

The Age of Nationalism

If cordial relations between Serbs and Albanians did exist in the past, at present, such relations are fictional. The paper maintains that the root of Serb-Albanian conflict is to be found in the ascending of modern European nationalisms. Interestingly, most national elites of the time did not perceive these mixtures as advantageous. On the contrary, as Dujizings argues, the centres of political and religious power had tried to eradicate these forms of ethno-religious mixture, in order to press for clear-cut identities[12].

[4] Ibid., p. 84

[5] Miranda Vickers, *Between Serb and Albanian-History of Kosovo*, (London, 1998), p. 13, Horvat, B., op.cit., p. 84

[6] Vickers, M., op. cit., p. 19

[7] Ibid, p. 24

[8] Rene Gremaux, "Politics of Ethnic Domination in the Land of the Living Past", in Ger Duijzings (ed.), *Kosovo-Kosova: Confrontation or Coexistence*, (Nijmegen, 1996), p. 16

[9] Ibid., p. 86

[10] *Srbija i Albanci: Pregled Politike Srbije Prema Albancima od 1878. do 1914. godine*, (Ljubljana, 1989), p. 12

[11] Ger Duijzings, "New myths are needed. Reconciliation in Kosovo as an intellectual challenge", paper presented at the workshop "*Post-Kosovo Balkans: Perspectives on Reconciliation*",SSEES/UCL, London, 18th March 2000, http://web.inter.nl.net/users/ger.duijzings/new-myths.htm (accessed on 5th April, 2006).

[12] Duijzings, G. (2000), op. cit

Of course, this is not to deny the existence of some previous forms of common identities. Religion rather than ethnicity played an outstanding role in the Ottoman lands in the formation of communities[13]. The fair point must be that the subsistence of religious animosity is indisputable. The religion was one important factor in setting the two communities apart. But was the religion only or the most significant one?

Miroslav Hroch once remarked that "when society fails, the nation appears as the ultimate guarantee"[14]. The nineteenth century was undoubtedly the period of an overwhelming Ottoman decay. In the apparent failure of an old order, as Patrick Geary observes, intellectuals and politicians embarked upon creating new nations, nations that they then projected into the distant past of the early Middle Ages[15]. In the words of Anthony Smith, the concept of nation cannot be sustained without suitable past and believable future, hence, for a convincing representation of a nation, a worthy and distinctive past, the co called "golden age", must be rediscovered and appropriated[16]. One function of this approach is to set the continuity between the generations. This particular rationale promotes that "we" are the descendants of the heroes and martyrs of the old age[17]. However, the complexity with this nationalistic philosophy begins when the rhetorical return in time gradually develops into open calls for a physical return to the "homeland"[18]. And given the progressively more ethno-linguistic character of nationalisms, the advocates of this political ideology would employ linguistics in order to locate "their" people, and archaeological tools to justify claims to territories inhabited by other ethnic or religious groups[19].

The point is that nationalists rely greatly on an extensive use of myths to cover up for inconsistencies in accounts that would otherwise inhibit the nationalist cause. George Schopflin eloquently explains that through myths elites effectively, and in much simpler terms, communicate with ordinary people[20]. In societies that are divided on ethnic and social grounds, myths can excellently be utilised for deepening these divisions. For instance, by using ethnicity as the major identifier in the myth, other ethnic groups can be excluded or be seen as objects against which mobilization is needed[21]. Vjekoslav Perica argues that myths are building blocks of nationhood for they primarily affect the present[22]. Myths offer good explanations for the present fate of a community by usually blaming others. Ironically, the actual threat in the myth may not exist, but if repeated enough many times, ordinary people will

13 Ger Duijzings, "Ethnic Umixing under the Aegis of the West: a Transnational Approach to the Breakup of Yugoslavia", *Royal Institute for Inter-Faith Studies*, (London, 2003), http://www.riifs.org/journal/essy_v5no2_Duijzings.htm (accessed on 5th April, 2006).

14 As cited in Hobsbawm, E., "Ethnicity and Nationalism in Europe Today", in Balakrishnam, G. (ed.), *Mapping the Nation*, (London, New York, 1996), p. 261

15 Patrick J. Geary, The Myths of Nations: the Medieval Origins of Europe, (New Jersey, 2002), p. 18

16 Anthony Smith, "The Golden Age and National Renewal", in Hosking, G. and Schoplfin, G. (ed.), *Myths and Nationhood*, (London, 1997), p. 36-37

17 Geary, J., P., p. 50

18 Ibid., p. 49

19 Geary, J., P., op. cit., p. 35

20 George Schopflin, "The Functions of Myth and a Taxonomy of Myths", in Hosking, G. and Schoplfin, G. (ed.), *Myths and Nationhood*, (London, 1997), p. 24

21 Ibid., p. 24

22 Vjekoslav Perica, "The Sanctification of Enmity: Churches and the Construction of Founding Myths of Serbia and Croatia", in Pal Kolsto (ed.), *Myths and Boundaries in South-Eastern Europe*, (London, 2005), p. 130, 132

endorse it [23]. For example, the myth of territory. This myth usually holds that there is a piece of land where the nation first discovered itself and saw its magnificent progress until "others" arrived[24]. If these "others" are current occupants of the land, the political mobilization for the "liberation" of that land is well justified in the eyes of myth-makers. Myths are twisted historical accounts and, as Ernest Renan famously remarked, to get one's history wrong is an essential part of the making of nation[25]. Having said that, some aspects of modern Serbian and Albanian nationalism can now be illustrated in these terms.

As the Ottoman order was slowly collapsing, both Serb and Albanian intellectuals were simultaneously embarking upon creation of their respective nations. If any religious grievances presented an issue in Serb-Albanian relations, they were reportedly pushed aside while struggles for national liberations were waged against the Ottomans[26]. Moreover, the League of Prizren, formed in 1878, was dominated by Albanian nationalists who rejected the calls of Albanian conservatives to form an Islamic state with other Balkan Muslims. Instead, they insisted on the idea of unification of Albanians of all faiths[27]. The League was in that sense reasonably secular[28]. In any event, both Albanians and Serbs dreamed about their own nation-state[29]. Both groups wanted Kosovo to be part of their future homeland. And since the nationalists needed to linguistically locate "their" people and through archaeology to justify the claims over certain territories, they faced one specific paradox in Kosovo. After hundreds of years of the Ottoman rule, there were many Serb monuments indicating the medieval Serbian presence, but fewer Serbian speaking inhabitants. As for the Albanians, hardly any material evidence suggested their earlier presence in the region, but this deficiency was compensated by the sheer number of Albanian speaking populace. Furthermore, the Serbs preserved the memory of their "golden age", to use Smith's wording, by remembering, largely through numerous epic songs, their fallen medieval state centred in Kosovo. And many Serbs of the nineteenth century regarded themselves to be decedents of the heroic King Lazar who died in the Kosovo Battle[30]. The Kosovo myth, cultivating the theme of Serbian suffering and victimization under Islam and urging Serbs to liberate the province, became the cornerstone of modern Serbian nationalism[31]. Albanian Muslims, on the other hand, could not possibly locate their "golden age" and instead they began cherishing the pre-Serbian epoch by tracing their

---

[23] Ibid., p. 27

[24] Ibid., p. 28

[25] As reported in Bojan Aleksov, "Adamant and Treachours: Serbian historians on religious conversions", Kolsto, P. (ed.), op. cit., p. 158

[26] Dusan Janjic, "Nacionalni Identitet, pokret i nacionalizam Srba i Albanaca", in *Sukob ili Dijalog: Srpsko-Albanski odnosi I integracija Balkana*, (Subotica, 1994), p. 118.

[27] Horvat, B., op. cit., p. 29

[28] This point is strongly contested by Marco Djogo, who insists that the Albanian national movement was not that anti-Ottoman after all. He argues that the movement still needs to explain for demands such as abolition of the right for Christians to bear arms, or a return to religious laws in Albanian districts and so on. He accuses Albanian historiography for suppressing this segment of the Albanian national movement, in Djogo, M., "National Truths and Disinformation in Albanian-Kosovar Historiography", Duijzings, G. (ed.) (1996), op. cit., p. 40

[29] "Just like we do not wish to be under the Turks, we are to oppose by all means any assimilation attempts by Slavs, Austrians or Greeks. We wish to be Albanians...", in Horvat, B., op. cit., p. 29

[30] Gremaux, R., op. cit., p. 21

[31] Dujizings, G. (2003), op. cit.

own roots in an earlier presence of Illyrians, Thracians and Dardanian tribes. They regarded Slavs as the late comers who occupied their ancient lands. This was their myth of territory. In addition, to demonstrate their medieval presence and the anti-Ottoman heritage, Albanians have been extensively celebrating Skenderbeg and his struggle against the expansionist Ottoman Empire[32].

Phenomenally, both nationalisms largely failed to pick upon elements of joint struggles and cooperation of the past. Instead, Serb nationalists extensively used the myth of religious conversions, in addition to that of territory, as an effective tool in erecting ethnic and religious barriers between Serbs and Albanians by presenting latter as Turks or even Serbs who were coercively converted to Islam[33]. On their behalf, many Albanians in Kosovo regarded Islam as the religion of free people, while Orthodox Christianity as that of slaves[34]. And yet, the dispute has ever been mainly territorial. But to acquire or preserve the disputed territory, both sides had to play on differences that existed among them. Religion happened to be one. When it became apparent that neither Serbs nor Albanians would settle their claims over Kosovo on terms acceptable to both sides[35], the two nationalisms were poised to clash. This clash, nevertheless, was not much different to that of Serbs and Bulgarians or Serbs and Croats.

The age of democracy and the return to old nationalisms

With the fall of communism, Serbs and Albanians, after having shared the common state for some time, never fully democratic or liberal, approached another momentous opportunity for resolving their national disputes. Democracy, being inclusive by its nature, and seeking political equality of all individuals within a society, in theory at least, had the potential to accommodate Serb and Albanian national interests. But, the opposite happened. Democracy was embraced by both leaderships on mainly declarative terms. In the Albanian case, as Skelzen Maliqi observes, the Rugova's movement was primarily all-Albanian, that is to say, the movement was formed on an ethnic principle[36]. Put it simply, Serbs and Albanians have recently caused many great troubles for each other for the reason that they have chosen the last century's nationalism, claiming territories on ethnic principle, to modern liberal democracy of our time. By choosing nationalism, they endangered democratisation and gravely inhibited the development of liberal,

[32] Gremaux, R., op. cit., p. 21

[33] Ibid., p. 177

[34] Vickers, M., op. cit. p. 25

[35] Janjic, D., op. cit., p. 120

[36] Skelzen Malici, *Kosova Separate Worlds*, (Pristina, 1998)

multiethnic and more progressive, consensus seeking civil society. The new wave of nationalism sidelined the democratic potential among Serbs and Albanians and led them to another tragic episode in their relations.

The instant counterargument by some scholars is that democracy and nationalism are not necessarily exclusive. Ghia Nodia, for example, reasons that all democratic movements were nationalist at some point. Besides, through communism, many states managed to demolish great deal of civil society, leaving nationalism as the major principle capable of holding the society together once the old system had collapsed[37]. Nodia mainly sees nationalism as a destructive force for communism and constructive for democracy[38]. Francis Fukuyama largely agrees with such view. He cites historical accounts indicating the democratic nature of early modern nationalisms and the role this ideology played in removing monarchical absolutism in much of Europe[39]. In his view, new nationalism has been nothing but an agent of liberation from communist dictatorship. Nationalism and democracy are two sides of the same coin, the reality being that national distinctions are still part of our world, making it difficult to imagine democracies existing outside the current national contexts[40]. Fukuyama concludes that democracy can coexist with nationalism but largely in racially and culturally homogeneous countries where the dominant culture is relatively secure[41]. On this last point, Donald Horowitz confirms that democracy progressed furthest in those East European countries that have had the fewest ethnic cleavages such as Czech Republic and Poland. In countries such as Yugoslavia or Slovakia, this progress was slower or absent[42]. The regrettable fact is that in multiethnic societies, during democratisation, the past often spoils much of the planned future. Different ethnicities that rally around nationalism seek collective rights on a given territory often resorting to myths of territory[43]. And again, the assertion is that in divided societies embarking upon democratisation, ethnic affiliations provide a sense of security, and inescapably shape party politics on ethnic terms[44]. Allegedly, little can be done to remedy this.

However, the problem with some of these arguments is that they neglect the destructive role of nationalism once the communist or any other autocratic regime is removed from power. If we are to follow the Fukuyama's logic, we can argue that all Yugoslav nationalisms were democratic in one way or another. For example, the Kosovo Serb nationalism in the mid eighties could have been democratic since it was aimed against Albanian communist domi-

[37] Ghia Nodia, "Nationalism and Democracy", in Larry Diamond, Marc F. Plattner (ed.), *Nationalism, Ethnic Conflict, and Democracy*, (London, 1994), p. 9

[38] Ibid., p. 19

[39] Francis Fukuyama, "Comments on Nationalism and Democracy", in Diamond, L., Plattner, F., M. (ed.), op. cit., p. 23

[40] Ibid., p. 24

[41] Ibid., p. 26

[42] Donald L. Horowtiz, "Democracy in Divided Societies", in Diamond, L., Plattner, F., M. (ed.), op. cit., p. 37

[43] Ibid., p. 40

[44] Ibid., p. 49

nation of the province. When Serbs assumed control over Kosovo, the subsequent nationalism of ethnic Albanians became democratic. And yet, neither of these two nationalisms produced any positive results, unless, the rule of Slobodan Milosevic or the current living conditions for the few remaining Serbs in Kosovo are to be branded as such. Put it simply, as Vesna Pesic soundly observes, nationalisms that emerged following the break up of Yugoslavia are fundamentally undemocratic. They have produced old totalitarian structures in the post-communist societies, introducing elements of fascism in regions that are historically multiethnic and indivisible. One form of collectivism has been replaced by another, with only difference that the old one was based on class and the new one is based on ethnicity[45]. Adam Michnik has excellently summed up the nature of nationalisms in post-communist societies by remarking that nationalism is not the struggle for one's own national rights, but a disregard for someone's else right to national and human dignity[46]. Serbs and Albanian leaders have confirmed this line of thinking in the most recent past. Comparing Kosovo prior to NATO's intervention and in its aftermath only reveals the equally destructive nature of nationalisms that show no respect for "otherness". Nationalist movements demand autonomy and separate existence, denying the reality of commonalities, shared interests or even mutual dependence[47]. They are essentially exclusive. Consequently, political organizations and institutions set up by nationalists are ill-suited to the conciliation of competing demands as they tend to adopt politics of exclusion as opposed to politics of inclusion[48]. In the words of Sabrina Ramet, the doctrine of collective rights, endorsed by Serb and Albanian nationalists, translates cultural differences into cultural divisions, and makes religion and/or nation the basis for political action[49]. In addition, the doctrine assumes that larger groups have greater rights than smaller groups, something that Serbs and Albanians excelled at[50]. This particular understanding of democracy led both groups to initial establishment of ethnocracies, extensively insufficient to accommodate interests of minority ethnic groups, resulting in yet another round of violence with ethnic and religious connotations as an excuse.

Conclusion

There is no such thing as "ancient hatred" among Serbs and Albanians. Various accounts across the vast amount of time speak of different relations to those we have today. The paper argued that

[45] Vesna Pesic, "The Cruel Face of Nationalism", in Diamond, L., Plattner, F., M. (ed.), op. cit., p. 132, 133

[46] Adam Michnik, "Nationalism", in Augustinos Geramsimos (ed.), *The National Idea in Eastern Europe: the Politics and Civic Community*, (Toronto, 1996), p. 135

[47] Steven L. Berg, "The Nationalist Appeal and the Remaking of Eastern Europe", in Geramsimos, A. (ed.), *The National Idea in Eastern Europe: the Politics and Civic Community*, (Toronto, 1996), p. 143

[48] Ibid., p. 143

[49] Sabrina Ramet, *Whose Democracy? Nationalism, Religion and the Doctrine of Collective Rights in post-1989 Eastern Europe*, (Oxford, 1997), p. 9

[50] Ibid., p. 11

much of the problems were caused by ethnic nationalists keen on establishing ethnically pure states. To acquire the territory, and expel much of the unwanted population, local national elites have deliberately poisoned relations between Serbs and Albanians through distortion of history and the use of carefully selected myths of divisive nature. And sadly, violence has marked much of the last century's relations between the two communities as a consequence. Very few Serbs and Albanians today are willing to accept that Kosovo belongs to both communities. Nation-state is all that matters. There is little evidence to suggest the growing democratic culture among leading Serbs and Albanians in Kosovo.

Nevertheless, the two have no other alternative but to live together. Despite all the tragedies that have gripped the common space on which they reside, contacts are unavoidable. The unresolved problem of the province's political future is the major obstacle to normalization of modern Serb-Albanian relations. This is surely surmountable. But for the relations to fundamentally progress, both nations need a brand new set of elites that are genuinely liberal and of pro-democratic orientation, exceptionally pragmatic and fearless of future regional integrations. Moreover, distant history of both communities is on the side of those who believe in the reincarnation of once fine relations. That the Tsar Dusan's mother was an Albanian, or that the Skenderbeg's mother was a Serb, does not necessarily have to be true. But if both nations are to base their future relations on numerous myths, then they should use the myth of blood links and tranquil relations between leading medieval Serb and Albanian nobles. The animosity is undoubtedly an integral element of modern Serb-Albanian relations. However, the bitter experiences of the fairly recent past and those of the present must not monopolise the future of their relations. ■

Privatizing security in Serbia

Predrag Petrovic

THE SUDDEN increase in the number and importance of companies providing services of military nature and physical-technical security[1] is a global phenomenon at the turn of the 21st century. After almost four hundred years the state and its institutions are no longer the only actors concerned with the external and internal security of their citizens. "This Westphalian system of nation states as the unchallenged pillar of international order (…) has been superseded by a much more complex reality that has brought back the privatization of war and conflict".[2] Continuing erosion of state monopoly on all forms of organized violence is, among other things, caused by the impossibility of the state to respond to modern challenges, risks and threats that emerged with the end of the Cold War in the traditional way.

That is also indicated by the trend that states, corporations, international organizations and NGOs, as well as individuals and communities, increasingly rely on the private sector for their security needs.[3] According to Confederation of European Security Services (CoESS), 23 CoESS member countries have as many as 27,318 operating private security companies employing over 1,200,000 people.[4] States wherein security sector privatization is not under way are few and the SEE countries, Serbia included, follow the global trend. Actually, the process of security sector privatization in this region has been and still is one of the most intensive in the world.[5]

However, the factors influencing this process are not completely the same in mature democracies and in post socialist states, Serbia in particular. The main incentive for security privatization in developed western countries was the demand to increase efficiency of state institutions that brought about the marketization of the state administration. In Serbia, however,

The author works as research fellow in the Belgrade School of Security Studies

[1] For more on the difference between private military and private security companies see: Schreier, F. and M. Caparini (2005). Privatising security: law, practice and governance of private military and security companies, DCAF. For the purpose of this paper the difference between private military and security companies is not crucial since it is primarily concerned with the security sector privatization in Serbia. Peter Singer, author of one of the best known books addressing security sector privatization *Corporate Warriors*, does not even differentiate between private military and security companies and refers to private military firms, including both types.

[2] Schreier, F. and M. Caparini (2005). Privatising security: law, practice and governance of private military and security companies. Geneva, DCAF, p. 1.

[3] Small, M. (2006). Privatisation of security and military functions and the demise of the modern nation-state in Africa. Durban, African Centre for the Constructive Resolution of Disputes. p. 4.

[4] Its member countries are EU states and Turkey. http://www.coess.org/stats.htm.

[5] Page, M., S. Rynn, et al. (2005). SALW and Private Security Companies in South Eastern Europe: a cause or effect of insecurity?, SEESAC. p. 3

this incentive derived from the complete inefficiency (collapse) of the state in the exercise of its basic functions.

Why is this distinction important? Privatization of the security sector also entails a series of problems related primarily to the role of private companies in the security system, and the oversight of their operation by institutions of the state and society. Still other problems are found in the evaluation of individual companies from the point of view of the services they render, their ownership structure, organization, size, recruitment and training.[6] Although the above-mentioned problems are found in all countries that have private security companies, their gravity (and management) are influenced the most by the manner of security sector privatization. Thus, for instance, the issue of these companies' role in the security system does not carry the same weight in developed western states and in those wherein security sector privatization developed with a high degree of criminalization of private security services providers. In view of all that, the following text shall attempt to present the specific characteristics of the security sector privatization in Serbia starting with a review of the process in developed western societies, for comparison purposes.

