



Serbian Civilian Capacities for Peace Operations: The Untapped Potential

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Summary

This policy brief provides an overview of the Serbia's capacities to participate in civilian peace operations abroad. It analyzes the legislative framework that regulates international cooperation and contribution to peace operations of the Serbian defense forces and, based on interviews with representatives of state institutions, it identifies the key practical challenges these institutions are facing in order to create a more conducive environment for a more proactive civilian contribution. The roles of relevant stakeholders, the Ministry of Foreign Affairs, as well as the Serbian Armed Forces and the Police are examined, including an initial overview of the untapped civilian resources from other branches of the Government. In addition to this, potential pools of experts for civilian mission are identified in the civil society sector and among the staff of the international organizations operating in Serbia. The main finding is that there is a vast, untapped potential in Serbia for a more proactive involvement of its civilian capacities¹ (CivCaps) in missions abroad; yet, the lack of clear foreign policy goals, coupled with the lack of initiative and coordinating efforts on the part of MoFA, impedes their adequate usage. Lastly, recommendations for increasing existing training capacities and establishing two potential rosters of experts are provided.

¹ The term civilian capacities, as understood here, includes civilians and other non-military personnel that participate in peacebuilding and state building missions, including the police and civilians in military missions.

Introduction: Global Challenges and Peace Operations

The End of the Cold War thawed frozen conflicts around the world, and the last decade of the 20th century witnessed an increase in number of conflicts managed by the UN missions. The changing environment and diverse types of conflicts imposed new challenges to peacebuilding efforts, where military role changed from mere traditional peacekeeping to multidimensional peacekeeping and sometimes even peace enforcement. Yet, mere cessation of conflict was not enough and more had to be done for the restoration of regular life, building institutions and ensuring lasting peace. This was not the task for the army, although the army often conducted it. This need created a niche for the civilian involvement in peace operations. Civilian expertise was—and still is—needed to solve complex problems and build institutions in both conflict and post-conflict areas.

The UN is the biggest contributor of personnel to these missions, currently fielding 85,057 soldiers and 29,735 civilians, meaning that every fourth person in the UN missions is a civilian.² As far as Serbia is concerned, its involvement in peacekeeping operations steadily increased, with eight military and two police missions currently ongoing. However, despite growing numbers and ever more sophisticated involvement, police and military remained the only two institutions contributing to peace operations.

However, there are still many challenges when it comes to civilian participation in peacekeeping missions. One of the arguments put forward is that civilian

² UNDPKO factsheet, available at <https://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml> (accessed 10.1.2014.)

missions represent a “neo-colonialist approach” to peacebuilding, where the actors involved do not take into account local circumstances in the affected countries.³ The local ownership issue is resolved by hiring local staff, so almost 1/3 of all civilian personnel in missions is currently locally contracted. Coming up with more contextualized solutions, the UN wants to increase the participation of CivCaps with relevant experience from post-conflict countries. In this regard, the Western Balkans has potential resources to offer.

The aim of this paper is to identify these resources as well as to identify obstacles for their adequate use; to define key areas where changes need to be made; and finally to identify priorities and the steps that need to be taken in order to increase civilian participation in peace operations.

Legislative framework

The most important law regulating deployment of Serbian personnel in peace operations is Law on Participation of the Serbian Armed Forces and Other Defense Forces in Multinational Operations outside the Borders of the Republic of Serbia (further referred to as the Law on MNO). The Law on MNO recognizes the difference between military and civilian multinational operations, where the military servicemen are sent into operation by a parliamentary approval, whereas the government decides on sending civilian participants to missions. Taking into account that this law was drafted by the Ministry of Defense, the biggest drawback from the civilian perspective is the fact it is primarily focused on military personnel. The law envisages participation in several types of missions, which include: peacekeeping and peacebuilding, conflict prevention and peace enforcement, and humanitarian operations in the events of natural and other disasters.

Civilian capacities, as envisaged in this law, are described as other defense forces and they are listed as “employees of the MoD, MoI and other state institutions, civil protection personnel and persons eligible to be engaged in provision of assistance in multinational operations.”⁴ At this point, it is worth noting that Montenegrin and Croatian laws specify additional activities that allow for CivCaps engagement, which include encouraging the development of democracy, legal security, and protection of human rights,⁵ which

are missing from the current Serbian legislation and thus limit the scope of operations available to CivCaps.

Other laws pertinent to multinational operations are, for instance, the Law on Police which defines international cooperation in several articles, and The Law on Foreign Affairs which prescribes that MoFA, in cooperation with other institutions, ensures participation in multinational operations. Law on Emergency situations defines in article 140 several aspects of international cooperation. Lastly, the Law on Civil Servants contains an important provision that enables civil servants to be transferred to another institution in handling specific tasks. In this way, lending of civil experts to MoD to be employed as functional specialists in peace operations has its legal basis. Also, the general provisions for setting up rosters of CivCaps are contained in this law. In defining competences of Governmental Department of Human Resources Management, this law lists basic data needed for central evidence which sets the path for further management of potential candidates for peace operations, as it allows for keeping track of relevant experience, time spent in the organization, education, skills, etc.

Apart from these legal documents, references to peace operations can also be found in the Defense Strategy and the National Security Strategy. However, there is no Foreign Policy Strategy and hence no political goals are defined for peace operations. The only guiding document is Engagement of SAF and other Defense Forces in Multinational Operations Annual Plan (further referred to as the AEP), a document defined in the Law on MNO. It determines participation in the ongoing missions for a one year period, troop contributions, and types of mandates with estimated costs of engagement in each mission.

Mapping the Areas of Expertise

Both members of the SAF and the Serbian police agreed that more initiative and better coordination is needed in order to participate in the ongoing missions and post-conflict reconstruction efforts. Some demands, such as infrastructure reconstruction, could be addressed by military engineers, although civilians might be better equipped to perform this job. In addition, judiciary could be coupled with police in missions and structured like EULEX mission in Kosovo, so as to assure the respect for the rule of law. Also, the possibility of transfer of expertise on prosecution of corruption and war crimes exists, as Serbia faced these challenges as well. Lastly, Serbian military medical expertise was praised in the UN mission in Chad, and this practice can be complemented by sending additional civilian doctors.

3 Savkovic Marko and John Karlsrud (2012) “Harnessing Serbian Civilian Capacity for Peace Support Operations: A Nascent Community?” *Journal of Regional Security* 7 (2), No 2: pp. 163-185; referring to Chandler 2006; Chandler, David. 2006. *Empire in Denial: The Politics of State-building*. London, Ann

Arbor, MI: Pluto; Autesserre, Severine (2010) *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding*. New York: Barnard College, Columbia University.

4 Law on Participation of the Serbian Armed Forces and Other Defense Forces in Multinational Operations outside the Borders of the Republic of Serbia, Official gazette RS 88/2009, Article 2

5 Milosevic 2009, 24

For the first time, in 2014 there was willingness from other civil ministries to participate in the missions abroad.⁶ While the 2014 AEP was being drafted, three civilian ministries sent their applications nominating 11 candidates in total. Their applications were, however, incomplete, and couldn't be taken into consideration. In a meeting headed by the MoFA, the representatives of these civil ministries had little to share regarding peace operations, since none of them has even read the Law on MNO. Our interviewee explained: "The MoFA didn't coordinate things well, neither did the MoD. We expected to be included in military mission, but that was not the case. Nobody told us what to do."⁷

Further concerns on civilian side include the selection criteria for candidates, since each ministry had to develop its own set of criteria. In MoI, they have applied the UN standards and have defined procedures in their bylaw, but even that practice raised concerns.⁸ Selection criteria are a slippery ground prone to corruption that, in turn, may hamper efforts and the public image of peace operations.

Main Actors and Their Performances

The gap between the MoFA and the MoD was documented in the Law on MNO, where MoFA's role was almost nonexistent. This left the SAF in charge of planning peace operations, which rendered them primarily focused on military aspects. As noted by one of the interviewees, "if military starts to moderate civilian issues, there is a name for that, and that is not democratic, nor we want to do it."⁹ Therefore, no one considered the civilian dimension when planning participation in missions abroad. So far, the MoD organized several courses attended by civilians, and contemplated on the role of functional specialists, but without any concrete steps taken in that direction.

MoFA is the main institution of formulating goals of foreign politics and addressing the needs for civil participation in peace operations. These activities go beyond the scope of law on MNO, as they encompass cooperation with OSCE, bilateral cooperation, or cooperation in emergency situations. No contributions for the AEP have been considered for 2014, but there are some thoughts on activities of MoFA in 2015. As the main driver, they stipulate the willingness to share responsibilities. The EU is clearly a good choice as incentives are twofold: they partly finance civilian

missions and the political goal of EU integration is better addressed.

The MoFA's performances are negatively assessed, mostly because of the lack of staff that is permanently in charge of peace operations, thus with no continuity secured. Therefore, the MoI has been so far the only contributor of civilian personnel to peace operations. According to the AEP, Serbia will be contracted as third party country by the EU. However, no budget allocations are earmarked for these plans. Efforts of the MoI are mostly independent, as they usually participate in the UN missions with a minimal role of MoFA. Other type of foreign participation is achieved through OSCE cooperation, but there is the issue of secondment: "When we second someone abroad, we are sending them away for a year. No reporting whatsoever is required, and after their stay is over we don't know what experience they gained. They receive some funds, but their work status is on hold, which might affect them and their families."¹⁰ Serbia has no law on secondment and this raises more concerns. Namely, there is a lack of adequate legal protection of personnel in missions, since the general practice is to sign a contract with MoFA stipulating that employee renounces all financial benefits granted by the state, so that they receive only daily allowances.