"Western" model of security privatization

Rapid development of private security companies is attributable to a combination of several factors. Namely, with the end of the Cold War and the abandoning of the security dilemma model, as well as the shift of politics from "risk avoidance" to "risk management", the concept of large armies lost its rationale. That is precisely why all liberal-democratic states embarked upon radical reforms of their armed forces to make them smaller,[7] better equipped and capable for fast reaction to modern challenges, risks and threats. That gave substantial momentum to the privatization of the security sector because the armed forces' redundancies made use of their security knowledge and experience precisely in private companies.

Furthermore, new conflicts and warfare with "intelligent" weapons, like the one in Iraq, imply large dependence of modern armies on sophisticated technology which advances almost by the day. Only a few decades ago state-of-the-art technology was

[6] McCarthy, J. (2006). "Expanding private military sector faces structural change and scrutiny". Jane's Intelligence Review 18(02).

[7] US army today numbers about 1.4 million compared with 2.1 million in 1989. For more on numerical downsizing of armed forces see: Schreier, F. and M. Caparini (2005). Privatising security: law, practice and governance of private military and security companies. Geneva, DCAF

the sole "ownership" of the army, which means that it could not reach the civilian market before the army made the most of it. This process has today been reversed. The armies find it either overly demanding or not worthwhile to provide the expertise for the maintenance of technologically sophisticated systems themselves, and relinquish the job to private companies.

Finally, we should not forget that the *spiritus movens* of these factors lies in the neoliberal demand for economic development unrestrained by the state. This demand imposed efficiency, competitiveness and technological progress as global criteria to both private and public actors. Marketization of the public sphere, initiated already in the 1980s with "Reaganism" and "Thatcherism", gained full momentum with the end of the Cold War and did not bypass the armed forces. Hence the military and security work turned up on the market. Almost everything the armed forces cannot efficiently do themselves is contracted out to private companies, thus making *outsourcing* the key word in the public sphere. This enabled the armed forces to focus on core activities[8] and entrust those considered "peripheral" – e.g. the maintenance of technologically sophisticated systems, training, securing of facilities, etc. – to private firms, thereby increasing the profitability and efficiency of the security system as a whole. Therefore, security sector privatization in the developed western countries, as Herbert Wulf notes, developed from the top down representing a deliberate government effort in a large number of cases.[9]

Weak state as the cause of security privatization

Schneckener's distinction between three types of fragile states may help us understand security sector privatization in Serbia. Namely, every state is characterized by three basic functions – security, public good/welfare and legitimacy/rule of law. A state executes its first function by securing the external and internal security of its citizens, ensuring public access to natural resources and enforcing tax administration. The second state function, according to Schneckener, implies a functioning macroeconomic policy, resource management, education and health care, maintenance of infrastructure and environmental protection. Depending on the disruptions in the performance of these

[8] The professional public does not agree on what are the core - mission-critical and peripheral activities of the armed forces, and therefore can neither agree on the scope of the private sector's "breach" into the public.

[9] Wolf, H. Reconstructing the Public Monopoly of Legitimate Force. U: Alan Bryden and M. Caparini (2006) Private actors and security governance. Geneva, DCAF. p. 4. The phenomenon is apparent primarily in Anglo-Saxon states and is far less prominent in continental European states like France and Germany.

functions states may be weak, failing or failed.[10] Failed states can hardly be called states bearing in mind that, the existence of a central government notwithstanding, they are incapable of performing any of the above mentioned functions. The most salient examples of such states are Somalia and Afghanistan. Failing states are mostly those wherein the ongoing process of political system democratization is endangered by separatist groups (e.g. Sri Lanka). They cannot safeguard the security of their citizens, but the central government still provides public services to the bulk of its population and enjoys a certain degree of legitimacy.

Security sector in weak states is formed, streamlined and financed by state institutions (*security governance through government*), but in a remarkably inefficient manner. Inefficiency of the security system is directly related to the inability (or unwillingness) of the government to perform the other two functions. These states characteristically display serious financial and economic disruptions, uneven distribution of goods, declining state revenues, high unemployment rate, inefficient public administration, a high level of corruption and clientelism, absence of an efficient and independent judiciary, systemic exclusion of certain groups from the decision-making process, restriction of political liberties and electoral frauds.

The inefficiency manifested by a state in the execution of these functions may be used by non-state actors (organized criminal groups, leaders of paramilitary units, rebel groups) to impose themselves as successful alternative procurers of these services. They may thus "provide a limited degree of security (...) albeit often in an arbitrary and unreliable manner, which could further undermine the state's legitimacy"[11] and worsen security in society. Thus for instance, an inefficient judiciary is characteristic of weak states. Many individuals and economic actors are therefore precluded from collecting their claims through legal channels and turn to those that could efficiently help them to do that.

However, those who offer this kind of services and represent an alternative to state bodies often come from the world of crime and resort to arbitrary violence in doing their job. In this way, they aggravate the security situation, despite their efficiency in serving their clients.

[10] Ulrich Schneckener. Fragile Statehood, Armed Non-State Actors and Security. : Alan Bryden and M. Caparini (2006). Private actors and security governance. Geneva, DCAF. p. 31-35.

[11] Ibid. p. 32

Furthermore, the state apparatus often instrumentalizes non-state actors as a lever for the suppression of political opponents.[12] Serbia of the late 1990s is almost the ideal match for Schneckener's model of a weak state.

The case of Serbia

Security sector privatization, although initiated in the late 1980s with the establishment of the first detective agencies, gained full momentum in the mid-1990s, coinciding with a rampant overall social crisis. Namely, during the 1990s all indicators of the objective social situation in Serbia took a sudden downward turn. An all-comprising social-economic and political crisis – "entrenched" already in the SFRY - reached its height with the disintegration of the country, war and imposition of sanctions against the FRY. In the 1989-1993 period alone the country's GDP was halved, industrial production and per capita income were reduced almost threefold, while unemployment increased from 17 to 24 per cent. In 1993 already close to 40 per cent of the FRY population was on the poverty line.[13]

UN-imposed sanctions dealt a particularly hard blow to the functioning of the FRY's state institutions. Bearing in mind that it was impossible to legally ensure imports of resources and goods necessary for the functioning of the system a dense network of illegal sales channels was created. This resulted in the development of a huge zone of grey (and black) economy,[14] which accounted for as much as 50 per cent of the 1994 GDP. Thus a "grey" state was created to perform all the systemic functions the official state was impotent to exercise. Activities completely outside the "grey zone" were almost non-existent. The burgeoning of the grey economy encouraged the privatization of the security sector in Serbia. As Fray points out, that was due to the fact that "operations in the grey economy do not enjoy the protection of the police and the judiciary", and therefore "rely on private security".[15] Thus a former high police officer and long-time owner of a detective agency Božidar Spasić told the daily "Dnevnik" that Jezdimir Vasiljević and Dafina Milanović[16] were founders of private security in Serbia. He also said that while he still worked for the federal interior ministry he saw many of his colleagues leave their offices and salaries of 200-300 German marks for jobs paying four or five thousand.[17]

[12] Page, M., S. Rynn, et al. (2005). SALW and Private Security Companies in South Eastern Europe: a cause or effect of insecurity?, SEESAC. p. 87.

[13] For more on the social and economic situation in the 1990s see: G17 plus (2000). Bela knjiga Miloševićeve vladavine (White book of Milosevic's rule). Beograd, G 17 plus. http://www.g17plus.org.yu/srpski/files/knjiga/knjiga.pdf, retrieved 7. 2. 2007.

[14] For more on the difference between the grey and black economy and their respective roles in Serbia in the 1990s see Sörensen, J. S. (2003). War as Social Transformation: Wealth, Class, Power and an Illiberal Economy in Serbia, Taylor & Francis. 6: 55-82.

[15] Frye, T. (2002). Private Protection in Russia and Poland, JSTOR. 46: 572-584. This calls for a clarification. Namely, part of grey economy operations primarily related to the purchase of energy was organized by state bodies (security services) which therefore enjoyed their protection.

[16] Jezdimir Vasiljević and Dafina Milanović are founders of pyramidal banks *Jugoscandic* and *Dafiment*.

[17] Dnevnik http://www.dnevnik.co.yu/arhiva/01-09-2003/Strane/dogadjaji.htm 30. 8. 2006.

A large number of "entrepreneurs" in the grey economy network, as well as in the private security sector, were criminal groups[18] which, along with experience and efficiency also acquired a high degree of organization. In this way organized crime positioned itself in the society in direct competition to the state's social control function. Namely, the area wherein the state performance became increasingly inferior was the control of deviant behaviour, which was partly the result of the changed social norms and standards of sound and socially acceptable conduct. This situation resulted in the erosion of the functioning of the police, prosecution and judiciary as opposed to criminal syndicates which started to take over some paracontrol social functions.[19] It so happened that due to the blocked operation of the judiciary and inefficiency of executive power in the enforcement of court decisions, individuals and economic agents turned towards alternative and efficient solutions, i.e. looked for those who could collect their payments, and these usually had dubious war and criminal past. One of the well known "firms" of this kind - "Tiger" was owned by Željko Ražnatović Arkan.[20]

These social circumstances and war surroundings offering an easy possibility to obtain firearms caused an increase in almost all forms of violence, even homicides as its extreme-most manifest form. The early 1990s registered a surge in the number of both expressive and instrumental murders, accompanied by the start up of professional liquidations (popularly "waylays") as a novelty.[21] However, a matter of greater concern was the inefficiency of state bodies in solving these murders. Thus the rate of unsolved murder cases in Belgrade in 1993 reached almost 32%, compared with only 1.5% in 1985.[22] The widespread assassinations and a high rate of unsolved cases are indicators of an internal security crisis and important causes of the fear of crime. That, on its part, added to the need for private security services. Just how large this (potential and/or actual) demand was is also revealed by the fact that despite the poor social and economic situation and the existent parallel economy 270,000 new private firms were registered during the 1990s, 60,000 of which operated successfully.[23]

However, security services were only a screen for criminal activity of many individuals and groups. Numerous economic subjects were forced to enlist the services of security "firms" to

[18] "Embryonic PCSs in Serbia were predominantly informal groupings of armed men that as well as providing private security services engaged in racketeering, money laundering and trafficking". Page, M., S. Rynn, et al. (2005). SALW and Private Security Companies in South Eastern Europe: a cause or effect of insecurity?, SEESAC. p. 87.

[19] Fatic, A., (2002). Organizovani kriminal u najizraženijim pojavnim oblicima u Srbiji, CSS (Organized crime in its most striking manifest forms in Serbia). http://www.cbs-css.org/orgkrim.php. Retrieved: 1.2. 2007.

[20] Željko Ražnatović Arkan was commander of the "Tigers" armed formation "operating_ in Croatia and Bosnia and Herzegovina. He was also repeatedly arrested and convicted for diverse criminal offences in the country and abroad.

[21] "Expressive murders are affective, reactive violence wherein the primary motive is exhausted in the manifestation of violence and injury, i.e. destruction of another person, while instrumental murders use violence primarily in order to obtain another objective which is as a rule reduced to material benefit," Simeunović-Patić, M. B. (2003). "Ubistva u Srbiji u kontekstu tranzicije i rata" (Murders in Serbia in the context of transition and war). Temida no. 4. Žrtve i globalizacija: 12. p. 34.

[22] Ibid, p. 36. Data originate from the Belgrade District Prosecutor's Office.

[23] Sörensen, J. S. (2003). War as Social Transformation: Wealth, Class, Power and an Illiberal Economy in Serbia, Taylor & Francis. 6: 55-82. Figures provided by Strategic Marketing, 26. 7. 2002.

guarantee that their shops, e.g., would not accidentally catch fire. Thus they "fuelled demands for their services by creating perceived threats of insecurity simply through their agency".[24] But due to the high competition on the private "security market" only the strongest "firms" could actually provide security to their clients. One of them, the above-mentioned firm "Tiger Security", whose stickers on the shop-windows of many companies repelled the large and aggressive competition of security procurers, in this way actually guaranteed its clients a certain degree of physical security in their operation.

Although all security firms were not criminal organizations or involved in criminal activities, the domination of those that were helped create the prevailing public perception of the entire security sector as deeply criminalized.

Furthermore, the favourable market position of private security firms came in consequence of their links with the political, economic and security "elite". Thus, for example, Željko Ražnatović-Arkan was elected to the Serbian parliament in 1992 on an independent ticket while, according to a B92 journalist,[25] the armed unit he commanded was part of Serbia's security system.

In conclusion, we must not disregard the fact that war surroundings, in addition to providing "armed support", also created a powerful "personnel" base for the newly established private security firms. A large number of men returned from the battlefield trained to use arms, after having participated in the actions of military, paramilitary, police or parapolice units on the territories of Bosnia and Croatia. These people therefore saw employment with private security firms as the only way to earn a living.[26]

***

After the change in power on 5 October 2000 Serbia set out to implement comprehensive social-political and economic reforms and achieved substantial results in the process. In the first place, the policy of confrontation with the developed western countries was stopped and the sanctions were lifted. Inflation was curbed within normal limits, dinar was stabilized and major foreign investments were registered.[27] There has also been some

[24] Small, M. (2006). Privatisation of security and military functions and the demise of the modern nation-state in Africa. Durban, African Centre for the Constructive Resolution of Disputes. p. 16.

[25] Švarm, F. (2006). "Jedinica." (Unit) Retrieved 5. 2. 2007, http://www.b92.net/specijal/jedinica/

[26] Third armed force in Serbia. Dnevnik. http://www.dnevnik.co.yu/arhiva/01-09-2003/Strane/dogadjaji.htm. Retrieved 2. 9. 2006.

[27] "According to the director of the republic agency for foreign investments and export promotion Jasna Matić, investments in Serbia in 2006 totalled four billion euros, of which the first ten greenfield investments account for 1.2 billion". http://www.zrenjanin.org.yu/aktuelno/NajveceGrinfildInvesticijeUSrbiji2007.htm retrieved 11. 2. 2007.

progress in fighting corruption[28] and crime and reverting the economy into legal channels. Thus some of the problem generators were eliminated. Moreover, significant efforts were made to "sober" the private security industry. In 2005 an Association of Companies for Physical and Technical Security was established with the Serbian Chamber of Commerce, aimed primarily at promoting private security firms and advocating their interests. The Association has developed a model law to comprehensively regulate physical and technical protection[29] and adopted a Code of Business Ethics of companies engaged in services of this kind. A degree of actual "sobering" in this line of work is evidenced by the fact that an increasing number of embassies has been contracting security services with local companies. It appears that in addition to quantity related criteria for operation (number of staff and weapons…) the quality of services is increasingly valued at the market. That notwithstanding, this sphere still reveals the existence of problems characteristic of the 1990s: criminalization,[30] market domination of certain firms based on political ties,[31] inadequate training, inferior selection of personnel and absence of legal regulations. Thus in addition to the fact that a law regulating the physical and technical protection has not been passed to this date, the existing legislation governing this area is not observed.[32] That is why the mere act of passing the law will not be a large step forward if the state institutions are incapable of ensuring compliance and enforcement. This shows the need for further reform of state institutions to increase their efficiency in the performance of their essential functions, as well as a different approach to the examination of the private security sector in Serbia - an approach which will take into account all features that make this sector in Serbia specific and different from those in developed western countries. ■

[28] For more on the index of corruption in Serbia see: www.globalintegrity.org.

[29] Government institutions and NGOs have both contributed to the regulation of this sphere, e.g. the Ministry of Interior of Serbia, League of Experts and the Centre for Civil-Military Relations have each developed their model laws.

[30] E.G. security personnel participating in robberies. "Kamuflaža za ljude na ivici zakona" (Camouflage for men on the verge of law). Glas javnosti. http://arhiva.glas-javnosti.co.yu/arhiva/2005/11/10/srpski/T051109 01.shtml. Retrieved 11. 2. 2007.

[31] Široko polje za pravo jačeg (Wide leeway for the right of the stronger). Danas. http://www.danas.co.yu/20060 825/terazije1.html. retrieved 30. 8. 2006.

[32] Primarily the Law on Weapons and Ammunition.

Literature:

1. Alan Bryden and M. Caparini (2006). Private actors and security governance. Geneva, DCAF.

2. Fatic, A. (2000). Insecurity in Serbian society and the role of the Stability Pact, CEEOL: 113.

3. Frye, T. (2002). Private Protection in Russia and Poland, JSTOR. 46: 572-584.

4. G17PLUS (2000). Bela knjiga vladavine Slobodana Miloševića, G17 PLUS. Retrieved 25. 1. 2007. www.g17plus.org.yu/srpski/files/knjiga/knjiga.pdf

5. Mandel, R. (2002). The Privatization of Security, Transaction Publishers. 28: 129-151

6. McCarthy, J. (2006). "Expanding private military sector faces structural change and scrutiny " Jane's Intelligence Review vol. 18(02).

7. Page, M., S. Rynn, et al. (2005). SALW and Private Security Companies in South Eastern Europe: a cause or effect of insecurity?, SEESAC

8. Schreier, F. and M. Caparini (2005). Privatising security: law, practice and governance of private military and security companies. Geneva, Geneva Centre for the Democratic Control Armed Forces.

9. Simeunović-Patić, M. B. (2003). "Ubistva u Srbiji u kontekstu tranzicije i rata." Temida no.4. Žrtve i globalizacija: 12.

10. Singer, P. W. (2004). Corporate Warriors: The Rise of the Privatized Military Industry, Cornell University Press.

11. Small, M. (2006). Privatisation of security and military functions and the demise of the modern nation-state in Africa. Durban, African Centre for the Constructive Resolution of Disputes.

12. Sörensen, J. S. (2003). War as Social Transformation: Wealth, Class, Power and an Illiberal Economy in Serbia, Taylor & Francis. 6: 55-82.

13. Švarm, F. (2006). "Jedinica." retrieved 5. 2. 2007, http://www.b92.net/specijal/jedinica/.

Grey security zone

Jelena Unijat

SERBIA is the only country in the SEE region wherein the private security sector remains unregulated despite the large number of companies providing security services already operating in it. The official estimates refer to between 47 and 50 thousand people engaged in the work of this kind, armed with close to 47 thousand of diverse weapons.[1] The fact that the Ministry of the Interior (MUP) has 45-46[2] thousand employees possessing 53, 100 weapons[3], is a clear enough indication of the need to have the private security sector legally regulated.

The initial attempt to legislate this matter was made in 2003 when a legal proposal developed by the Interior Ministry was submitted to the Parliament. At this point of time four model laws regulating private security operations are on the table. The following text will present and compare the main solutions incorporated in three of them, namely the Model Law on Private Security Services (Centre for Civil Military Relations, 2006), Draft Law on Private Security for the Protection of Persons and Property (Committee of the Association of Companies for Physical-Technical Security attached to the Serbian Chamber of Commerce, 2006) and the Draft Law on Private Security for the Protection of Persons and Property and Detective Activity (LEX, 2006). In addition to these, there is also a draft developed by the Interior Ministry, which is not publicly available and hence could not be covered by this analysis.

Issuing of operating licenses

Physical-technical protection was until 1993 governed by the Law on the System of Social Self-Protection of the Republic of Serbia.[4] This law prescribed the police vetting (checking for

[1] Living with the Legacy – SALW Survey, UNDP, 2005, p. 7.

[2] Bogoljub Milosavljević: Model zakona o privatnoj delatnosti obezbeđenja (Model Law on Private Security Activity), Wstern Balkan Security Observer, no. 1/2006, CCVO, Beograd

[3] Living with the Legacy: op. cit.

[4] Matić D. Goran : Osnovi fizičko-tehničkog obezbeđenja (Bases of Physical-Technical Security), Privredna komora Srbije, Udruženje preduzeća za fizičko-tehničko obezbeđenje, Beograd, 2006, p. 3

The author works as research fellow in the Belgrade School of Security Studies

criminal records) and testing of psycho-physical abilities of security guards. The establishment of the Private Security Companies (PSCs) is currently regulated by the Company Law requiring no more than initial capital, an office, a registered telephone line and at least one employee to establish an agency. Bearing in mind that the law does not specifically refer to the category of security companies, this means that a person may, e.g. register a supermarket but nevertheless provide security services.

Under the above-mentioned model laws private security activities imply the protection of persons and property, transport of money and other valuables, securing of public assemblies, management of the protective surveillance centre and the planning, designing and installation of technical-protection systems. In addition to these activities the LEX proposal also anticipates detective work and self-protection activities.[5] All models foresee obligatory operating licenses. That is extremely important, since the state thereby transfers to these companies part of its monopoly on the use of physical force. This section will address the regulation of the licensing procedure, as well as the relevant competencies.

The three model laws provide different solutions with respect to the body competent for issuing the PSCs' operating licenses. According to the Association and LEX's models, the license is issued by the Association, i.e. Security-Protection Chamber as part of the Chamber of Commerce, while the CCMR model designates the Ministry of Interior as the licensing body. The latter solution seems superior as it ensures state oversight of licensing, bearing in mind that the Ministry is accountable to the government and the Parliament. This particular authority, if vested in the Association, would facilitate the agencies, as the Association's members, to evade the law since they seek to maximize their profits and may therefore adversely affect the competition. Hence they could abuse the large authorities this solution would give them.

All three models anticipate a time-wise unlimited validity of licenses, revokable under specified conditions, established through the monitoring of the agencies' operations. Experience of other countries[6] tells us that it is better to limit the validly of the license to a specific period of time, as that enables regular review of the work and operating conditions of the companies concerned, and thus helps preserve the standards set forth at the

[5] Nacrt zakona o privatnoj delatnosti obezbeđenja lica i imovine i detektivskoj delatnosti (Draft Law on Private Security for the Protection of Persons and Property and Detective Work), LEX, Beograd, 2006, Art. 84.

[6] Belgija, Luksemburg, Holandija, Portugal… Dimitrijević Ivan (ed.): Uporedni prikaz zakonodavstva industrije privatne bezbednosti u Evropskoj uniji (Comparative review of the EU private security industry legislation) , Klub studenata Fakulteta bezbednosti, Beograd, 2006.

beginning of their operation. The possibility of providing security services in Serbia has also been given to foreign legal and physical persons, subject to reciprocity. This is a good solution, knowing that the operation of these companies has of late assumed a transnational dimension.

According to the CCMR model licenses may also be issued to associations of retired police officers and Serbian Army members. However, it remains unclear why this proposal refers only to the retired staff of the two services, and does not include their lay-offs, knowing that a large number of members of both the army and the police will be let go due to the planned downsizing and that this possibility could help them find new jobs. But, this solution also has a reverse, negative side, primarily due to strong personnel ties between these people and state employees, which may be conducive to unfair competition on the labor market. In many European states, e.g. Belgium, a policeman may not be employed as a security officer five years following the termination of his service in the police. That is due to the fact that a policeman has operational links, i.e. knows customs officers, inspectors in different areas, etc. and may thus gain advantage over his competitors.[7]

Who is permitted to be a guard?

All model laws specify the conditions for those willing to work for private security agencies including appropriate professional qualifications, completion of a professional advance training program, non-existence of public order violations (record of convictions for offences involving violence), citizenship of the Republic of Serbia and generally good health. Another condition in the CCMR and the Association's models is an active knowledge of the Serbian language. This additional requirement ensures operability, but it also prevents foreign competition and creates the conditions for discrimination. This particular provision is at variance with the solution proposed in models allowing foreign legal and physical persons to engage in security operations in the country. Namely, that would hardly be feasible and this sphere of activity would be reserved for domestic firms and citizens. In the absence of foreign competition domestic agencies would find it easier to increase the prices and reduce the quality

[7] Široko polje za pravo jačeg (Wide leeway for the right of the stronger), http://www.danas.co.yu/20060825/terazije1.html.

of services they offer. Speaking of discrimination, the question is also whether this clause complies with the constitution, i.e. the relevant provision regulating the right to work[8] and prohibiting the discrimination of national minorities.[9] There is also some doubt as to its compliance with the Labor Law's ban on language-based discrimination in employment.[10]

What we see in Serbia today is that policemen work for PSCs when off duty. They can do that under the Police Law which only prohibits police officers to engage in independent private and professional activity.[11] Therefore, it would be appropriate to include another provision into the new law prohibiting employers to take on personnel already hired by the police. Another new requirement should address the background security check of the candidates, analog to the Police Law, in view of the nature of the agencies' operations and the powers of their employees (e.g. the carrying and use of arms, detention of persons...).[12] It would also be a good thing to limit the employees' licenses time-wise, so as to enable regular checks of their abilities and suitability for this kind of work.

Particularly important for the efficiency of these agencies is the training of their staff. All three models anticipate that the programs and professional training are prescribed by the minister of the interior upon the proposal of the Association. The programs have general and special parts, addressing the training common to all security activities and specific services respectively. The CCMR's proposal goes a step further by setting the amount of funds an agency must appropriate for training purposes. Adequate financing is a condition for high quality training.

Encroachment on human rights– use of force and technical means

The use of force is part of these agencies' repressive function. As things stand, legal grounds for the use of force include self-defense[13] and extreme necessity[14] under the Criminal Code and self-help[15] under the Law on Obligations. The model laws uphold the principle of proportionality and legality in the application of all measures implying the use of force and the restriction of the citizens' human rights. These measures must be

[8] Constitution of the Republic of Serbia, November 2006, Art. 60.

[9] Op. cit, Art. 76.

[10] Labour Law, Official Gazette of the Republic of Serbia, 24/05, Art. 18

[11] The Police Law, Off. Gazette, 101/05, Art. 133.

[12] Similar legal practice is found in Germany where the background of people employed by private security agencies is checked for criminal records. Op. cit.: Dimitrijević Ivan.

[13] Criminal Code, Official Gazette of the Republic of Serbia, no. 85/2005, 88/2005 – corr. and 107/2005 – corr., Art. 19.

[14] Ibid, Art. 20.

[15] Zakon o obligacionim odnosima (Law on Obligations), Sl. list SFRJ, br. 29/78, 39/85, 45/89 – odluka USJ i 57/89 i Sl. list SRJ, br. 31/93

applied in line with their legally established purpose so that no one is submitted to torture, inhuman or degrading treatment. A security officer is obliged to apply the measure which is the least damaging, while all license holders must notify the police on the use of any of these measures within 24 hours. The purpose of this procedure is to look into the possible criminal responsibility of security officers, i.e. their overstepping the bounds of self-defense or extreme necessity.

According to the proposed models, a security officer may carry firearms in line with the Law on Weapons and Ammunition. They, however, limit the number of weapons for individual agencies by allowing no more than a half of their employees to carry arms. This prevents the creation of small private armies. Under the Law on Weapons and Ammunition, PSCs must keep the records of their physical security weapons and ammunition. The use of arms is permitted only if there is no other way to protect human lives, or when necessary to fend off an attack endangering the life of a security officer or the person under his protection. Furthermore, license holders are also obliged to keep records of their use of firearms. This requirement has gone missing only in the CCMR model, which is not good, since it makes the control of the agencies' operations more difficult.

Speaking of the use of technical means, all three models exclude the possibility of secret video surveillance, which is an important advantage. They all request that an area under video monitoring must prominently display a warning to that effect. According to the CCMR model these recordings should be kept in collections and destroyed after three months. This is a good solution since it prevents unnecessary stockpiling of data as well as their abuse. Data related to criminal offences which are prosecuted *ex officio* would be kept for a year at the longest, probably so that they could be given in evidence.

Affiliations between the PSCs and state bodies

The law must also regulate the relations between the public and private security sectors. The above-mentioned models anticipate that license holders may not conclude work contracts to carry out jobs which the police, military police, security services

or the judiciary are legally authorized to do. The CCMR model quotes the prosecution of perpetrators of criminal offenses, debt collection, etc. as examples of such activities. It goes on to prohibit security officers to work for domestic and foreign security-intelligence agencies. This however, leaves them room to conclude contracts with other state institutions and do other work such as escorting money transports for the National Bank of Serbia.

According to the proposed solutions, the PSCs should cooperate with the police by conveying to its officers information pertaining to criminal offences, their perpetrators or objects used to commit such offences, as well as any fact revealing a breach of public order with elements of violence. In addition, they also anticipate that a person who has been detained, or whose movement has been otherwise restricted, must be turned over to the police within two hours at the latest, whereby a possible harassment of citizens is prevented. Violations of these provisions are sanctioned by fines.

All three models anticipate the Interior Ministry's oversight of the PCS' work. The Association is obliged to submit to the Ministry annual financial reports. Their review shall be carried out by security inspectors of the Ministry. For that purpose the inspectors would be given insight into the records.[16] An inspector would be entitled and obliged to propose to the Ministry to revoke a specific operating license on a temporary or permanent basis (CCMR and LEX models). According to the Association's model a proposal to that effect should be submitted to the Association. Here again, as in the case of licensing, we think that giving the Ministry the competence to revoke the PSCs' licenses would be a superior solution.

We believe that in order to ensure efficient enforcement of the law as well as regular and due oversight of the sector, a special division should be established in the Ministry of the Interior and assigned appropriate staff and financing. Furthermore, the adoption of the law should be accompanied by a series of by-laws addressing the specifics of its enforcement. Of great importance for the provision of PSCs services is a comprehensive regulation of the quality and duration of training of their employees and the operation of protection-technical centers. In parallel with the adoption of the new law, the existing Law on Weapons and Ammunition should be amended to prevent the use of auto-

[16] Records kept by license holders include: contracts on security services, information on criminal offences, detained persons, use of force and restraints, and the use of firearms.

matic and semi-automatic weapons by PSCs. Failing that the situation in the private security sector cannot be properly addressed. The law is a necessary expedient, but it is not sufficient. ∎

Detectives

The LEX model law regulates the activities of detectives. Engagement in these activities requires a license from a Detectives' Chamber yet to be established within the Chamber of Commerce. In order to obtain an operating license, a person must meet specific requirements similar to those applicable to PSC employees, including in particular that over the past two years the detective did not perform "the tasks of authorized officials" in the Ministry of the Interior, the Security Intelligence Agency or another security service. This limitation is appropriate since it prevents the use of knowledge acquired during previous employment for commercial purposes. The advantage of this model is in the fact that it explicitly prohibits detective work for political parties. According to this model, the most controversial category of data private investigators are authorized to collect has to do with the performance and business efficiency of legal persons. These cases border on economic espionage and allow for abuses. Furthermore, this gives the detectives large authorities with respect to access to official data, since the managers of collected recordings are obliged to provide them with the requested information,[17] without having to previously notify the persons to whom these data are related. It would be better to envisage a possibility, rather than the obligation of authorized persons to provide the detectives with insight into such data and to prohibit the disclosing any information constituting an official secret. This solution has been incorporated into the relevant law of Republika Srpska.[18] Another deficiency of the model's authors is their failure to prohibit video recording or wiretapping, or else to at least prescribe the relevant conditions. The model anticipates the obligation of detectives to keep the collected data and use them in line with the law guaranteeing the privacy of personal data. That is a good solution but would be practically unfeasible until the protection of personal data is regulated by law.

[17] Draft Law on Private Security of Persons and Property and Detective Work, LEX, Belgrade, 2006, Art. 62.

[18] Law on Agencies Securing Persons and Property and on Private Detective Work, Official Gazette of the RS, no.50, 16. 8. 2002, Art. 44.

Literature:

1. Bogoljub Milosavljević: Model zakona o privatnoj delatnosti obezbeđenja (Model Law on Private Security Activity), Western Balkan Security Observer, no. 1/2006, CCVO, Beograd

2. Dimitrijević Ivan (ed.): Uporedni prikaz zakonodavstva industrije privatne bezbednosti u Evropskoj uniji (Comparative review of the EU private security industry legislation), Klub studenata Fakulteta bezbednosti, Beograd, 2006.

3. Krivični zakonik (Criminal Code), Sl. glasnik RS, br. 85/2005, 88/2005 – ispr. i 107/2005

4. Matić D. Goran: *Osnovi fizičko-tehničkog obezbeđenja* (Bases of Physical-Technical Security)*, Privredna komora Srbije, Udruženja preduzeća za fizičko-tehničko obezbeđenje, Beograd, 2006.

5. Model zakona o privatnoj delatnosti obezbeđenja (Model Law on Private Security Services), Centar za civilno-vojne odnose, Beograd, 2006.

6. Nacrt zakona o privatnoj delatnosti obezbeđenja lica i imovine i detektivskoj delatnosti (Draft Law on Private Security for the Protection of Persons and Property and Detective Work), Liga eksperata-LEX, Beograd, 2006.

7. Nacrt zakona o privatnom obezbeđenju lica i imovine (Draft Law on Private Security for the Protection of Persons and Property), Odbor Udruženja preduzeća za fizičko-tehničko obetbeđenje pri Privrednoj komori Srbije, Beograd, 2006.

8. Pravila poslovne etike (Code of Business Ethics), Privredna komora Srbije, Udruženja preduzeća za fizičko-tehničko obezbeđenje, 2006.

9. SALW and Private Security Companies in SEE, SEESAC, 2005.

10. Sarajevska pravila ponašanja za privatna preduzeća koja se bave poslovima sigurnosti (Sarajevo Code of Conduct for Private Security Companies), SEESAC, 2006.

11. Constitution of the Republic of Serbia, 8. 11. 2006.

12. Zakon o agencijama za obezbeđenje lica i imovine i privatnoj detektivskoj delatnosti (Law on Agencies Securing Persons and Property and on Private Detective Work), Službeni glasnik RS, br. 50, 16. 8. 2002.

13. Zakon o obligacionim odnosima (Law on Obligations), Sl. list SFRJ, br. 29/78, 39/85, 45/89 – odluka USJ i 57/89 i Sl. list SRJ, br. 31/93

14. Zakon o oružju i municiji (Law on Weapons and Ammunition), Sl. glasnik RS, br. 9/92, 53/93, 67/93, 48/94, 44/98, 39/2003, 101/2005 – dr. zakon i 85/2005.

15. Zakon o radu (Labor Law), Službeni glasnik Republike Srbije, 24/05

16. Zakon o policiji (The Police Law), Službeni glasnik Republike Srbije, 101/05

17. Živeti sa nasleđem – SALW istraživanje (Living with the Legacy – SALW Survey), UNDP, 2005.

Is Serbia energy secure?

Marko Savković

THE REASONS calling for an analysis of energy security in Serbia are several. First off, the survival and progress of any society are doubtlessly dependent on its access to energy, i.e. energy availability. Ever since the 1950s the question has no longer been if, but when the world will run out of fossil fuels.[1] The 1973 oil shock placed the issue of energy security on the world policy agenda and this topic today ranks high among foreign policy priorities in many countries. This is due to the conflict in Iraq which, after three years of instability, made the price of oil increase from 30 to 80 dollars per barrel.[2] Some even see the "gas crisis" in the relations between Russia and Western Europe as a continuation of the Cold War waged with different means. Every crisis on the world energy market is inevitably reflected on Serbia. With the exception of a paper by Zorana Mihajlović-Milanović,[3] an attempt at providing a crosscut of Serbia's energy security has not been made to this date. That is why the need for a relevant analysis seems all the more urgent.

Energy security is defined as a "condition in which a nation and all, or most, of its citizens and businesses have access to sufficient energy resources at reasonable prices for the foreseeable future free from serious risk of major disruption of service".[4] However, energy security so defined is still interpreted differently by different actors. Namely while energy security is largely a matter of geopolitical nature for the US, Europeans today see it primarily as a problem of dependence on imported natural gas.[5]

In order to see whether Serbia has energy security, this paper shall first establish if the country is predominantly energy importer or exporter, and whether the main sources it relies on for its energy supply are available.[6] We shall next deal with the question of its ability to tap alternative energy sources for its future energy supply and, finally, briefly review energy infrastructure in Serbia.

The author works as research fellow in the Belgrade School of Security Studies

[1] Ever since 1956 when an American geophysicist Merion King Hubbert correctly predicted the US "Peak Oil" for 1970, the rest of the world has been debating about the inevitable and rapid depletion of world oil reserves: Hubbert, King M. Nuclear Energy and the Fossil Fuels. June 1956. Shell Development Company, Exploration and Production Research Division. http://www.energybulletin.net/13630.html (2. 2. 2007) The justifiability of using "Hubbert's curve" to global oil reserves is, however, frequently questioned. The most recent example of revising Hubbert's findings is offered by CERA report, stating that Peak oil will not be reached before 2030 and that subsequent decline will not be steep: *Why the "Peak Oil" Theory Falls Down – Myths, Legends, and the Future of Oil Resources.* November 10, 2006. http://cera.ecnext.com/coms2/summary_0236-821_ITM (2. 2. 2007).

[2] Emmott, Bill. The Price of Oil. In: *Who Wins In Iraq? Foreign Policy.* March-April 2007.

[3] Zorana Z. Mihajlović-Milanović. Nuklearke – stub energetske bezbednosti (Nuclear power plants – pillar of energy security). *B92,* 12. 9. 2006. http://www.b92.net/srbija2020/tema.php?id=56&nav_id=211487 (30. 1. 2007).

[4] Barton, Barry, Catherine Redgwell, Anita Rönne and Donald N. Zillman, Eds. Jun 2004. Introduction. In: *Energy Security: Managing Risk in a Dynamic Legal and Regulatory Environment.* Oxford University Press, USA, p. 6.

[5] Alexander Jung and Georg Mascolo. An Interview with Daniel Yergin: Energy Security Will Be One of the Main Challenges of Foreign Policy. *Spiegel Online International,* 18. 7. 2006. http://www.spiegel.de/international/spiegel/0,1518,427350,00.html (30. 1. 2007).

[6] Konoplyanik, Andrei. Energy Security and the Development of International Energy Markets. In: Barton, Barry; Catherine Redgwell, Anita Rönne and Donald N. Zillman, Eds. Jun 2004. *Energy Security: Managing Risk in a Dynamic Legal and Regulatory Environment.* Oxford University Press, USA, pp. 57–58.

Is Serbia energy dependent?

Serbia's energy dependence registers a moderate growth. According to the energy balance of the Republic of Serbia published in 2004, primary energy sources[7] imported in 2002 accounted for 37% of Serbia's total requirements. A two-percent annual growth of import was planned for 2003 and 2004.[8] However, the energy balance published only two years after,[9] reveals that primary energy imports had meanwhile increased and that the quantities planned for 2006 were 11.3 percent higher than the previous year.[10]

Increased imports of primary energy products last year were due primarily to a 14 per cent reduction of domestic natural gas production compared with 2005. In that same period natural gas consumption in industry and transport, as well as the household sector, increased by 11 per cent.[11] That, in turn aggravated import dependence planned to increase from 43.59 per cent in 2005 to as high as 46.61 per cent in 2006.[12]

Serbia's energy dependence is mostly due to imported oil and natural gas, since the demand for these energy products surpasses the domestic capacities manifold.[13] Serbian energy balance sets total consumption[14] of natural gas at 2,822.09 million mł. It also anticipates domestic production of 253.28 M mł, and imports of 2.568,81 M mł. This means that almost 91 per cent of Serbia's needs for natural gas in 2006 were met by imports,[15] showing an increase of 3 per cent compared with 2004.[16] An upward trend was also registered in crude oil imports. While imports accounted for 81% of total crude oil consumption in 2004,[17] the relevant figure for 2006 grew to 83%.[18]
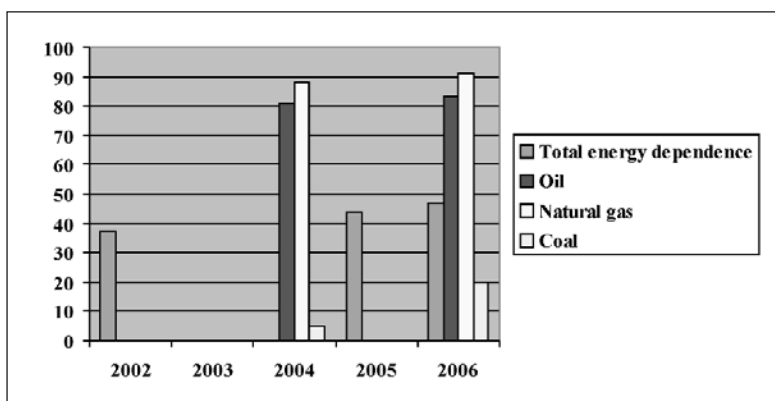
Total import dependence on primary energy sources, Energy Balance of the Republic of Serbia, 2004–2006.

[7] Primary energy sources obtained directly from nature without any processing may be: fossil (hard and brown coal, crude oil, natural gas), nuclear (uranium, thorium, etc.), renewable (solar, wind, biomass, hydro energy, etc.).

[8] *Republika Srbija bez KiM, zbirni energetski bilans 2004* (Republic of Serbia excluding Kosovo and Metohija, consolidated energy balance). Ministarstvo rudarstva i energetike Republike Srbije, http://www.mem.sr.gov.yu

[9] Data given in energy balances refer to values "attained" in the previous calendar year, "estimated" for the current and "planned" for the next year.

[10] Decision defining the energy balance of the Republic of Serbia for 2006, "Official Journal of the RS", no. 11/2006.

[11] *Ibid.*

[12] *Ibid.*

[13] Domestic capacities in 2005 were 13,000 barrels of oil per day (13% of daily needs), i.e. 20 million cubic feet of natural gas per day in 2003 (18%). *Region Analysis, Balkans.* United States' Energy Information Administration. http://www.eia.doe.gov/emeu/cabs/Balkans/pdf.pdf (25. 1. 2007).