Apart from these ministries, resources are allocated in staffs of the Red Cross of Serbia, which has tremendous experience in dealing with humanitarian efforts; and in the OSCE mission in Serbia, with highly qualified personnel that might be utilized once OSCE presence in Serbia starts to decrease, leading those experts to seek new employment possibilities. However, it is not very likely that the state can offer attractive benefits package compared to that given by the OSCE.

Expertise in civil society abounds, yet it is not recognized by the state. There are organizations that provide electoral monitoring and other services, which could be used as an export product. At the same time, state has no expertise of the like, so there is room for CSOs involvement.

Training and Rosters

Civilians, regardless of their skills and expertise, should undergo some sort of trainings for peace operations. Policemen have so far attended various trainings in Italy, Slovakia, Croatia, Slovenia and Bosnia. In 2012, they started delivering trainings of their own and 28 policemen had been trained in domestic facilities so far. The SAF's Centre for Peace Operations also delivers specialized trainings. Between 2011 and 2013, 31 representatives of MoI and several students from the

6 Interview with MoD representative January 2014.

7 Interview with representative of Ministry of Foreign and Internal Trade and Telecommunications.

8 Selection criteria were voluntarily interpreted, sometimes counting years of MA studies as work experience, and several of these cases appeared in media arousing suspicion about the corruption in the process of deploying officers to these highly lucrative positions.

9 Interview with a MoD representative November 2013.

10 Interview with a MoI representative, November 2013.

University of Belgrade attended these courses, with the utility of training the students being modest at best.

So far, no roster of experts exists apart from those of the MoD and Mol, which are internal. However, some preconditions are set and the legal basis for future rosters exists. A roster for the civil servants could be placed in the Governmental Department of Human Resources Management, by adding additional function to the existing competencies as they already keep records of all civil servants. Collecting civilian experts outside of the government, e.g. from the CSOs, can be done by the government's Office for cooperation with civil society. "We recently had a regional meeting of environmental organizations for flood management. That is a kind of cooperation that enabled us to have contact with regional organizations that possess expertise in this area, which could be turned into a roster of CSO experts if needed."¹¹ So far, no initiative has been shown in this respect.

Challenges and Incentives

The biggest challenge is the lack of political will to recognize potential benefits of civilian peace operations. The second problem is the lack of the whole of the Government approach. Without it, each ministry will follow its own agenda according to their preferences, leaving peace operations to military and police. Our respondents agree that some permanent working body would improve performances of civilian ministries, as a place of sharing of know-how, or addressing potential demands.

Financial incentives for civilian contribution are found in the UN and the EU missions, since the UN reimburses part of the costs, whereas the EU finances civilian missions from its own budget. Additionally, further incentive can be provided by better regulating secondment procedure.

Conclusion

Currently, Serbia is expanding its presence in peacekeeping missions abroad. Following the EU accession process, Serbia has also started to contribute to the EU sponsored missions. However, the key element is missing: the MoFA fails to recognize the potential benefits of these missions, and still has to show initiative to coordinate civilian ministries to this end. In addition to the Mol, which is the flagship of Serbian CivCaps abroad, other ministries have expressed the will to take part in missions, but no further steps were taken. Certainly, room for improvement exists, and with the MoFA and MoD coordinating the training and mission planning, Serbia could provide more civilian staff than it currently fields. But, in order to achieve this, some further steps need to be taken.

¹¹ Interview with representative of Office for cooperation with civil society, November 2013.

Recommendations:

The Government of Serbia:

1. Amend the Law on MNO since, as it currently stands, it allows participation of CivCaps in conflict prevention missions and disaster relief efforts only. It should include activities aiming to encourage development of democracy, the rule of law and protection of human rights.
2. Adopt secondary legislation that will precisely define criteria for selection for peace operations in order to minimize risks of corruption.
3. Department of Human Resources Management should be obliged to collect the data of relevant candidates for peace operations (skills, foreign languages proficiency, years of service, courses attendance...), thus forming a roster of civil servant experts.
4. Office for the cooperation with civil society should be allowed to start collecting data on expertise in civil sector needed for peace operations.

The MoFA:

1. Define a Foreign Strategy Policy with relevant foreign policy goals to serve as a basis for planning future civilian missions.
2. Define specific missions and coordinate civilian ministries with MoD for creating AEPs. Special emphasis should be put on capacities for sending medical staff, policemen and emergency/rescue services, personnel from judiciary and representatives of MFA.
3. Define secondment of civil servants in order for it to better serve as an incentive for those with relevant experience. Define procedures for reporting while on secondment, regulate continuity of employment, health insurance provisions, and maintenance of job position upon returning from mission.

The MoD:

1. Include more civilian representatives in trainings for peace operations.
2. Assess opportunities for secondment of security sector reform specialists from the MoD to international peace operations.

This policy brief is a product of a research project "Cooperation between Belgrade Centre for Security Policy, regional partners and the NUPI - Building Civilian Capacities from the Western Balkans in Peace Support Operations", project No. SRB-13/0021 financed by the Norwegian Ministry of Foreign Affairs throughout 2013-2015.