[14] Total consumption of natural gas includes domestically produced gas (a part of which goes for own production and technical losses) and imported gas.

[15] Decision defining the energy balance of the Republic of Serbia for 2006. "Official Journal of the Republic of Serbia", No. 11/2006.

[16] *Natural gas balance in Serbia (excluding Kosovo and Metohija), Plan for 2004.* Ministry of Mining and Energy of the Republic of Serbia, http://www.mem.sr.gov.yu .

[17] *Oil balance in Serbia (excluding Kosovo and Metohija), Plan for 2004.* Ministry of Mining and Energy of the Republic of Serbia http://www.mem.sr.gov.yu .

[18] Decision defining the energy balance of the Republic of Serbia for 2006. "Official Journal of the Republic of Serbia", No. 11/2006.

However, substantial coal production in Serbia reduces the country's energy dependence. Production of domestic open pits (crude lignite) and underground mines (hard coal, brown coal and crude lignite) thus satisfied as much as 95 per cent of Serbia's needs in 2004. However, during 2005 and 2006 the above-mentioned balance, too, was changed with an increase in imports of all types of coal by 47 per cent.

During the past four years, energy consumption based on fossil fuel – oil and natural gas, brought about a moderate growth of energy dependence. The higher Serbia's energy dependence on other countries is the more vulnerable its economy becomes to the disruptions on the world energy market. Every instance of abrupt increase in the price of fossil fuels on the world market will increase the cost of the only just initiated process of economic recovery. And, finally, energy dependence may be a burden for the country's foreign policy. All this brings out the question of whether Serbia has alternative energy sources. We shall assume that alternative energy sources are those that do not depend on coal and oil reserves, have no adverse effects on the environment and most often imply small plants. Serbia does have the conditions favouring the use of alternative energy sources such as wind, sun, biomass, geothermal sources and small water flows.[19]

Does Serbia have alternative energy sources?

Alternative sources of energy in Serbia are only a possibility that is considered, rather than used. Namely, the "Energy Development Strategy" in Serbia refers to alternative energy sources as a means to achieve energy efficiency. But, energy balance for 2006 offers no data on energy obtained from alternative sources, which indicates that their use is practically negligible.

Rastislav Kragić of the Republic of Serbia's Energy Efficiency Agency speaking for "Western Balkans Security Observer", believes that renewable energy sources represent the mainstay of Serbia's energy independence for the future. To substantiate that claim he argues that energy consumption is not rational. "Some analyses reveal that over 40 per cent of energy is 'wasted' due to irrational consumption," Kragić

[19] Bubnjević, Slobodan. 2006. Istraživanje: obnovljivi izvori energije u Srbiji (Research: renewable energy sources in Serbia). *Vreme* br. 812. 27. 7. 2006. http://www.vreme.com/cms/view.php?id=460498 (2. 2. 2007).

says.[20] Low electricity tariffs in Serbia create an obstacle for energy efficiency increase and thereby also for the development of appropriate potentials for the use of renewable energy sources. Kragić nevertheless thinks that "this situation cannot be sustained much longer and that gradual increase in electricity prices compared with other energy products may be expected until they reach real levels, like European Union prices".[21] He therefore advocates the development of alternative sources such as fuel cells. "In the age when the use of hydrogen for energy purpose becomes technologically and economically available to all, while the development of energy electronics enables completely independent operation of individual energy sources from several dozen to several hundred kilowatts, our major chance lies precisely in investments into these forms of technology. Thereby we could reach a high level of energy-technological independence in the next few decades."

Still, Kragić warns that the total renewable energy potential may satisfy merely a quarter of Serbia's annual needs. That is why it is not realistic to expect that the growth of energy dependence may be immediately offset by the development of alternative energy sources. The key to the solution to meet Serbia energy requirements in the near future lies in energy efficiency, which, on its part, depends on the condition of energy infrastructure.

Challenges of energy infrastructure

Daniel Yergin in his paper shows that energy dependence is also influenced by energy infrastructure. He claims that energy supply systems must be capable of sustaining shocks and recovering after disruptions in energy supply. This ability of the system which Yergin calls "the resilience principle"[22], depends on the state of energy infrastructure.

In this respect Serbia is faced with two challenges. The first one is privatization of the Oil Industry of Serbia (NIS). The planned privatization model cannot be implemented until the new parliament is constituted and the existing privatization law amended. Guided by the government's wishes to modernize NIS before it is put up for sale, the Merrill Lynch–Raiffeisen consortium in June last year came up with a three-stage priva-

[20] Author's interview with Rastislav Kragić, adviser for renewable energy sources at the Energy Efficiency Agency of the Republic of Serbia conducted via electronic mail, 24. 1. 2007.

[21] *Ibid.*

[22] Yergin also calls it "security margin in the energy supply system". Yergin, Daniel. Ensuring Energy Security. *Foreign Affairs*, Mar/Apr 2006, Vol. 85, Issue 2.

tization program. Stage I implied a tender sale of a quarter of company shares, followed by another 12.5 per cent to the same buyer through recapitalization and 15 per cent to NIS employees and pensioners. The Ministry of Energy and Mining argues the case by saying that additional capital will provide NIS with the required finance and expertise, and that the contract obliges the investor to carry out modernization first and only then make the anticipated additional investments. Finally, additional capital investments, without government participation, will enable the investor to obtain up to 49 per cent share in the ownership of the national oil company. By adopting this solution, quotes the ministry's release, "the Government retains substantial management rights allowing it to safeguard the national and state interest".[23] Under the current law privatization where the state sells less than 70 per cent of shares of one of its companies is impossible unless it has previously invited a tender or an auction. Energy infrastructure in Serbia is therefore in a dangerous stage of uncertainty due to political reasons.[24]

Another important challenge is related to the still unknown outcome of competition between three rivalling oil pipeline projects linking the Black Sea ports with Western Europe. The proposal for the pan-European oil pipeline (PEOP), backed by the Republic of Serbia implies the route from Constanta in Romania, through refineries in Pančevo, Novi Sad, Slavonski Brod and Sisak, to Trieste to join the already built trans-Alpine pipeline using the 'pipe to pipe' connection. This 1,300-km pipeline, capable of supplying 60 million tons of crude oil per year would cost up to billion euros.[25] In competition with the PEOP are pipeline projects routed from Burgas in Bulgaria to Alexandropolis in Greece and Burgas with Vlore in Albania. Construction of a pipeline across its territory is important for Serbia, in the first place because of direct economic benefits deriving from the receipt of various duties, taxes and fees for the services rendered.[26] Moreover, the pipeline will cater to the bulk of energy requirements of the countries along its route, including Serbia.

The above analysis of energy security allows us to conclude that Serbia meets its increasing needs for energy products primarily through imports of oil and gas. The negative implica-

[23] Ministry of Energy and Mining of the Republic of Serbia web page. *Informacija o privatizaciji NIS, a.d. Novi Sad (Information on NIS privatization)* , http://www.mem.sr.gov.yu/prikaz ZaStampu.php?IDStranica=198 &jezik=lat (5. 2. 2007)

[24] Democratic Party leaders have recently expressed some reservations towards the proposed model for NIS privatization. See: *Glas javnosti, B92.* Prodaja NIS na reviziji? (NIS sale revised?), 31. 1. 2007. http://www.b92.net/biz/vesti/aktu elno.php?id=128 (2. 2. 2007).

Dimitrije Boarov tried to examine what a future NIS owner may expect if not a majority share package. Privatizacija NIS – lavirint zakona, ekonomije i politike (NIS privatization – a labyrinth of law, economy and politics). *Vreme* no. 812. http://www.vreme.com/cms/view .php?id=460497 (2. 2. 2007).

[25] *Danas*. 2006. Labus: Više od pola milijarde evra prihoda od tranzita nafte kroz Srbiju (Over half a billion euros from oil transit through Serbia). 11. 6. 2006. http://www.danas.co.yu/200604 11/ekonomija1.html#3 (2. 2. 2007).

[26] Stojadinović, Dejan. 17. 6. 2006. Balkanski naftovodi: dobar posao (Balkan pipelines: good business). *Ekonomist* no. 308. http://www.ekonomist.co.yu/mag azin11/broj_308/eid/eid4.htm (2. 2. 2007)

tions of import growth may be offset by means of rationalizing the consumption as well as by gradual introduction of alternative energy sources. Finally, successful privatization of NIS and a positive outcome of the competition for the construction of a new transit pipeline are two factors that could, in a longer run, substantially contribute to Serbia's energy security. In view of all that, we can wonder how to explain the absence of any references to energy security in Serbia's strategic documents. ■

Legend:
■   important refineries
▬   proposed pipeline route

Proposed pipeline routes

[26] Stojadinović, Dejan. 17. 6. 2006. Balkanski naftovodi: dobar posao. *Ekonomist* br. 308. http://www.ekonomist.co.yu/magazin11/broj_308/eid/eid4.htm (2. 2. 2007)

Securitization of energy as a prelude to energy security dilemma

Jelena Radoman

THE CENTRAL theme of the last May's meeting between Russian President Vladmir Putin and the EU *troika* (Javier Solana, Jose Manuel Barosso and Wolfgang Schussel) was, as expected, the energy security problem between Russia and European Union. The same subject was dominant in July of the same year at the G8 summit and also on the 5th of February this year when the EU *troika* visited Moscow. Meanwhile, even the representatives of NATO were discussing the problems of energy security at the summit held in Riga in November 2006. The problems of energy security have long ago ceased to be a subject dealt with only at economic forums; they are now deliberated at high-level political meetings between heads of state. In other words, the trade in energy supplies is no longer merely a question of economics but also become political. However, when a military-political alliance such as NATO begins to discuss the regularity and stability of energy supplies as a matter of course it can be questioned whether this, primarily economic, matter has irreversibly become a security issue. What are the consequences of such proceedings?

Our intention is, therefore, to deal with the potential problem of securitization[1] of energy security in the relations between the Russian Federation and the states which reply upon her for energy supplies, principally the member-states of the EU. We believe that, as long as energy supply isn't only regarded as a political problem but also a security issue, this state of affairs will lead to a new energy security dilemma[2] in international relations, with an unpredictable outcome.

Key Concepts

Energy security on a global as well as national level means access to sufficient energy supplies at reasonable prices from a stable source as well as the actual, physical security of gas and oil

[1] The concept of securitization according to: Barry Buzan, Ole Weaver, Jaap De Wild. *Security: A New Framework for Analysis.* Lynne Rienner Pub 1997.

[2] The concept of the security dilemma according to: Jevris, Robert. *Cooperation Under the Security Dilemma.* World Politics, 1978. The Johns Hopkins University Press

The author works as research fellow in the Belgrade School of Security Studies

pipelines. Securitization is a process through which an object or a value becomes signified as a threat and as such an issue of high importance for which defence is justifiable to use means that otherwise couldn't be legitimated had the securitization discourse not taken place.[3] One of the ultimate methods is the use of force.[4] The security dilemma represents a situation in which the efforts of one actor to increase his security could induce fear and suspicion in another actor. The other actor could perceive such efforts as a threat to his own security and therefore could take similar action in order to increase his own advantage in the balance of power. Therein, the efforts of the first actor are negated as, after a certain time, he loses the advantage he sought to achieve over the second actor. This leads to a return of the feelings of fear and insecurity which lead to new activities in an attempt to increase security. A key example of this occurrence is an arms race. If, instead of arms, we observe energy-sector potential, it can be seen that this model of the initiation of an energy dilemma situation is analogous with the model of the relationship between Russia and her energy-dependent countries.

Global (Political) Energy Market

Viewed on a global level, the problem of energy security has increasing importance due to the fact that the world's energy resources are limited and that demand is increasing along with the world population and the development of new technologies are taken into consideration. Also the resources and their use are distributed unevenly (see graphic below).
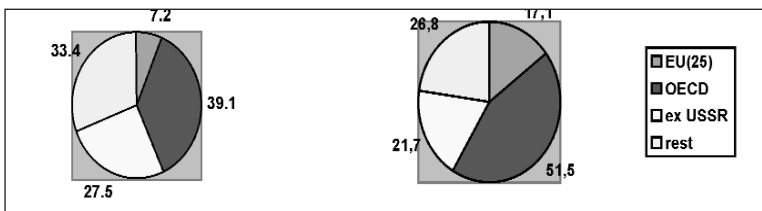
Natural gas (as a percentage of world production and consumption respectively)[5]
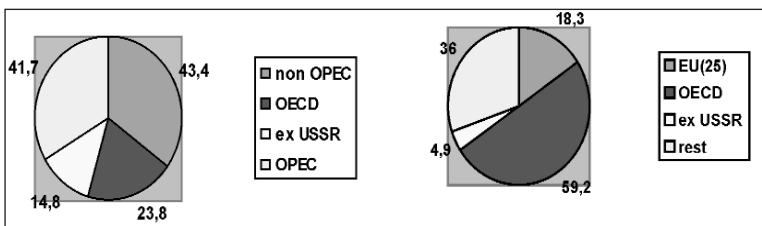
Oil (as a percentage of world production and consumption respectively)

[3] Securitization is the discourse driven process when securitizing actor makes effort to convince the auditorium in necessity of a adoption of special measures.

[4] 'Ultimate methods' does not necessarily exclusively mean the use of military force but also the application of other foreign policy tools (sanctions, the breaking off of diplomatic relations etc)

[5] Source: *Statistical Review of World Energy 2006.* British Petroleum, http://www.bp.com/productlanding.do?categoryId=6842&contentId=7021390

The largest consumers of gas are the countries of the European Union and their main supplier is the Russian Federation which has at its disposal one third of the world's gas reserves. The greatest demand for oil is in the United States and the "Asian Tiger Economies" yet the largest oil reserves are in the Middle East.

The uneven distribution of the forces of supply and demand for energy products creates a relationship of dependency such as producer – consumer. Furthermore, this dependency is not uni-directional, in other words, it is not only the countries which import energy products that are dependent on their suppliers, the suppliers themselves are dependent on the stability of demand and of the markets on which they place their goods.

Since we are using economic terminology and are thinking in terms of economic relationships, the initial assumption must have been that the market and the rules thereof represent the primary regulatory mechanisms and that the actors within the system behave in a rationally. Energy resources are, however, limited and non-renewable yet the demand for them is constantly increasing; the functioning of a modern economy without them is unimaginable. This fact dictates that the trade in energy supplies is a question of public significance that demands the engagement of the state apparatus and becomes an element of state policy. In other words, the trade in energy supplies has become a political matter. One consequence of this is that the supplier-consumer relationship is no longer dictated by economic logic but also by political motives and foreign policy interests of both the consumer and the supplier. Another consequence of the politicization of the energy sector is a reduction in predictability of the system and an increase in the unpredictable and untrusting behaviour of the participants in the energy-dependency chain.

The Politicization of Energy Supply and the Crisis in Relations between the EU and Russia

The reaction of the EU to the brief halt to Russian gas supplies in 2006/2007 is witness to the possible consequences of the politicization of this matter. Russia was accused of using her energy supplies as a tool with which to intimidate other states in order to achieve her foreign policy goals[6]. Even though

[6] Russia Cuts Gas Supply To Ukraine, Europe at Risk, http://www.relocalize.net/node/1943 Russia: 2006 — A Year Of Muscle And Missteps Claire Bigg http://www.rferl.org/featuresarticle/2006/12/d6adc178-4b45-4f10-ac09-97dfbf370b47.html

Russia described these actions as exclusively economic in nature, the countries that they affected assessed them as being a device with which to achieve not only economic but also political aims.

In January 2006 Russia halted gas supplies to Ukraine placed the condition on their resumption that Kiev would, instead of paying 50 dollars per 1000 cubic metres of gas, pay five times as much. In striking similarity to this scenario, in January 2007 the gas supply to Belarus was also cut as she failed to comply with the demand that she pay four times more than the 47 dollars per unit of as she was paying until then. These restrictions did not affect only Russia's neighbours but also the countries of the EU as the Ukraine is a country through which 80% of Russian gas passes, the remaining 20% passes through Belarus. As a result, this January restrictions threatened Germany, Poland, Lithuania, the Czech Republic, Slovakia and Hungary.

A halt of Russian gas supplies lasting several days was simply an observable manifestation of the state of affairs which was already clear to EU officials even before the break in supplies. Explicitly, the whole European Union is dependent on Russia for gas supplies. Consumption of natural gas represents 34% of the EU's consumption of all energy products[7]. Also, the EU is Russia's most significant customer as it is Russian gas that covers 25% of her total consumption. It is predicted that by 2020 the consumption of Russian gas will have risen to 70%.[8] Simultaneously, Russia exports over 50% of her oil and gas exports combined on EU market.[9] This inter-dependency is the result of several decades of relations that were created by the EU's strategic decision to use natural gas because it is a form of energy that minimises damage to the environment. Therefore, the probability that this state of affairs will change significantly in the near future is small indeed. The EU's (increasing) dependency on Russia, consequently, is not a reflection only of current but also of long-term relations in the energy market. The question then arises; what worries and disturbs the European Union? European Union is worried by the fact that it has thus far never, in such an unsophisticated manner, been forced to face the possible consequences of its energy dependency. It's one thing to speculate on the existence or not of a dependency on

[7] While the United States, for example, are strategically oriented to the use of oil as the main energy resource, the use of natural gas in the EU, being only 25% of all energy consumption. Source: The Rising Energy Superpower, Radio Free Europe, http://www.tomdispatch.com/indexprint.mhtml?pid=157744

[8] Clark, David. 2006. *The Geopolitics of Russian Energy Policy: Issues for Europe*. The Russia Foundation Energy Forum. Discussion Paper No. 2

[9] Monaghan, Andrew. 2006. *Russia-EU Relations: an Emerging Energy Security Dilemma*

regular gas supplies and another thing altogether to endure the consequences of a current and direct demonstration of the fact that dependency on energy supplies can turn into a dependency on the current and future political goals of the Russian Federation. More precisely, there are many speculations that the EU will pay for its regular gas supplies not only financially[10] but with significant investment in the Russian energy sector and also a reduction in the criticism directed at the Russian government, for example, on the state of human rights in Russia.

The halt of gas supplies to the Ukraine and Belarus has been evaluated, both by analysts and EU officials, as a signal from Moscow that it won't benevolently sit by and watch the change in foreign-policy orientation of the countries of the former-Soviet Union. Moscow has, however, described its actions as being wholly of an economic nature. The announced price-increases mark the end of an era (since 1990) during which the countries of the former-Soviet Union could buy their oil and gas from Moscow for price significantly below that dictated by the market. The Russian ministers of finance and economy endeavoured to keep the debate within the economic playing field by emphasising that the price increases are of economic, and not political, significance. They highlighted that one of the conditions for the acceptance of Russia into the World Trade Organisation is the harmonisation of energy prices with those on international markets by 2011. The increase of gas prices within Russia, they claim, cannot possibly come before the increase of prices for neighbouring countries which, until recently, were paying significantly lower prices.[11] At the same time, the Russian president, Vladimir Putin, endeavoured to convince his European colleagues that Russia is a dependable partner to the EU, that stability and predictability of the system of energy security is in the interests of both parties.[12] Also that, "Russia will use the market, and not politics, as the basis for its relations with all countries."[13]

In this fashion the politicization of the problem has been a factor in contributing to the situation in which energy security is discussed on two levels (economic and political), using both economic and political arguments and with divergent interpretations of the concept of energy security. For the countries of the European Union, energy security would be achieved if Russia

[10] In 2005 the EU bill for gas imported from Russia was 19,6 billion euros.

[11] Yasmann, Victor. *Russia: A Belarusian Pawn On The Global Chessboard*, Radio Free Europe, January 23, 2007

[12] Putin, Vladimir. 2006. *Energy Egotism Is a Road to Nowhere*. The Wall Street Journal http://www.mosnews.com/money/2006/02/28/putinwsj.shtml

[13] *Putin Says Market Governs Russia's Energy Relations* , RFL, January 18, 2007 http://www.rferl.org/featuresarticle/2007/1/9AF82D3C-F55A-4D3D-A266-B9EB667CB8E3.html

would allow foreign companies access to its resources and if she would allow competition in her energy sector, which is currently, dominated by Gazprom and Rosneft. Conversely, the Russian view is that an increase in security could be achieved with long-term agreements between the suppliers (Russian state-owned companies) and the main consumers (the EU and the US). In this manner, from Russia's point of view, long-term stability, free from the turbulence and price-changes of the international markets, could be secured. Moreover, Russia does not wish to surrender state ownership of her natural resources as "energy is the most important force of world economic progress" and Russia has relative, natural and technological, advantages that could place it in a leading position. "In fact, Russia has no other area in which to claim leadership."[14] For the countries of the EU, economic nationalism,[15] which Russia is in the energy sphere consistently engaging in, represents the threat and the cause of distrust. This type of action is in opposition to the principles of the European Energy Charter which came into force in 1998 and through which is intended to liberalise that sector. Fifty-two countries in total, signatories of the Charter, are attempting to reduce the risks that can result from changes in the markets by harmonising policy and legislation in the energy sector.[16] Russian officials, however, asses the acceptance of the European Energy Charter, as the EU is insisting in its dialogues with Moscow, as being in opposition to Russian interests.[17]

The Attempt of Securitization of Energy Supply

The securitization can be understood as a more extreme version of politicisation in which a problem becomes not only an issue of public significance but a matter of survival (of a state, nation or individual group…). In order for securitization

[14] Yasmann, Victor. *Is Georgian Gas Crises Evidence Of Moscow's New Energy Strategy?* http://www.eurasianet.org/departments/insight/articles/pp012405.shtml (02.03.2007.).

[15] Bjelić, Predrag. 2003. *Ekonomika međunarodnih odnosa.* Prometej. Beograd

[16] Available on: http://www.encharter.org/index.php?id=7

[17] *Putin Calls for Changes in European Energy Charter,* MOSNEWS,(25. 9. 2006.). http://www.mosnews.com/money/2006/09/25/putinenergycharter.shtml

to be successful, the securitizating actor who is undertaking it must convince his audience that something (in this case energy resources) is of such value that the use of extraordinary means in its defence is justified. Hence, the securitization could be fallible; as when an actor fails to convince his audience of the necessity and justifiability of the use of special measures.

When a military and political alliance, such as NATO, discusses a certain topic in the context of global security this can be viewed as an attempt of securitization of the same issue. NATO is a primarily military alliance which was conceived with the defence of its members in mind. Today the profile of this organisation is, partly, different in relation to the role it had during the Cold War. Its main function, however, continues to be one of defence and it is still a military alliance. NATO is, therefore, a relevant actor in global security which can carry out the securitization in its communications both with member and not-member states.

At the November 2006 NATO Summit in Riga a burning issue on the agenda, apart from the war in Iraq and the situation in Afghanistan, was that of energy security. Energy security was discussed in terms of a redefinition of the concept of an attack on a member state of the alliance. The General Secretary of NATO, Jaap de Hoop Scheffer, positively evaluated the expansion of the agenda with the addition of this topic "as, in the age of globalisation, literally every societal issue can be transformed into a security challenge".[18] The American senator Richard Lugar has committed himself to an enlargement and redefinition of Article 5 of the Founding Act so that an energy embargo on one of the member states could be seen as an attack on the whole alliance. The senator has judged that NATO should accept responsibility for regular, undisturbed, deliveries of energy supplies on which jobs, healthcare, and the entire economy of a modern state, are dependent. He foresees that energy will be the most likely cause of armed conflict in the future and that the use of energy as an unconcealed weapon in international relations is not merely hypothetical; it is happening now.[19]

The senator has not accidentally alluded to the identical consequences of the use of energy resources and of military might as intimidation and blackmail tool in the arena of inter-

[18] Jaap de Hoop Scheffer, *Reflections on the Riga Summit* http://www.nato.int/docu/review/2006/issue4/english/art1.html - 01.02. 2007.

[19] *Energy security, Georgia hot topics for NATO*, RFL http://www.isn.ethz.ch/news/sw/details.cfm?ID=16981

national relations; numerous authors have already, in their own works, drawn a parallel between the appearance of "energy super-power" (Russia today) and former nuclear super-power (the USSR). The comparison between the use of energy and the use of arms leads into a new spiral of the security dilemma. In this dilemma the actors will no longer compete only on the quantity and quality of military equipment that they have at their disposal but also over who can deny the other access to the resources essential for survival.

Energy Security Dilemma

As has already been mentioned, a security dilemma in international relations is created when an actor, in an attempt to increase his own security, takes measures which he claims are of a defensive nature. However, these measures are the cause of fear and suspicion of others who, due to the general mistrust present in international affairs, perceive the actions to be offensive. Measures undertaken by the Russians that were, according to the statements made by her officials, entirely defensive in character, i.e. they were intended to put a stop to the "subsidising of a foreign economy" by the Russian state, provoked distrust and suspicion in her trading partners. EU representatives assessed such behaviour as being aggressive.[20] The European Union responded by announcing a plan[21] according to which the energy security of the EU will be achieved by the diversification of energy sources (such as the import of resources from Algeria, Nigeria and Iran). The reaction of the Gazprom representatives, who announced that the limiting of Gazprom's access to the European market and the politicization of gas imports will not bring good results, is witness to the fact that this sort of behaviour on the part of the EU was seen as a threat in Moscow. The Russian side did not stop short of threatening to switch its supply to alternative markets such as North America and China.[22] In February of this year President Putin confirmed for the press that there was an element of intimidation present in Russian-EU relations but said also that Russia will continue to legitimately work on the reduction of its dependency on the EU market.[23]

In a situation in which there is interdependency but mistrust it is almost impossible, but also unnecessary, to discover

[20] *Europe rejects Gazprom's ultimatum*, Radio Free Europe, http://www.isn.ethz.ch/news/sw/details.cfm?ID=15592 (18. 4. 2006.).

[21] Green Paper, Commission of the European Communities, Brussels, March 8, 2006. Available at: http://ec.europa.eu/energy/green-paper-energy/doc/2006_03_08_gp_document_en.pdf (22. 2. 2006).

[22] *Europe rejects Gazprom's ultimatum*, Radio Free Europe, http://www.isn.ethz.ch/news/sw/details.cfm?ID=15592 (18. 4. 2006.).

[23] Vladimir Putin, transcript of the press conference for Russian and foreign media, http://www.kremlin.ru/eng/speeches/2007/02/01/1309_type82915_117609.shtml (1.2.2007.).

who is responsible for the initiation of mutual intimidation. The politicization of the problem of energy supply is already an open field for the appearance of a security dilemma. However, securitizing this issue the actors in energy-dependence chain would irreversibly renounce rational and responsible efforts to find a model of relations that would achieve energy security, as well as general security. Relations between Russia and her European partners are at a point where they could slide into a relationship encumbered with mistrust, fear and intimidation. This would lead into a security dilemma not unlike that of the Cold War and with unforeseeable consequences. ■

Bibliography:

1. Cerny, Philip G. 2000. *The New Security Dilemma: divisibility, defection and disorder in the global era.* Review of International Studies (26): 623-646.

2. Deese, David A.1979/1980*. Energy: Economics, Politics, and Security.* International Security, 4 (3): 140-153.

3. Gault, John C. 2006. Energy Security, Globalization and Global Security, GCSP Policy Brief No. 8.

4. Gorst, Isabel. 2004. *Russian Pipeline Strategies: Business versus Politics.* James A. Bakes Institute for Public Policy of Rice University.

5. Perovic, Jeronim. 2006. *Energy Security: Oil Shortages and Their Implications*, CSS Analyses in Security policy, 1 (2).

6. Schubert, Samuel R. 2006. *Revisiting the Oil Curse*. Development 49(3): 64-70.

7. Simonia, Nodari. 2004. *The West's Energy Security and the Role of Russia,* Russia in Global Affairs 2(3): 101-117.

8. Smith, Keith C. 2006. *Security Implication of Russian Energy Policies.* Centre for European Policy Sudies, CEPA Polic Brief 90.

Gendarmerie or local multiethnic police?

Đorđe Popović

THE NEED for the presence of the gendarmerie on the Serbian south has ceased to exist and the multiethnic community police are capable of securing peace and order."[1] This is not a lone voice of an Albanian leader. Namely, the presence of the gendarmerie is one of the main problems the Albanians perceive as an obstacle to the stabilization of the Serbian south.[2] But whether it is possible to withdraw special police units from an area wherein the possibility of a new conflict should not be completely ruled out, that is still an opinion-splitting question.[3] The debate on the justifiability of militarizing this part of Serbia or of the demands to withdraw special police units must reckon with the imminent termination of negotiations on the future status of Kosovo and the threats that may arise from the discontent of either of the negotiating parties.

With the entry of Albanian minority representatives into the National Assembly of the Republic of Serbia, after this year's January elections, the initial conditions for integration of this community into the political courses of the country have been created for the first time after the democratic change in Serbia in 2000. One of the most important preconditions for the stabilization of this region is the establishment of the Albanians' trust in the state of Serbia and their integration into its institutional channels. That would marginalize the separatist aspirations of certain Albanian political parties sprouting from the so-called Liberation Army of Preševo, Bujanovac and Medveđa (OVPBM), while the citizens would be referred to state institutions for the attainment of their rights. That is why the purpose of this text is to examine whether the stabilization of the Serbian south would be achieved faster by entrusting law enforcement to the local police that has a multiethnic composition and enjoys greater trust of the Albanian population, or by retaining a substantial force to control the region, in the way the gendarmerie does it today. But, before we address the

> *The author works as research fellow in the Belgrade School of Security Studies*

[1] Interview with Riza Halimi, Danas, *Nama je važno da nova vlada ne zavisi od radikala i socijalista(What matters to us is that the new government does not depend on the radicals and socialists)*, 5. 1. 2007.

[2] See: *Reviving Interethnic Political Dialogue in South Serbia*, Project on Ethnic Relations, Bujanovac, 2006.

[3] In all truth, we must note that units of the Serbian Army, also stationed in this region, have much better relations with the local population than the gendarmerie and have been no source of grievances. The exception is the construction of the Cepotina base near Bujanovac, objected by the Albanians, but even this should be viewed against the fact that the base is anticipated as a joint military and police facility and is informally referred to as "Serbian Bondsteel".

problems of the police presence in the Serbian south, it would be in order to say something about the history, mandate and organization of the armed forces securing this region.

Who provides security in the south of Serbia

Coming in power in January 2001 Zoran Đinđić's government was faced with a grave situation in the Serbian south. Strong dissatisfaction of the Albanian population during the 1990s resulted in the establishment of parallel institutions, and the authorities did not have much of an influence in the region. In addition, that period witnessed an outbreak of a low intensity armed conflict, caused, according to Albanian leader's claims, by the discrimination on the part of the official authorities. The conflict broke out in the Albanian-dominated municipalities of Preševo and Bujanovac, as well as in Medveđa with a numerous, if not majority, Albanian population. The ethnic composition of the population in these three municipalities is given in the following chart[4]:
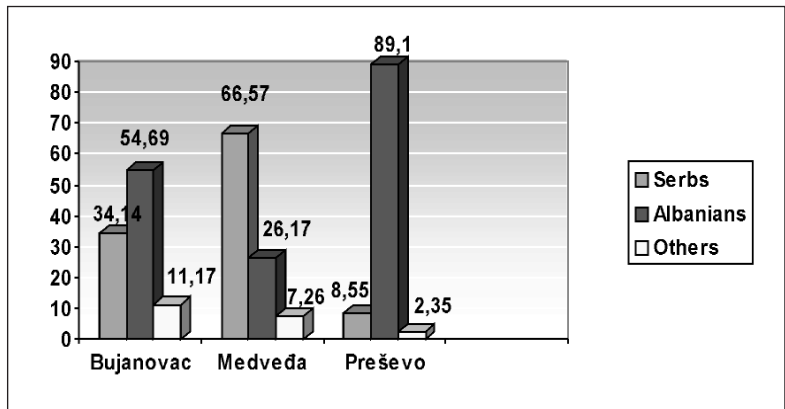
Armed formations calling themselves the Liberation Army of Preševo, Bujanovac and Medveđa (OVPBM) engaged in conflicts with the Serbian army and the police wishing, in the first place, to join these three municipalities to Kosovo and thus decide their future status. After their clashes with the Serbian forces these groups withdrew to the Ground Safety Zone, off-limits to Serbian security forces under the Kumanovo agreement. [5]

[4] See: Trivunović, Marijana, *Status of police reform after four years of democratic transition in Serbia*, Helsinki Monitor, No. 3, 2004. p. 180.

[5] Ground Safety Zone is a five-kilomentre zone from the administrative border with Kosovo, see: Kumanovo Military Technical Agreement at: http://www.nato.int/kosovo/docu/a990609a.htm .

Realizing that this problem cannot be resolved by military force the Serbian government devised a plan to peacefully resolve the crisis in the Serbian south known as the "Čović Plan".[6] In mid 2001, wishing to avoid massive military presence in the south of Serbia and reluctant to send in regular uniformed police, unprepared for that kind of work, the government decided to form a standing paramilitary unit – the gendarmerie, numbering 2 thousand men.[7] Its core staff were members of Special Police Units (PJP)[8], but it also recruited people outside the police service.

Once formed, the gendarmerie was deployed along the demarcation line with Kosovo to enforce the law and provide support to the local police only upon their request.[9] There is yet another reason conducive to the strengthening of the gendarmerie. Namely, it appears that after the Special Operation's Unit (JSO) rebellion in 2001 the Government decided to reinforce the gendarmerie to counterbalance the JSO whose members evaded its full control. After this infamous unit had been disbanded with some of its members implicated in the assassination of prime minister Đinđić, the gendarmerie took over all of its competences. In addition, the gendarmerie admitted a large number of this unit's members, most of whom are today assigned to its Anti-Terrorist Unit (PTJ).[10]

One of the objectives of the government plan to deal with the crisis in the Serbian south was the development of a multiethnic and multi-confessional society based on democratic principles and the respect of all human, political and minority rights.[11] The adoption of this plan, among other things, lead to the incorporation of more Albanians into the previously Serb-dominated local police bodies. The principle of multiethnicity was introduced into the police forces in the municipalities of Preševo, Medveđa and Bujanovac. The idea was to form ethnically mixed patrols – as a confidence building measure - to safeguard peace and order in the region. The units enlisted experienced policemen of Serbian nationality, former policemen of Albanian nationality and 400 new officers, over half of whom were Albanians. A good part of the latter group were former members of the Liberation Army of Preševo, Medveđa and Bujanovac (OVPMB)[12]. However, this multiethnic principle was not introduced in the local police over night. Although the mem-

[6] So called after the chief negotiator, government vice president Nebojša Čović. For more on this plan see: *Otklanjanje posledica institucionalne diskriminacije* (Removing the consequences of institutional discrimination), "Danas", 15. 12. 2003.

[7] Interview with Goran Radosavljević Guri, "Glas javnosti", *Žandarmerija - elita policije* (Gendermerie – police elite), 15. 11. 2001.

[8] Special Police Units (PJP) comprised 6,500 most able men from the regular police ranks. They included conventional police and men operating exclusively within the PJP. Each of Serbian regions had one PJP unit of brigade strength, which incorporated all smaller formations typical of military organization – platoons, battalions and companies. Just what kind of a unit this was is illustrated by the fact that some of its members were involved in war crimes in Kosovo and are on trial before the War Crimes Chamber of the Belgrade District Court. See: Šunter, Danijel, *Miloševićeva privatna armija dežura 24 sata* (Milošević's private army on duty around the clock), http://iwpr.net/?apc_state=heni bcr1999&l=sr&s=f&o=246117.

[9] The main tasks of the gendarmerie, in addition to counter-insurgency, included the struggle against terrorism, riot control in demonstrations and big sport events, and assistance to the Criminal Investigation Department and uniformed police in high-risk arrests of dangerous criminals. See: Bakić, Branka and Gajić, Novak, *Police reform in Serbia: Five Years Later*, Conflict Studies Research Centre, May 2006, p. 5.

[10] Ibid.

[11] See: Stodiek, Thorsten, *The OSCE and the Creation of Multi-EthnicPolice Forces in the Balkans*, Institute for Peace Research and Security Policy at the University of Hamburg, 2006, p. 43.

bers of multiethnic police from the very beginning were part of local police forces they were initially separated from the regular staff, both physically and in terms of their training.

New members of the multiethnic community police completed their training by May 2002 in the Mitrovo Polje training camp. The training lasted 12 weeks, less than the basic six-month course for citizens wishing to become policemen. The training was carried out by OSCE trainers and Serbian interior ministry police inspectors.[13]

Another problem faced by the multiethnic police in the field was the lack of experience. Members of this police starting their mandate, instead of being involved in the daily activities of police stations, were relegated to police containers in distant and sparsely populated places. Furthermore, they did not have appropriate field training, if any. When it became clear that this crash-course approach was not enough, especially for police officers to be dispatched to a region such as the Serbian south, the Ministry organized additional training in the 2002-2006 period. This was done upon the request of the Working Group for the Serbian south comprising the representatives of the local authorities, local police, the Ministry and OSCE.[14]

Gendarmerie vs. local multiethnic police

Although the organization of work anticipates different competences for the gendarmerie and multiethnic community police, the practice frequently denies that.[15] There are numerous cases where the gendarmerie overstepped its authorities, as pointed out by Albanian leaders from the Serbian south. They emphasize that the use of excessive power has become routine during control of public meetings, on check points or while searching the premises.[16] Albanian leaders also claim that Albanian population is prevented from working their fields in the vicinity of the demarcation line with Kosovo, and is therefore existentially endangered. Police officials argue that numerous organized crime channels pass precisely through this area and that many of the local farmers are involved in various criminal activities. Objecting the presence of the gendarmerie, Riza Halimi says that "traffic control by the gendarmerie has been expanded to the main streets of larger settlements in the Preševo

[13] Ibid.

[14] Ibid.

[15] Ibid.

[16] Interview with Riza Halimi, Srpska informativna novinska agencija SINA, *Haljimi tvrdi da je žandarmerija postupila brutalno, policija tvrdi da je reč bila o rutinskoj kontroli*(Halimi claims gendermerie was brutal, police speak of routine control), 20. 11. 2006.

municipality and is accompanied by brutal harassment of citizens. If to this we add the gendarmerie daily parading in the main streets in Preševo in full combat gear, the impression is that illegal activities create an atmosphere of a protracted state of war, five years after the end of armed conflicts on our territory".[17]

Mistrust between the citizens and gendarmerie in the Serbian south is coupled with the mutual mistrust of the gendarmerie and the local multiethnic police.[18] The local police were not informed and let alone invited to participate in the gendarmerie search operations in Albanian-dominated environments.

However, the presence of the gendarmerie in this region is both necessary and important. The threat of possible armed conflicts in the area has not entirely disappeared, as suggested by the news on regular seizures of arms cashed in this area. One of the reasons for discontent in this environment is the fact that the Serbian government has done very little to encourage its economic development.[19] A possible indicator of dissatisfaction may also be the 2004 local elections ending in the victory of radical Albanian parties seeking to join this area to Kosovo and Metohija. Furthermore, unless the final status of Kosovo is decided, the situation in the region of south Serbia shall not cease to be a subject of speculations and a source of diverse demands by Serbian and Albanian political leaders. However, despite the fact that the presence of the gendarmerie in the Serbian south is justified, the fact that it very often goes beyond its anticipated authorities does not contribute to the stabilization of this area. It is, after all, necessary to recognize that this is a special unit and should not assume the functions of the regular community police.

On trust

The feeling of security in the Serbian south is missing among all citizens – Serbs and Albanians alike. According to research findings quoted by Thorsten Stodiek, an associate of the Hamburg Institute for Peace Research and Security Policy, a third of Serbs and 40.8 per cent of Albanians say they do not feel safe in their municipalities.[20]

[17] Statement for Fonet news agency, 20. 11. 2006. See at: http://www.b92.net/info/vesti/index.php?yyyy=2006&mm=11&dd=20&nav_category=11&nav_id=220532

[18] See: Stodiek, Thorsten, *The OSCE and the Creation of Multi-EthnicPolice Forces in the Balkans*, Institute for Peace Research and Security Policy at the University of Hamburg, 2006, p. 52

[19] Ibid.

[20] Ibid.

All other attitudes of the public opinion are divided along ethnic lines. The local population is mistrustful of the gendarmerie. In a survey carried out by the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons in 2004, 43 per cent of Albanian respondents stated that they considered the Serbian gendarmerie the largest threatening factor. Sharply contrasted with this is the fact that not a single Serbian respondent found the gendarmerie a threat to security.[21]

The multi-ethnic community police enjoy substantially higher trust of the population compared with the poor reputation of the gendarmerie. According to the above mentioned survey 55.2 per cent of the Albanian population said the work of the local multiethnic police was good, compared with only 25.6 per cent of the Serbian nationality respondents who thought the same. However, the acceptance of the multiethnic police force has not always been this high. At the beginning of its operation numerous attacks on its members of Albanian nationality were registered, primarily by their own co-nationals. Participation in the work of this formation ranked almost as treason.[22] This initial mistrust reveals the importance of multiethnic police in the Serbian south today. These data clearly tell us that the citizens of Albanian nationality have greater trust of multiethnic police which they now recognize as their co-nationals and neighbours, while the Serbian population places greater trust in the powerful presence of the Serb-dominated gendarmerie.

In view of the data on ethnic shares in the population and police on the Serbian south (Table 1),[23] it is not difficult to understand the difference in opinions as to who should provide security on the Serbian south. Table 1 shows that the percentage of police officers of Serbian nationality is substantially higher than the one of Albanian nationality officers, even in environments with predominantly Albanian population.

[21] South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons 2004b, Public

Perception of Small Arms and Security in South Serbia, Belgrade. p. 11

[22] Statement by Dr. Nebojša Čović, president of the Coordinating body for the municipalities of Preševo, Bujanovac and Medveđa, Bujanovac, 7. 3. 2003. See at: http://www.arhiva.srbija.sr.gov.yu/vesti/2003-03/08/333990.html

[23] See: Trivunović, Marijana, *Status of police reform after four years of democratic transition in Serbia*, Helsinki Mnitor, No. 3, 2004, p. 180.

Table 1

Municipality	Population (in %)			Police (in %)		
	Serbs	Albanians	Others	Serbs	Albanians	Others
Bujanovac	34.14	54.69	11.17	58	40	2
Medveđa	66.57	26.17	7.26	85.7	12.1	2
Preševo	8.55	89.10	2.35	50	50	-

Albanians appreciate the initiated reforms of the police in the Serbian south to a greater extent, primarily because they see its results. Only 3 percent of interviewed Albanians think that there has been no improvement, compared with 11.9 per cent of Serbs who fail to see any progress in this respect.[24] Still, if the citizens' trust in the state protection is checked against their readiness to surrender illegal arms, the conclusion is that a substantial percentage of citizens in the south of Serbia do not really rely on it. The reasons for this attitude should be sought in the history of ethnic conflicts in this area. That is why the people in the south of Serbia, primarily those of Albanian nationality, do not wish to give up their illegally held light arms. Most Albanians, 62 per cent of them, believe that a decrease in the number of light arms will not add to the security of the region. By contrast, 52 per cent of Serbian respondents believe that the reduction of illegally held arms in this region would increase security.[25]

Trust – key to stabilization

Weighing whether the stability of the Serbian south would benefit more if the keeping of law and order is entrusted to the gendarmerie or the multiethnic community police, may lead us to the conclusion that the local police enjoy much larger trust of the population. Despite the lack of experience and training, the multiethnic police have proved to be an important factor in establishing the citizens' trust. This solution has enabled the population a better contact with law enforcement officers who now speak their mother tongue. Once they got used to multi-ethnic police patrols the citizens in this part of Serbia started to deal with the problems of their personal security and the security of their property in direct communication with the police. With that the scepticism of the local police harboured by individual citizens is slowly fading. Firm trust in regular police forces primarily leads to abandoning the parallel security systems, not infrequently linked with organized crime and terrorist groups. However, this trust may only be established if multiethnic local police prove that they are capable of safeguarding peace and order in the region.

[24] See: Stodiek, Thorsten, *The OSCE and the Creation of Multi-EthnicPolice Forces in the Balkans*, Institute for Peace Research and Security Policy at the University of Hamburg, 2006. p. 56.

[25] South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons 2004b, Public Perception of Small Arms and Security in South Serbia, Belgrade, p. 29.

To win this confidence the multiethnic community police must be given due importance. Although this formation has formally been vested with the full range of police authorities it is often unable to enforce them, since its various duties have been taken over by the gendarmerie. That is also why a good part of the local population does not take them seriously, and neither do the policemen who have been in service for some time. Bearing in mind the complexity of the security situation is this area it is quite clear that the complete withdrawal of the gendarmerie is still impossible. However, the local police would have to be made instrumental in establishing trust both through participation in the actions of the gendarmerie and through additional investments in advanced training. Still, we must admit that the most serious and comprehensive activity of the Serbian government aimed at stabilising the Serbian south was the police reform which, among other things, ushered the multiethnic principle into the local police service. That is why it is important that the multiethnic police is not reduced to a mere symbol. ∎

Literature:

1. *Annual Report 2004*, Odbor za ljudska prava, Bujanovac, 2004.
    http://www.cdhrf.org/English/CHR-Bujanovc/Bujanoc_AnnualReport2004.pdf

2. *Assisting police reform in FRY – ensuring a co-ordinated approach*, OSCE, Vienna, 2002.
    http://www.osce.org/documents/fry/2002/10/111_en.pdf

3. *Southern Serbia's Fragile Peace*, International Crisis Group, Europe Report N°152, 2003.
    http://www.crisisgroup.org/home/index.cfm?id=2414&l=1

4. *Reviving Interethnic Political Dialogue in South Serbia*, Project on Ethnic Relations, Bujanovac, 2006
    http://www.per-usa.org/Reports/PER_Bujanovac_Report.pdf

5. South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons 2004b, Public Perception of Small Arms and Security in South Serbia, Belgrade.
    http://www.seesac.org/index.php?content=&page=sur&section=6

6. Trivunović, Marijana, *Status of police reform after four years of democratic transition in Serbia*, Helsinki Monitor, No. 3, 2004

7. Bakić, Branka and Gajić, Novak, *Police Reform in Serbia: Five Years Later*, Conflict Studies Research Centre, May 2006.
    www.defac.ac.uk/colleges/csrc/document-listings/balkan/06(21)BB.pdf

8. Stodiek, Thorsten, *, Institute for Peace Research and Security Policy at the University of Hamburg, 2006
    http://www.core-hamburg.de/documents/CORE_Working_Paper_14.pdf

Stick and carrot: All you wanted to know about the policy of conditionality but didn't dare to ask

Jelena Petrović

WE DID not notice when the carrot disappeared, but we felt the stick on our back real good,"[1] Goran Aleksić, member of the Journalist Association of Serbia wrote in his book of aphorisms.

The "stick and carrot" policy is a term often used for the politics of conditionality. The subject gained topicality with the emerging of the so-called democratic conditioning, i.e. the second generation of conditionality developed in the 1990s in an effort to promote human rights and democratization of political communities.[2]

The purpose of this text is a theoretical analysis of the policy of conditionality. The author's thesis is that this policy is by its nature invariably coercive, namely that there is always a stick behind it. More precisely, we could discuss the degree of coerciveness and the strategy of conditionality applied to a specific case, but not its nature. Finally, this paper shall also present the theoretical models of conditionality strategies offered by Schimmelfenning, Engert and Knobel in their analysis of the EU conditionality policy.

The largest problem faced by conditionality policy analysts is of methodological nature. Not all conditions imposed by international actors are equally "visible". For instance, *ad hoc* demands are often less "visible" than the principled conditions set in specific documents (a typical example is the 1995 NATO enlargement study). One of the reasons for lesser "visibility" is the fact that certain foreign policy tools (persuasion, promises, threats, rewards, punishment and coercion)[3] are often kept secret in the imposition and fulfilment of such requirements. That is why, methodologically speaking, the analysis of these

[1] http://www.artija.net/prezentacije/Goran_Aleksic.html (accessed: 26.02.2007.)

[2] Angelov, A. (2004). The Policy of NATO Conditionality: The Cases of Bulgaria and Romania, CEEOL.

[3] For foreign policy means, see: V. Dimitrijevic and R. Stojanovic, *Osnovi teorije medunarodnih odnosa* (Službeni list SFRJ, 1977).

The author works as research fellow in the Belgrade School of Security Studies

tools is never sufficiently reliable. It rarely happens that an actor publicly pursues an *ad hoc* conditionality policy and reveals the tools to be employed for the purpose. One of the ways to identify the expedients used in a specific case is the content analysis of statements and releases issued by the officials involved. In addition, it is also possible to look for the proof of one's assumptions in the historical data and concrete behaviour of the parties, most often after the requested acting or non-acting.

What is the policy of conditionality?

According to Philip Schmitter's definition conditionality is the "use of fulfilment of stipulated political conditions as a prerequisite for obtaining economic aid, debt relief, most-favoured nation treatment, subsidized credit, or membership in coveted regional or global organizations".[4] Psychology refers to this phenomenon as the system of social stimulation, distinguishing two types of human behaviour incentives – positive (promise, reward) and negative (threat, punishment). The situation is similar in the sphere of international relations.

A reward, i.e. the "carrot" may take many diverse forms, starting from public commendation, through public promise of reward to a model or a mode of cooperation with the international actor, or admission to membership in the case of an international organization. In the relevant analysis it is important to bear in mind that the reward must be useful for the recipient and match the recipient's perception of benefit. On the other hand, coerciveness of the conditionality policy is reflected in the possibility of an international actor to punish a certain state if it failed to fulfil the stated conditions. The "stick", too, may be represented by a variety of things. The lowest degree of coercion is certainly the punishment by withholding. This means that if a certain state fails to comply with a specific requirement the international actor may withhold the promised reward. The weight of the punishment is mostly dependent on the importance the promised reward has for the recipient state. For instance, when the Union of Serbia and Montenegro refused to sign the bilateral agreement with the USA on the non-extradition of American nationals to the International Criminal Court, the US Congress did not approve the financial assistance for military training.[5]

[4] P. Schmitter, 'International Context and Consolidation', (2001) in L. Whitehead, *The International Dimensions of Democratization: Europe and the Americas* (Oxford University Press, 2001).

[5] Quoted from http://www.ccmr-bg.org/vesti/izmedija/izmedija0052.htm (accessed 06.03.2007.)

The most coercive form of punishment is trying to force a state into acting or non-acting under the use of force or the threat thereof. A typical example of the most coercive form of conditioning is an ultimatum, used on several occasions in the history of Serbia, starting from Austria-Hungary's ultimatum in 1914,[6] to the one of Rambouillet[7] in 1999.

Can conditionality be democratic?

Using Angel Angelov's theoretical model we will examine if the policy of "democratic conditionality"[8] is really democratic or coercive by nature. Democracy of conditionality may be observed in two ways:

- as the nature of the conditionality policy's objective, i.e. increasing the degree of democracy of the political system subjected to this policy;
- as the nature of the conditionality process itself, where the recipient should have a choice beyond the two options typical of conditioning, namely acceptance or non-acceptance of a condition.

For the purpose of this paper we shall only address the nature of the conditionality process. Angelov has developed criteria to evaluate the nature of conditionality policy applied to Bulgaria and Romania in the process of their accession to NATO. We believe that Angel Angelov's model is also applicable to other cases of conditioning. In addition to principled conditionality, e.g. of NATO and the EU, we shall also review the instances of *ad* hoc conditionality. We assume that *ad* hoc conditionality includes any demands made to a certain state by an international actor, which are not specified in the documents stipulating the conditions for admission to membership[9] (in the case of an international organization) and/or some form of cooperation. This form of conditioning implies a dominant situational factor, i.e. it is largely defined by the momentary interests of the international actor. The situational factor has a pronounced time aspect and is the consequence of circumstances prevailing at the time of imposing the conditions. One of the most remarkable examples of situational, *ad hoc* conditioning is NATO's request to the Republic of Bulgaria during the bombing of the FR of Yugoslavia (1999), for the opening of Bulgaria's air space to

[6] More at: http://www.znanje.org/i/i24/04iv06/04iv0610/iii_vojne_operacije.htm (accessed.03.2007.)

[7] Kovačević, Ž. (2004). Međunarodno pregovaranje (International negotiation). "Filip Višnjić". Diplomatska akademija MSP SCG.

[8] Schimmelfennig, F., S. Engert, et al. (2002). The Conditions of Conditionality: The Impact of the EU on Democracy and Human Rights in European Non-Member States.

[9] The relevant conditions for the EU were formulated in Copenhagen in 1993, and in the 1995 enlargement study for NATO.

NATO aircraft. At that moment NATO considered it important to close the ring around the FRY, which resulted in the above-mentioned demand.

Further on in this text we shall look into Angelov's argument that conditionality is considered coercive if it satisfies one or more of the following criteria:

- if there is a substantial asymmetry of power between the actor and the recipient;
- if the recipient countries do not have an alternative to the membership of, or cooperation with the actor imposing the conditions;
- if the actor has no urgent need to expand membership or cooperation;
- if the conditions are imposed unilaterally;
- if the recipient countries are obliged to fulfil specified goals that would not have otherwise be given equally high priority.[10]

We shall try to explain each of the above-mentioned conditions and thus make them more easily recognizable in specific situations.

Asymmetry of power and non/existence of options

In order for a certain state or international organization to be able to impose conditions on another it must be more powerful. However, the term power should not be understood as referring to military power alone although it, ultimately, lies at the basis of any policy of conditionality as the last stage of negative stimulation. Military power is, in this context, seen as the ability of one state to coerce another into acting or non-acting, using armed force. Although international law prohibits aggression, we see that in real life international law can be bypassed. A typical example of aggression is the bombing of Serbia without proper legal grounds - a UN Security Council resolution. The explanations offered do not change the substance of the fact, and we may rightly assume that the actor will ultimately apply force, depending on the importance attached to the fulfilment of his condition. That is why it is important to assess the power of both parties in analysing the conditionality policy.

[10] Angelov, A. (2004). The Policy of NATO Conditionality: The Cases of Bulgaria and Romania, CEEOL.

In addition to military power, economic power, too, is important. An actor does not have to be a world economic superpower to successfully pursue a conditionality policy, all that it takes is greater power in bilateral relations, i.e. the ability to seriously damage or assist the economy of the recipient. A typical situation of economic inequality arises when the recipient state depends on foreign trade with the actor. An example of this form of inequality, often invoked of late, is the energy policy of Russia, which is the largest EU supplier of gas and oil.[11] The smaller the asymmetry between the power of the actor and recipient is, the more difficult it becomes to implement the conditionality policy. In cases of that kind, the actor most often resorts to persuasion and positive incentives for the desired conduct. The implementation of this policy shall, in this case, depend on whether the benefit for the recipient country, if it agrees to fulfil the condition, exceeds the price (of what it must invest or risks losing by fulfilling the condition) it will have to pay for compliance.

The situation faced by the recipient country would be somewhat facilitated if it had the alternative to the membership of and/or cooperation with the actor. However, if e.g. the state concerned is "surrounded" (if its neighbours are members of a specific international organization) or is incapable of establishing close cooperation with another state/organization, we could say that it has no alternative. Before they were invited to join the Partnership for Peace at the Riga summit, Serbia, Bosnia-Herzegovina and Montenegro had a geopolitical position of surrounded states. Namely, all their neighbours were either the Alliance's full members or its partners.

In brief, in order to pursue a conditionality policy a remarkable asymmetry of power between the recipient and the actor must exist, as well as an absence of alternative, which also implies the possibility of coercion. Coercion as a means of conditioning denies the democratic nature of this policy.

The actor's urgency for enlargement of membership/cooperation and unilaterality of conditions

The importance of the "enlargement urgency" factor is reflected precisely in the (not only economic) cost-benefit analysis of both the recipient and actor. Greater concern for this kind

[11] Russian gas accounts for 25% of total EU consumption. The share of Russian gas is expected to reach 70% by the year 2020. Quoted From: Clark, David. (2006). The Geopolitics of Russian Energy Policy: Issues for Europe. The Russia Foundation Energy Forum. Discussion Paper no 2.

of link on the part of the recipient will give the actor the upper hand. An appropriate example is the relation between the EU and Central and East European countries after the end of the Cold War. All former socialist states wanted to return under "Europe's wing" and expressed the wish for membership in the Union. The Union, on the other hand, did not have an urgent need for enlargement which placed it in a favourable position to impose its own conditions to potential members.

The possibility of imposing conditions derives from the relations of power and interests. The larger the difference the more probable it is that the conditions will work unilaterally, without the possibility of the recipient to reverse the role and come up with a "counter demand".

The problem of priority

According to the criteria defined in the theoretical model of coercive conditionality, an indicator of coerciveness is the priority in fulfilling the conditions. The analysis of internal policy and priorities may lead to the conclusion as to whether a specific state has opted for acting or non-acting because it represented its interest at the given time, or in order to fulfil an externally-imposed condition. Extremely important for this analysis is the time factor. Compliance may indeed coincide with the interest of the recipient as perceived by its political elite. However, its place in the hierarchy of priorities may be different. If a specific activity appears at the top of a state's priority list after the imposition of conditions, without being rated in the same way before, we may assume that it is a conditioned, i.e. imposed priority. For instance, Bulgaria refused to include budget reduction and structural change into its army reform priorities. Not only the ruling parties, but a large part of the population believed that it was necessary to retain a large and expensive army without undertaking more serious structural changes. This situation continued until 1997 when a consensus on Euro-Atlantic orientation of Bulgaria's foreign policy was first achieved. That brought about the change in the priorities especially in the defence sector reform, in order to fulfil the conditions stipulated in the NATO enlargement study.[12] The fact that a specific state adjusts its priorities to the demands of an external actor reveals the coerciveness of the policy this actor pursues.

[12] B. Tashev, 'In Search of Security: Bulgaria's Security Policy in Transition', Papeles del Este (2004).

The coerciveness of conditionality policy is, in addition to being its nature, also manifested through the ways of its application, i.e. strategies of conditionality policy.

From stick to carrot

Conditionality policy strategies are based on the assumption that a state will accept certain conditions if its cost-benefit analysis speaks in its favour. The first model is called "reactive reinforcement".[13] This essentially means that the actor will offer a reward for the fulfilment of his demand, which is where his activity ends. The actor will thus, limit himself to the positive stimulation of the desired behaviour. An example of positive incentives is the US offer of financial assistance to Serbia under condition that it fully cooperates with the Hague tribunal.[14] The second model, "strategy of proactive reinforcement" has two sub-models:

- "Coercive reinforcement", where the actor offers a reward for the fulfilment of conditions and also threatens with a penalty in the case of non-compliance. This model may be illustrated with the EU threat to end the negotiations on the agreement on stability and association with Serbia, unless it extradites the Hague indictees;[15]
- "Supporting reinforcement" where the actor offers a reward and supports the recipient to fulfil the conditions trying to reduce the cost the country may insure in the process. For instance, by imposing conditions for full membership in its enlargement study NATO has developed the MAP (Membership Action Plan), which it uses to help the candidate states to meet the stipulated requirements. [16]

All three strategies are employed to impose general as well as situational ad hoc conditions, no matter. Another thing that requires additional investigation has to do with establishing a possible existence of a gradation in the actor's foreign policy towards the recipient, i.e. with determining whether there is a sequence in the application of above-mentioned strategies or else they are selected *ad hoc,* depending on the importance of the stipulated condition for the conditionality actor. Assuming that in the actor's decision-making strategic interests always have

[13] *Strategy of reactive reinforcement* , quoted from F. Schimmelfennig, S. Engert and H. Knobel, 'The Conditions of Conditionality: The Impact of the EU on Democracy and Human Rights in European Non-Member States', (2002).

[14] Bilten Ministarstva spoljnih poslova Srbije (Serbian foreign ministry bulletin), http://www.mfa.gov.yu/Srpski/spopol/Bilaterala/SAD/activities_s/250703_5_s.html (accessed 08.03.2007).

[15] Bilten Ministarstva spoljnih poslova (Serbian foreign ministry bulleteen), http://www.mfa.gov.yu/Srpski/Bilteni/Srpski/b230206_s.html (accessed 08.03.2007.)

[16] More at: http://www.hq.nato.int/issues/map/index.html (accessed 08.03.2007.)

greater weight than compliance, it is only logical to assume that the sequence of strategy application will depend on the specific situation more than on a set of rules defined in advance.

Due to the coerciveness of the conditionality policy, the recipient country is in a seemingly unenviable situation. It has no choice in assuming that role, but the existence of a large number of conditionality strategies gives it a chance to influence its relations with the other party. One of the ways for a recipient country to participate in the forming of relations with the actor is by indicating how it perceives its own interest. By making the actor aware of what it considers beneficial, the recipient country may influence the content of the promise, or reward, and thus improve its position in a specific situation. ∎

Literature:

1. V. Dimitrijević, and R. Stojanović, *Osnovi Teorije Medunarodnih Odnosa* (Bases of the Theory of International Relations) Službeni list SFRJ, 1977.

2. F. Schimmelfennig, S. Engert, and H. Knobel, 'The Conditions of Conditionality: The Impact of the EU on Democracy and Human Rights in European Non-Member States', 2002.

3. P. Schmitter, 'International Context and Consolidation', 2001.

4. B. Tashev, 'In Search of Security: Bulgaria's Security Policy in Transition', 2004, Papeles del Este 1-20.

5. L. Whitehead, *The International Dimensions of Democratization: Europe and the Americas* Oxford University Press, 2001.

And God created civil rights: Serbian resistence to the introduction of biometric I.D. cards

Filip Ejdus

DUE TO the media racket over the parliamentary elections the Serbian Government directive, dated 17 January 2007, went almost unnoticed. This directive was passed under public pressure that was guided by a group of NGOs and the Serbian Orthodox Church. It froze a part of the legal code dealing with I.D. cards, dating back to July 2006, which foresaw the compulsory installation of a biometric chip into new I.D. cards for citizens. The directive represents a small, temporary, but heroic victory of civil rights over the unrestrained intrusion of the politics of security into every sphere of life. Also, the passing of the directive represents a significant step in the right direction for democracy in Serbia. It shows that civil society can directly influence the policies of the government when it has sturdy enough arguments based on humanistic values. It does, however, raise the question of why the rightwing, clerical and conservative elements took it upon themselves to defend human rights while the liberally oriented public was not merely silent but actually supported the project of "chipping" the citizens of Serbia and inaugurating a so called surveillance society.

Biometric Technology

The word biometrics originates from the ancient Greek words "bios" – 'life' and "metron" – 'to measure'. Biometrics represents "automatic recognition of a person using distinguishing traits."[1]. These features may be "physical", as are, for example, handprints, fingerprints and retinal scans or they can be "behavioural", such as a person's signature, voice, walk or typing style. The use of biometry is not a new occurrence. The first known case is from fourteenth

[1] J. D. Woodward, *Biometrics: a look at facial recognition* (RAND, 2003)

The author is a research fellow at the Belgrade School of Security Studies and Executive Director at the Centre for Civil-Military Relations. Short version of this text was published in the Danas magazine

century China.[2] The most widely used biometric feature used today, the fingerprint, was introduced by the French police as long ago as 1890. During the 1970s biometric technology began to be used for commercial purposes, especially for the security of office buildings in Wall Street.[3] However, following the terrorist attacks in New York and Washington on the 11th of September 2001, biometric management has become one of the main pillars of global anti-terrorist security policy. Since then, the use of biometric technology has experienced an unprecedented expansion in the public as well as the private sector[4]. The United States is, without a doubt, the initiator of this expansion of biometric technology. The American "Enhanced Border Security and Visa Entry Reform Act" of 2002[5] stipulates, for example, that countries whose citizens do not require a visa to enter the US [6] must, within two years, introduce biometric passports if they wish to remain exempt from visa regulations.[7] In order to keep pace with American security demands and after the achievement of a political consensus at the 2003 Thessalonica Summit, the European Council passed "an act on the introduction of common security standards, biometric passports and other travel documents issued by the member states".[8] Until the end of 2006 the majority of EU member states had started to issue biometric passports with in-built, remotely monitored, contact-free microchips which contain, amongst other things, a digital photograph and signature of the holder. Because the EU had decided to introduce biometric passports for its citizens it also requested, with the liberalisation of visa-regimes in mind, that EU candidate countries and even potential candidate countries, including Serbia, introduce biometric passports. In Serbia the public and the political elite both accepted this EU request. However, the scandalous attempt of political entrepreneurs to 'push through' compulsory biometric ID cards as a part of the package with biometric passports excited extraordinary resistance, primarily, from rightwing and religious circles in Serbia.

Biometric ID Cards: Where's the Problem?

ID cards were introduced to Serbia in 1942 so that the occupation authorities could improve control of the occupied territory[9]. To the present day Serbia has been one of a hundred states around the world that maintain a legal responsibility to carry an ID card[10]. As for biometric ID cards, in the EU only Spain has introduced

[2] Researcher Hiao de Baros recorded that Chinese traders took fingerprints and footprints of their children in order to tell them apart. Source: http://ctl.ncsc.dni.us/biomet%20web/BMHistory.html

[3] E. Bowman, 'Everything You Need to Know About Biometrics', *Identix* (2000).

[4] Only eight days after the attacks, when the stock-markets were beginning to function again, the leading biometric company, Visionics, found themselves in 6th place on the CNBS list of the strongest 10 shares of that day. Since then, the biometrics industry in the US has been growing at 300% annually. K. A. Gates, 'Wanted Dead or Digitized: Facial Recognition Technology and Privacy, '2002'

[5] US Enhanced Border Security and Visa Entry Reform Act http://www.ofr.harvard.edu/additional_resources/Summary_of_Enhanced_Border_Security_Reform_Act_HR3525.pdf

[6] Visa Waiver Program

[7] For technical reasons this deadline has been extended to the 6th of October 2006. See: http://www.euractiv.com/en/justice/us-concedes-biometric-passport-deadline/article-141028

[8] It is important to note that the directive explicitly states that it does not apply to the Identity Cards issued by EU member states. Source: (EC) 2252/2004 Council Regulation on the introduction of common security standards and biometrics into passports and other travel documents issued by Member States

[9] For the same reason Vichy France also introduced identity cards which helped the regime to carry out the holocaust. In Great Britain identity cards were introduced as part of martial law during the First and Second World Wars.

[10] More details on ID cards can be found at: http://www.privacy.org/pi/activities/idcard/idcard_faq.html#1

them. Some states are considering this step and the UK has made the fiercely contested decision to introduce them by 2009[11].

The issue of the introduction of biometric ID cards started in Serbia in 2001 when the Minister of Internal Affairs of the time, Dušan Mihajlović, under very unusual circumstances, sent an order to *Motorola* for 100 million euros worth of biometric equipment for passports and ID cards[12]. The ID Card Law was passed three years later [13] and it anticipates the introduction of a new generation of biometric ID cards (Project SMART). The equipment was purchased without any public debate and before the passing of the legislation regulating ID cards as well as before the passing of a new personal data protection act. This new generation of ID cards would contain three biometric elements – a photograph, fingerprint and signature. This information, apart from being printed on the card itself, could be accessed by microchip. Together with other information, such as the JMBG[14], the microchip would be built into the part of the card which is intended to be read automatically. The contents of the chip could be read from a distance. For the purposes of record keeping, the Serbian Ministry of Internal Affairs (MUP) arranged that the information from the ID cards would be kept in a centralised database poetically named "The Serbian Memory". This database would be kept in the MUP building at 101 Kneza Miloša Street. All this was justified by the MUP bosses as being part of a more effective way to combat organised crime, terrorism and as part of the introduction of e-government.

However, the initiative for the introduction of biometric ID cards was fiercely criticised, primarily by, the clerical, conservative, and rightwing elements of society. Amongst the most vocal opponents to biometric ID cards was the Serbian Orthodox Church. Apart from the Church, the coalition against this new law was made up of a few NGOs, such as the Council of Serbian Gates,[15] the Citizen's Association Truth and the Spiritual Centre St. Bishop Nikolaj. However, of the NGOs that were most critical of the government the organisation "For Life Without Branding"[16]. This NGO was founded in May 2006 with the aim of opposing the introduction of biometric ID cards and, following the passing of the government directive, it won the coveted fifth place in a poll for most effective media/political propaganda of 2006 as run by the respectable journal "New Serbian Political Thought".[17] Apart from the aforementioned organisations, this loose coalition was joined by a part of the conservative intelligentsia. Amongst them were sociology professor Slobodan Antonić, professor Ljiljana

---

[11] A transcript of the law is available at: http://www.opsi.gov.uk/ACTS/acts2006/20060015.htm

[12] At the first tender mostly computer equipment was purchased, at the second, equipment for the printing of ID cards. The Budget Inspection Team of the Serbian Ministry of Finance initiated criminal proceedings against Dušana Mihajlović and other accountable people at the MUP. The Prosecution was forced to close the investigation, in spite of strong evidence of abuses and inconsistencies which was collected by the General Inspectionation of the Serbian Ministry of Internal Affairs. Source: interview with the former General Inspector Vladimir Božović, NIN, no. 2900, 27. 7. 2006.

[13] The Law was passed in July 2006 and its implementation was supposed to start in the end of January 2007.

[14] Translator's note: *Jedinstveni Matični Broj Građana – JMBG* The number the unique registration number that is currently found on Serbian ID cards

[15] Sabor srpskih dveri

[16] See: http://www.zazivot.org/

[17] http://www.nspm.org.yu/koment2006/2006_iz_ugla_nspm.htm

Čolić of the Philological Faculty, who during her short time as head of the Ministry of Education decided that Charles Darwin's teachings on evolution do not deserve a place in the curriculum, and finally the retired colonel and "*paranormal warfare*" expert, Svetozar Radišić.[18]

The criticisms of the aforementioned organisations and well-known individuals covered religious, economic, technical, and socio-political arguments. Frightened by apocalyptic warnings from the book of Revelations[19], the representatives of the Church see biometric ID cards as an "anti-Christian and anti-Orthodox" luring of Serbian society into an "invisible concentration camp" which allows for "totalitarian surveillance of every citizen and every aspect of his/her life by the state".[20] According to many analysts, even though the interference of the Church was decisive, religious arguments should not influence the political decision-making process in a secular state such as Serbia.

The economic criticisms were, primarily, concerned with the high price that was paid for the equipment as well as with the fact that this move would duplicate already existing facilities such as the Institute for the Production of Banknotes.[21] Nevertheless, bearing in mind the fact that this equipment will be used for the production of the unfortunately unavoidable biometric passports, this argument loses some of its impact.

The technical arguments against biometric technology are much more serious. Namely, a large number of studies[22] have shown that biometric technology, because of its vulnerability to hackers and other imperfections, represents a "gift for terrorists, organised criminals and foreign intelligence services".[23] For example, the computer expert Lucas Greenwald hacked British high-tech biometric passports in just two weeks and using equipment purchased for only 100 pounds.[24] This criticism is supported by a section of Serbian expert opinion. Nikola Marković, president of the Information Technology Society of Serbia, agreed that the introduction of electronic ID cards would create opportunities for misuse because of the inadequate electronic and legal measures taken to protect citizens.[25] Aside from this, information technology experts claim that the e-government project can be implemented in its entirety without the introduction of biometric ID cards.[26]

The legal arguments against the ID Card Law are also very persuasive. Firstly, article 28 of the law provides that "the respon-

[18] http://www.pravoslavlje.org.yu/broj/952/tekst/za-dobrovoljno-uzimanje-elektronskih-licnih-karti/

[19] Revelation 13:16 "And he causeth all, both small and great, rich and poor, free and bond, to receive a mark in their right hand, or in their foreheads:" 13:17 "And that no man might buy or sell, save he that had the mark, or the name of the beast, or the number of his name."

[20] P. E. Ž., 'Svetom arhejere-jskom saboru Srpske pravoslavne crkve', *Blagovesnik Žički* (2006)

[21] K. Preradović, *Policija rasipa novac, pravi štampariju*, Blic, 1.3. 2005.

[22] Some of the studies that are very skeptical about biometric technology are: A. Bromme, 'A Classification of Biometric Applications wanted by Politics: Passports, Person Tracking, and Fight Against Terror', (Kluwer, BV Deventer, The Netherlands, 2002), P. H. O'Neil, 'Complexity and Counterterrorism: Thinking about Biometrics', (Taylor & Francis, 2005)

[23] With these words the former British intelligence officer Daphne Park warned the British public of the dangers of introducing biometric ID cards. Source : http://thescotsman.scotsman.com/uk.cfm?id=441172006. Apart from her, amongst academics and experts there is a large number of people who are increasingly critical of the British Identity Cards Act dated 2006. Experts from the London School of Economics produced a very influential study that can be found at: http://www.lse.ac.uk/collections/pressAndInformationOffice/PDF/IDreport.pdf. The Bow Group, part of the Conservative Party, also produced a very critical study which is available at: http://www.bow-group.org/harriercollection-items/IDCards.pdf
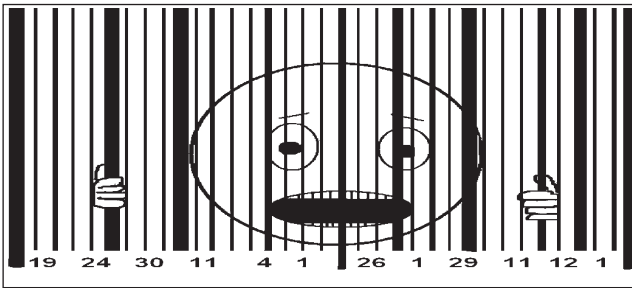
[24] http://politics.guardian.co.uk/homeaffairs/story/0,,1838754,00.html#article_continue.

[25] J. Tasić, 'Protiv Velikog brata', *DANAS* 16–17. 12. 2006.

[26] See the statement issued at the Smart E-governemtn conference held in 2006 at the Intercontinetal Hotel on the 25th and 26th of October 2006; especially interesting is the round-table conference called "The European Electronic ID Standardization and Privacy Protection." Source: http://www.zazivot.org/archives/128.

sible institution can pass the information from the database to other state or other institutions and organisations as well as to individuals and private companies that have the legal, or otherwise regulated, right to this access." This article is in direct opposition to article 42 of the Serbian Constitution which guarantees the protection of personal information and also explicitly forbids the use of this information for purposes other than those for which it was collected. Quite apart from that, this article is in conflict with already existing legislation from 1998 on the personal data protection, frequently criticised due to its obsolescence. This legislation saw that personal information can be collected used and changed only on the basis of existing laws and with the personal permission of the citizen in question but not on the basis of other regulations as provided for by the new ID Card Law.

And finally, the socio-political criticisms against the project of "chipping" citizens and the centralisation of personal information warn of its totalitarian potential. Long ago studies of monitoring and control have established the effects surveillance has on people's behaviour. In 1791, in a pioneering work in this field Jeremy Bentham compiled an outline of a special system of prison surveillance which he called the *Panopticon*. This is a tower that oversaw the central prison circle and in which the guards sit behind blacked out glass and observe the prisoners. Being unaware of when they are being observed the prisoners "normalise" their behaviour. Even Bentham thought the *Panoptikon* a simple instrument with which it would be possible to have power over the prisoners' consciousness. Many years later, Michelle Foucault would come to use the Panopticon as a metaphor for the disciplining biopolitical repression of the individual by modern society. Contemporary studies of surveillance and control also criticize modern monitoring systems such as biometry because, in a manner of speaking, they turn the whole society into an invisible prison in which all citizens are under suspicion of being potential criminals or terrorists.

Knowing that at any moment they might be under surveillance, citizens are forced to inhibit, normalise and standardise their

behaviour which represents the last nail in the coffin of the ideal of a liberal society.[27]

In short, the initiative for the introduction of biometric ID cards is problematic from legal, technological, economic and socio-political standpoints. For these reasons the new law is like an open doorway to those who are willing to misuse it, a doorway as dark and wide as the imaginations of the famous anti-Utopian writers such as Huxley, Orwell and Kafka.

Heritage of State of Emergency?

The EU request that biometric passports be introduced is a consequence of the American global war on terror and the almost constant "alert status" into which the world was pushed after the 11th of September 2001. However, the question is, where did the Serbian government get the idea to introduce biometric ID cards? They haven't yet been introduced even in the EU so nobody requested anything like that of Serbia. Why did Serbia voluntarily decide to become the avant-garde of the dark security policies of surveillance and control? Even more puzzling is the fact that the so-called democratic bloc and the civil associations that back it almost unanimously supported the new ID Card Law while the clerical and nationalistic forces fiercely opposed it in the name of privacy and civil rights.

In the conflict of the principals of freedom and security it remains unclear how it is possible that on the side of freedom stood the SPS, SRS[28], the NGO Council of Serbian Gates, and the followers of bishop Nikolaj and that on the side of security were DS, DSS G17Plus[29] and organisations such as the Belgrade Centre for Human Rights, the Helsinki Human Rights Committee, the Human Rights Foundation and other liberal-democratic orientated elements of Serbian society.[30]

A solution to this question might be found in the legacy of the assassination of the Prime Minister Zoran Đinđić in March of 2003, the period of state of emergency that followed and the associated Operation Sabre. This legacy affects the political culture of the "democratic bloc" to this day. It appears as though, frightened by the threat of organised crime that hangs over the tanks of the 5th of October revolution, the democratic and liberally orientated elements of society have expanded their boundaries of tolerance for security measures that violate human rights and civil liberties. The

[27] One of the most recent theories written on this subject is: D. Lyon and Dedt Lyon, *Theorizing Surveillance: the panopticon and beyond* (Willan Publishing, 2006)

[28] Translator's note: SPS = Serbian Socialist Party and SRS = Serbian Radical Party

[29] Translator's note: DS = Democratic Party and DSS = Democratic Party of Serbia

[30] The author has succeeded in finding two exceptions to this strange phenomenon. The first is the opinion standpoint of the LDP-GSS-SDU-LSV member Mrs. Vesna Pešić. She has criticised the law because "government should not have an enormous amount of information on its citizens, especially as the dossiers have not been released yet. People don't even know what kind of information the police has on them, and already they are trying to collect more." (Kurir, 15. 1. 2007). The other exception is the view held by the information technology commissary who has openly supported the government directive which makes the biometric chip voluntary rather than compulsory. His argument, that it is the right of every individual citizen to decide whether they want their identity card to contain a chip, represents the expression of a kind of right to conscientious objection. (Politika 13. 1. 2007)

other possible explanation is that the poorly informed citizenry simply "swallowed" the bitter pill of biometric ID cards without distinguishing it from the rest of what passes as the "modernisation" and "Europeanisation" of society. Whatever else happens, it is good that the ID Card Law has been suspended by the new directive. However, as all law school freshmen students know, a government directive cannot change the substance of the law. Therefore, the real battle to revoke the ID Card Law, and to replace it with a new one, is still to come. Looking ahead, the 21st Century looks like being a century of tension between the principles of freedom and security. It remains to be seen whether the conservative and clerical forces remain on the side of freedom in Serbia whilst the liberal-democrats stay on the side of security. ∎

Bibliography:

1. E. Bowman, 'Everything You Need to Know About Biometrics'. *Identix,* 2000.

2. A. Bromme, 'A Classification of Biometric Applications Wanted by Politics: Passports, Person Tracking, and Fight against Terror', Kluwer, BV Deventer, The Netherlands, The Netherlands, 2002, p. 207-19.

3. M. Foucault, *Discipline and Punish: The Birth of the Prison,* Penguin, 1979.

4. K. A. Gates, 'Wanted Dead or Digitized: Facial Recognition Technology and Privacy, *Television and New Media*, Vol. 3, Nº 2 May 2002, p. 235-38.

5. D. Lyon, and Dedt Lyon, *Theorizing Surveillance: The Panopticon and Beyond,* Willan Publishing, 2006.

6. P. H. O'Neil, *Complexity and Counterterrorism: Thinking About Biometrics*, Taylor & Francis, 2005, p. 547-66.

7. Pravoslavni Episkop Žički, 'Svetom Arhejerejskom Saboru Srpske Pravoslavne Crkve', *Blagovesnik Žički,* 2006.

8. J. Tasić, 'Protiv Velikog Brata'. *DANAS* 16.-17. decembar 2006.

9. J. D. Woodward, *Biometrics: A Look at Facial Recognition,* RAND, 2003.

Security topics in the 2007 parliamentary elections campaign in Serbia

Zorana Atanasović

THE MOST recent campaign for parliamentary elections lasted almost three months, thus becoming one of the longest in the history of party pluralism in Serbia. The campaign focused on economic and social topics, which is hardly surprising bearing in mind that unemployment, underdeveloped economy, low standard of living and inferior health care are the most frequent problems plaguing the citizens of Serbia. This text shall analyse the way in which the political parties campaigning at the 2007 parliamentary elections addressed security topics, such as the future Kosovo status, cooperation with the Hague tribunal, corruption, opening of secret services' files and security cooperation. Furthermore, we shall try to establish any changes in the status of security topics compared with the 2003 parliamentary elections. We shall look into the relevant parts of political parties' programs and platforms for the formation of the new government revealing the priorities of political parties, as well as their releases. Some of the parties updated their programs in the period between the 2003 and 2007 elections. For the purpose of the pre-election campaign completely new programs were drawn by the DS and the LDP (running in the parliamentary elections for the first time). Other parties also introduced some novelties into their programs – the SPS by adopting a document entitled "Program Declaration of the SPS Seventh Congress" in early December 2006, and the SRS with its "Starting Points for the SRS Social and Economic Program". The DSS and G17 did not modify their programs, but their objectives and priorities were revealed in the election campaign and their adopted platform for negotiations on the future government. This paper shall focus on the period from the scheduling of parliamentary elections on 10

The author works as research fellow in the Belgrade School of Security Studies

November 2006 until the Election Day – 21 January 2007. The status of security topics will be reviewed in comparison with 2003 parliamentary elections campaign lasting from the scheduling of the elections on 13 November 2003 until their completion on 28 December 2003.

The analysis will be limited to the positions of the political parties to be represented in the new composition of the National Assembly of Serbia based on their election results: Serbian Radical Party (SRS), Democratic Party (DS), coalition of the Democratic Party of Serbia (DSS) and New Serbia (NS), G17 Plus, Socialist Party of Serbia (SPS) and the coalition formed by the Liberal Democratic Party, Civic Alliance of Serbia, Social Democratic Union and the League of Social Democrats of Vojvodina (LDP–GSS–SDU–LSV). In view of the limited size of this paper, the positions of minority political parties to be represented in the parliament, or other parties in general, will only be examined to the extent that they place particularly interesting security issues on the political agenda.

Kosovo Status

The draft of the Strategic Defence Review addresses the future status of Kosovo in a chapter related to the evaluation of risks and threats to the security of the Republic of Serbia. This document states that in the period it covers, i.e. over the next few years, the security situation in the region and the Republic of Serbia will be "burdened by efforts to find the solution for the future status of Kosovo, primarily by dealing with the problems of overall and personal security of non-Albanian population and the return of temporarily displaced persons and exiles".[1] As it happened that the campaign for parliamentary elections coincided with the final stage of Kosovo status negotiations, this particular issue marked the entire period under our consideration. All political parties to be represented in the new parliament made their views on the future Kosovo status known in their electoral campaign.

The DSS maintains that "Kosovo and Metohija, although currently under an unofficial UN protectorate, are integral and unalienable part of our country".[2] During the 2003 campaign the DSS supported a search for the solution to the Kosovo problem in cooperation with the international community and repre-

[1] Strategijski pregled odbrane, nacrt (Strategic defence review, draft), p. I8, http://www.mod.gov.yu.

[2] DSS Program, www.dss.org.yu (retrieved 30. 1. 2007)

sentatives of Kosovo Albanians, while the proposed solution implied a higher degree of autonomy for the province. The importance of this issue for the DSS in 2007 is revealed by the fact that the initial platform for the DSS negotiations on the future Serbian government deals exclusively with matters related to the Kosovo status settlement. The fact that the DSS considers it crucial to keep Kosovo within Serbia is evidenced by this party's explicit refusal to form a coalition with political actors questioning the inviolability of the country's territorial integrity. This political party believes that the solution for the Kosovo status provides the basis to deal with all other problems in Serbia, and that the status issue has already been resolved by the constitution stipulating that the southern province represents an unalienable part of Serbia. In their initial platform for negotiations on the future government the DSS and the NS proposed to strain the relations with all countries recognizing any form of independence of Kosovo. They pointed out that a possible recognition of an independent Kosovo by NATO member countries would not only endanger the relations between Serbia and the Alliance, but also show that "NATO bombed Serbia to seize Kosovo and Metohija".[3] During the 2003 parliamentary elections campaign the DSS advocated cooperation with the international community and communication with Kosovo Albanians, without a single reference to strained relations.

The Starting Points for the SRS social and economic program do not address the Kosovo status issue. At the previous parliamentary elections the radicals supported a consistent implementation of the Resolution 1244 implying, among other things, the return of some security forces to Kosovo. The Declaration of the Sixth SPS Congress did not address Kosovo-related issues and the SPS supported Kosovo's autonomy within Serbia during the campaign for the 2003 elections. The text of the Declaration from the party's seventh congress explicitly articulates this position stressing that the SPS "will not accept a decision or an imposed solution that might territorially or politically separate Kosovo and Metohija from Serbia as an internationally recognized state".[4] The view that a possible independence of Kosovo would amount to a "seizure of part of the Serbian state territory" was voiced by both the radicals and the socialists in the election campaign. The two parties believe that if other countries recognized Kosovo, diplomatic relations with them should be discontinued. The SPS campaigners occasionally stated that

[3] DSS-NS Initial Platrofm for negotiations on Serbian government formation, http://www.dss.org.yu/vesti/vest.php?id=3868 (retrieved 31. 1. 2007)

[4] Program Declaration of the SPS VII Congress, p. 45

Kosovo should be defended with all means available, including military force.[5]

Although he repeatedly stressed that he would never accept a possible independence of Kosovo during the election campaign, president Tadić admitted that the position of Serbian politicians would not be decisive in solving the problem, which opened the possibility for acceptance of a compromise solution. The DS program also emphasizes the primary importance of a "joint effort of political factors and holders of state offices in devising a realistic strategy for the solution of the Kosovo problem" in the process of deciding on Kosovo status.[6] The DS position has not substantially changed compared with the one it advocated during the 2003 electoral campaign, when this party also favoured a solution deriving from cooperation of all actors in the conflict. A compromise solution is also the objective of G17 plus, a party which during the recent campaign, same as in 2003, supported a greater autonomy for Kosovo within Serbia. Knowing that the G17 plus platform for government formation is dominated by economic issues and makes no reference to Kosovo's status, we may conclude that it does not constitute a specific priority of this party.[7] This fact is not surprising since this is a small political party whose program is the most comprehensive in its elaboration of economic policy issues.

The position of the LDP–GSS–SDU–LSV coalition that Kosovo has been lost, that the people should be told the truth, and that a joint future of Serbia and Kosovo will be attainable only through European Union membership will also be represented in the Serbian parliament.[8]

Cooperation with the Hague Tribunal

Political will and determination for interaction with the Hague tribunal will play a key role in the completion of this cooperation process. It ranks among security topics because security structures are instrumental in locating and apprehending the accused. The problem of cooperation with the Hague tribunal did figure in the recent election campaign, as a condition to continue economic and political integration into the EU – an outcome supported by all political parties.

The campaign revealed different views on cooperation with the Hague. The DS assigned this problem high priority and during the campaign manifested its readiness to arrest the war crimes indictees.

[5] http://www.b92.net/info/vesti

[6] Za bolji život, DS election program (For a better life, DS election program) DS, p. 14, www.ds.org.yu (retrieved 31. 1. 2007)

[7] www.g17plus.org.yu

[8] Od nas zavisi, Program LDP-GSS-SDU-LSV (Everything depends on us, LDP… program), www.odnas zavisi.org (retrieved 31. 1. 2007)

The DS does not see this cooperation only as Serbia's unavoidable obligation but also believes that its completion will enable the country to become a credible partner, ready to pursue ambitious objectives related to the accession to the EU. A similar attitude was manifested by G17 plus whose program explicitly states that "state bodies are obliged to locate, arrest and extradite all indicted by this court".[9] Complete cooperation with the Hague tribunal is also supported by the LDP–GSS–SDU–LSV coalition pointing out that "perpetrators of crimes are sanctioned and punished by the Hague, while it is up to Belgrade to sanction and punish the policy of crime".

The DSS, just as in the previous election campaign, maintained that the completion of cooperation with the Hague was in the interest of the state and expressed its readiness to see it through. This party believes that the Tribunal is a political, rather than legal institution, that cooperation with it should be legally regulated and mutual and that imposition of conditions violates national dignity.

Cooperation with the Hague tribunal is also missing in the SRS Starting Points, while the "Program declaration of the SPS Seventh Congress" repeats that proceedings before this tribunal are characterized by bias, selective justice and disrespect of international law.[10] The socialists and the radicals look upon this tribunal as a political institution intent on vilifying and punishing the Serbian nation and that its one-sidedness, discriminative justice and nonobservance of international law discredit the institution of this tribunal. During the election campaign both parties strongly advocated the stopping of extradition to the Hague tribunal.

The largest polemics related to the Hague tribunal during the 2003 election campaign was triggered by the names of the Hague indictees appearing on the lists of certain political parties.[11] This, however, has not been the case in the most recent pre-election campaign.

Corruption

Corruption is one of the most serious security problems in Serbia because it reflects the weakness of its institutions. Weak institutions do not have legitimacy among the citizens and represent a security risk, since they open the possibilities for links with organized crime, resist reforms and are a source of internal threats to citizens.

According to a survey done by Transparency International in 2006 Serbia was listed 90th out of 163 states ranked on this

9 For more details see: http://www.g17plus.org.yu/stavo vi.php?subaction=showfull&id=1 160948826&archive=&start_fro m=&ucat=10& (retrieved 31. 1. 2007)

10 Program Declaration of the SPS VII Congress, p. 45

11 Oko izbora 13, Izveštaj sa parlamentarnih izbora u Republici Srbiji (About the elections 13, Report on parliamentary elections in Serbia), (28. 12. 2003), CeSID, Beograd, p. 84

NGO's corruption perception index. Serbia's score of 3 shows an improvement of 0.7 compared with 2003, but only a score of 5 on a scale of 1 to 10 means that corruption has been reduced to a tolerable level. By way of comparison the only Western Balkan country less corrupt than Serbia is Croatia, ranked 69th with a score of 3.4.[12]

Political parties represented in the Government, especially the DSS and G17 plus, generally boasted of the results achieved in fighting the corruption and organized crime and promised to continue the battle. Let us recall that during the mandate of the now outgoing government arrests on corruption charges included a justice of the Supreme Court, deputy special prosecutor for organized crime, president and judge of the Commercial Court and members of "receivership", "customs" and "road" mafias. The DS believes that combating corruption is a priority and, same as in the previous elections, advocates the promotion of relevant legislation, establishment of an independent body and an efficient punitive policy.[13]

However, opposition political parties the SRS and SPS, do not acknowledge the Government's success in fighting corruption and organized crime and look upon claims to that effect as serving the election campaign of parties that held the power following the October 2000 change. Corruption was one of the keynotes of the SRS electoral campaign, featured in several of the party's promotional slogans. According to this party corruption, bribery and crime currently prevail in the top echelons of power, which are the source of all corruption. The SRS campaign directly linked privatization with corruption, while the SPS argued that "social differences, neglect of the young and reduced availability of education and employment generate crime".[14] However, the two parties' respective programs do not propose specific measures to suppress corruption.

The first impression, after the end of the election campaign, is that scandalous affairs, which marked the one of 2003, have this time been less numerous.[15] Further research will provide more reliable insights into this particular matter.

Other topics

The issue of opening the files kept by secret services was particularly prominent in the Serbian Renewal Movement's (SPO) campaign. Several times during the campaign this political party

[12] For more details see: Transparency International Corruption Perceptions Index 2006, http://www.transparency.org/policy_research/surveys_indices/cpi (retrieved 30. 1. 2007)

[13] Za bolji život, izborni program DS (For a better life DS election Programme), p. 100-103, www.ds.org.yu (retrieved 31. 1. 2007)

[14] Declaration of the SPS VII Congress, p. 13, www.sps.org.yu (retrieved 31. 1. 2007)

[15] Oko izbora 13, Izveštaj sa parlamentarnih izbora u Republici Srbiji, (28. December 2003), CeSID (About the elections 13, Report on parliamentary elections in Serbia, Beograd), p. 83

argued that secret services ruled the state which is why it was necessary to open the files. Based on a decision of the foreign minister and president of this party, files kept by the foreign ministry's secret service were opened. The SPO in its campaign also pretended at the office of the Security Intelligence Agency (BIA) director.[16] This position of the SPO was only expected bearing in mind that before the democratic change the oppositional activity of its members made them the target of these services. The broaching of this issue is important since it draws the attention to the outstanding problem of heritage of secret services in Serbia and the fact that, in the past six years, it clearly was not considered the priority by the Serbian political elite, which therefore did not develop a plan for the services' reform. The question is whether Serbia's democratization is possible unless its security service undergoes a comprehensive transformation.

Security integrations figured as a topic in the campaigns of all political parties. Most of them, just as in the 2003 parliamentary elections, supported cooperation within the "Partnership for Peace" but were once again divided on the issue of NATO membership. Towards the end of 2006 Serbia became a PfP member – a fact that elicited a positive reaction from all political parties expected to enter the new parliament, except the SPS. The SRS agrees with the membership in the PfP, knowing that countries like Belarus and Russia have already joined the Program, although it did not have a clear position on this issue in the previous parliamentary elections. The radicals' attitude towards NATO is consistent – they believe that this organizations seeks to expand its domination and that the objectives and interests it champions do not contribute to Serbia's security.[17] The SPS steadily objects accession to the PfP and NATO, but its program states that the party "will go along with any decision the citizens may take in that respect".[18] The DSS' electoral campaign in 2007, or for that matter in 2003, did not touch upon the issue of security integration, other than through prime minister Koštunica's statement after the accession to the PFP that membership of that organization would help preserve the integrity of Serbia.[19] Nevertheless, the government's security strategy draft of September 2006 states that "in the attainment of national security objectives the Republic of Serbia is committed to the concept of cooperative security within Euro-Atlantic security structures, as well as within the framework of other

[16] http://www.danas.co.yu/2006 1216/vikend2.html#1.

[17] For more details see: "Budućnost Srbije najvažnija za srpske radikale", intervju sa Tomislavom Nikolićem (Serbia's future of greatest importance to Serbian radicals, interview with Tomislav Nikolic), Velika Srbija, no. 2760, January 2007

[18] Program Declaration of the SPS VII Congress, p. 45, www.sps. org.yu

[19] Partnerstvo, Srbija i očekivanja (Partnership, Serbia and expectations), 30 November 2006, http://www.b92.net/info/vesti/index.p hp?yyyy=2006&mm=11&dd=30&n av_category=11&nav_id=221870&f s=1

regional security associations".[20] The DS, G17 plus and the LDP–GSS–SDU–LSV consistently support security cooperation within the PfP and NATO.

During the 2003 campaign, the offer of the then prime minister to send a thousand soldiers to Afghanistan actualized the issue of participation in peace missions. Towards the end of 2006 Serbia came the closest to dispatching its army members (true, in effect only one physician) on a peace mission, but the political will to realize this objective went lacking. This however failed to trigger a public debate on the prospects of Serbian Army's participation in peace missions. The fact that this issue remains outside the focus of political parties is also evidenced by its absence in their updated programs. The matter was, during the campaign, brought up by SRS and SPS members both of whom strongly oppose this kind of security cooperation.

***

Bearing in mind that Kosovo status negotiations took place in 2006, the issue unavoidable prominently figured in the electoral campaign. Just as in the previous elections, the political parties display a consensus (shunned by the LDP–GSS–SDU–LSV coalition alone) that Kosovo should enjoy a certain degree of autonomy. The only difference within it is revealed in the DSS-proposed ways and means to react should the outcome of the negotiations turn out to be at variance with Serbia's interests. Namely, the DSS proposed more radical measures in its most recent campaign. In order for the future Kosovo status solution to be viable, it must be acceptable to all parties to the dispute. Failing that, it will continue to be a source of security challenges. There is also the aggravating circumstance of having three parties – Serbs, Kosovo Albanians and foreign actors – deciding on the Kosovo status. That makes the harmonization of views on a solution acceptable to all increasingly more complex.

The above-mentioned positions of political parties show that a consensus on the desired pace and outcome of cooperation with the Hague tribunal is lacking in Serbia. Extraditions to the Hague are viewed in the light of international obligations, while the matter of responsibility of the accused does not attract the

[20] National Security Strategy, draft, Government of Serbia, September 2006 p.2

attention of all political parties. The positions on extradition to the Hague tribunal are yet another manifestation of the society's division on the issue of Serbia's security heritage and the desired course of development.

In the period between the two electoral cycles anti-corruption efforts produced an objective improvement, as measured by the corruption perception index. This period saw the initial development of a framework for fighting the corruption including the adoption of the Law for the Prevention of the Conflict of Interest in 2004, the National Strategy to Fight Corruption in December 2005 and the proposal of legislation governing the establishment of an Agency to Combat Corruption. The matter of corruption has, in the most recent campaign, remained above the level of scandalous affairs characterising the previous one. However, this topic still figures quite prominently because, the initial framework notwithstanding, the real struggle against corruption, including law enforcement, independent bodies and the use of appropriate authorities in fighting the corruption is yet to come.

The positions of political parties presented here indicate that in the period between the two electoral cycles a consensus was established on the issue of Serbia's membership in the PfP. Cooperation with NATO still causes divisions among political parties, probably due to the experience of the 1999 conflict. Issues related to security structures – the army, police and security services – take little space in the parties election programs. These are indeed topics outside the sphere of interest of an average citizen, but knowing that the reforms of the army, police and security services were a priority after the democratic change and are in fact still underway, one must note the absence of views on the results achieved and/or what should be done in the coming period. There is no doubt, however, that security topics will continue to figure in election programs and cause divisions between political parties. ■

Sources:

1. Demokratska stranka (DS): www.ds.org.yu

2. Demokratska stranka Srbije (DSS): www.dss.org.yu

3. G17 plus: www.g17plus.org.yu

4. Koalicija okupljena oko Liberalno demokratske partije (LDP–GSS–SDU–LSV coalition) www.odnaszavisi.org

5. Oko izbora 13, Izveštaj sa parlamentarnih izbora u Republici Srbiji (About the elections, Report on parliamentary elections in Serbia) (28. 12. 2003), CeSID, Beograd, 2004.

6. Srpska radikalna stranka (SRS): www.srs.org.yu.

7. Socijalistička partija Srbije (SPS): www.sps.org.yu.

8. Srpski pokret obnove (SPO): www.spo.org.yu.

9. www.mod.gov.yu.

10. www.transparency.org.

11. Everything depends on us, campaign website: www.odnaszavisi.org.

www.isn.ethz.ch

Marko Milošević

THOSE OF us who are scientifically minded and who read a lot of books will eventually arrive at the conclusion that large swathes of the Amazon rainforests have been cut down in order to publish the books that we read. The feelings of guilt over the state of the environment and the "lungs of the planet" can be diluted by the fact that the Internet is accessible to many and that a large number of books, articles and other works can be found on the net, without the destruction of the precious rainforests.If you are (un)lucky enough to be interested in security and international relations then you've come to the right place. Except that here, instead of the rainforest, you can expect a jungle of information but at least the path through it is well marked.

The ISN (International Security Network) is like the contents of a methodology textbook, plenty of essential information that may not be particularly interesting but cannot be avoided. Because of the information overload on the first page you may feel as though you are at the entrance to a Chinese goods shop; the shop front looks overloaded but you can see that the shelves are also packed with all kinds of things. In order to entice you into the shop, some of the goods on offer look pretty interesting - in the case of this site they usually appear in the shape of two or three new publications or research projects with a picture of the front page that draws your attention to it.

Without a doubt the site offers a wealth of useful material, both its own and that of partner organisations. Many documents (from articles to books) can be downloaded in the PDF format. Some elements of the site, the search function for example, bring us back to the metaphor of the Chinese goods shop. In that sense, unless you know exactly which section the article you are after is in, you will have to surf the site until you bump into the document you were looking for. But, the documents are child's play – they can be found using keywords in the search engine. The real problem is news articles – you can subscribe to have the news sent to your email address. Yet, if you want to find those news articles on the site, you'll be disappointed; they aren't methodically arranged on the site. That happens to be one of the great failings of the site.

An advantage of the site is the sheer quantity of information on security and international relations that is on offer. Aside from research information you can also have a look at the timetable for future events and conferences and apply to study online courses. The site offers one general and integrated information base and is linked to significant documents from partner organisations. The wealth of information on offer means that you effectively cannot see the wood for the trees but without information one cannot have an information base. ∎

WBSO

Call for Papers

The Western Balkans Security Observer is a publication emerged in the academic community of the Belgrade School of Security Studies, Serbia. The editors of *Western Balkans Security Observer* would like to publish the papers of researchers newly introduced to security studies, as well as articles of already affirmed authors. We therefore call upon all interested in security theory or practice, and especially regional security topics, to send their papers to the Belgrade School of Security Studies. The authors are encouraged to first send abstracts of their papers to e-mail: office@ccmr-bg.org. For questions concerning the appropriateness of possible submissions and book reviews, please contact the editor. The final submitted texts should not exceed 15, 000 characters (Times New Roman style, size 12, spaced 1, 5 lines, Chicago reference style).
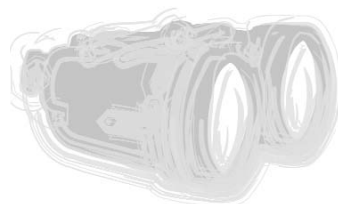
N⍛ 4

We have a great pleasure to present new design of the Western Balkans Security Observer. It starts with an article by British author who courageusly asks one of the key security questions for the Balkans, namely if Serbs and Albanians can live together. Apart from that, we deal with an increasingly important topic in the EU – energy security. The reason for such development is securitisation of energy dependence in the relations between EU and the Russian Federation. The researchers of the Belgrade School of Security Studies analysed this trend and also explored if Serbia is energy secure. Another new topic that we dealt with in this issue is privatisation of security. According to unofficial estimates the private security sector in Serbia employs approxiamtely 50 000 people and is therefore bigger armed force than the Army of Serbia. This issue of Western Balkan Security Observer analyses why private security sector in Serbia expanded to such an extent and compares three draft model laws on private security companies. The novelty introduced in this issue is a new column that will in the future cover the reviews of interesting books, journals and web portals dealing with security issues.

Belgrade school of security studies