

## **SECURITY SECTOR REFORM - AN INTEGRAL PART OF POST-CONFLICT RECONSTRUCTION**

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*"Conflict is part of human nature, is part of human life, and man is essentially a creature of conflicting interests. Human history is strewn with a wide range of conflicts, from the economic to the military, depending on the growth and decay of tribes, nations, empires and cultures. Some entities have initiated and engaged in attacking conflict to destabilize, control or conquer, while others did so to defend themselves. War, military campaigns and naval battles, fighting, insurrection, guerrilla, terrorism and other conflicts is a constant period of contemporary events. Moreover, various forms of military conflict held daily forefront so often that periods of peace can be considered notable exceptions to normal running of international relations."*<sup>1</sup>

**Keywords:** conflict; post-conflict; operations; reconstruction; stability.

According to the National Security Strategy, national security means "prerequisite for the existence of the nation and the Romanian state, it has as its reference values, interests and national objectives. National security is a right that stems from people's full sovereignty, is based on order and is rendered in the context of regional, NATO and global security."<sup>2</sup>

A credible national defense, which has chilling effect on potential adversaries and allies by one of evaluation can be achieved given that we have political leadership at home and respected abroad, skillful diplomacy in support of national interest, a strong economy and performance, a high standard of living, political stability and social peace, an army well equipped and trained.<sup>3</sup>

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<sup>1</sup> Lieutenant General Professor Teodor Frunzeti, PhD, *Contemporary conflicts. New perspectives of conflict armed*, Scientific Session – U.N.Ap., Bucharest, 2010.

<sup>2</sup> National Security Strategy of Romania, Bucharest, 2007, <http://www.presidency.ro>;

<sup>3</sup> Coordinator Constantin Moștofleu PhD, *Defense and security strategies of NATO and the EU eastern borders*, Papers presented at international scientific session organized by the Centre for Defence and Security Strategic Studies, 23-24 November 2006, Volume I, "Carol I" National Defense University Publishing House, Bucharest, 2006;

The concept of security system reform (SSR) started to be used in the 2000s to describe the transformation of the security sector in central and southeast Europe, in order to make them more efficient and responsible in a democratic system.<sup>4</sup>

The concept of security sector reform has no clear definition. Democratic Control of Armed Forces Center (DECAF) in Geneva, coordinator of an empirical study on security sector reform in Southeastern Europe, the Partnership for Peace, established several features and objectives which must be included into the reform: it is initiated by political leaders in accordance with democratic principles, its starting point is the extended vision of security, it covers all national security institutions, it is a lengthy process and focuses heavily on structures and human resources.<sup>5</sup>

Overall, security sector reform refers to many aspects of security sector as well, arms reduction, restructuring the armed forces, professionalisation of the military, introducing mechanisms of democratic control over armed forces, violence management, and restructuring the intelligence services, police, gendarmes and border troops, but also the judiciary and criminal systems.

Restoring security involves having a national security state, secure borders and agreements with neighboring states. Of the three factors required to achieve a state of stability and reconstruction, internal security is the most important and often the most difficult to achieve.

Security sector includes individuals and institutions responsible for the safety and security of the host nation and its people. Generally, this includes military, national and local police, judiciary and correction system (prison), police forces and coastal border, supervisors, private security forces and state security companies.<sup>6</sup> The functioning of the security sector is the cornerstone of legitimate and effective governance and of the long-term development of any state.

Security sector reform is a set of policies, plans, programs and activities that the government undertakes in order to improve the ways to provide safety, security and to meet the needs of the population.

Security sector reform aims to provide effective and legitimate public services, to be transparent, accountable to civil authority and to meet the needs of the population. This may include activities supporting integrated defense and armed forces' reform, civilian oversight and management, police

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<sup>4</sup> Marian Zulean, *Military and Society: civil-military relations at the beginning of the third millennium*, Military Publishing House, Bucharest, 2008;

<sup>5</sup> *Ibidem*.

<sup>6</sup> FM 3-07, Stability Operations, Headquarters Department of the Army, 6 October 2008, chapter 6.

reform, justice, information, adoption of a national security strategy, disarmament, demobilization and reintegration of warring forces, while reducing armed violence.

Security sector reform (SSR) can strengthen diplomacy and defense of borders, while reducing long-term security threats, helping to build a stable, prosperous and peaceful society.

Security sector reform facilitates cooperation with other countries, state capacity building activities in all areas and engaging in stability operations. Finally, security sector reform is based on the tradition of nations to work in partnership with foreign governments and international organizations to effectively support good governance, peace and security.

Security sector reform involves the rehabilitation and reform of key institutions and ministries that can maintain and provide safety and security for people outside that State. Through unified action, all individuals and state institutions effectively assume the role of legitimacy and responsibility, bringing external and internal security for all citizens, under civilian control and the legitimate authority of the state.

An effective security sector reform allows a state to build capacity to provide security and justice. The reform of the security field generates stability; reform favors all areas and allows economic development. The result envisaged by the programs of security sector reform, is that security sector becomes legitimate and deeply rooted in the rule of law.

Security sector reform includes reform efforts aimed at individuals and institutions that ensure the security of a nation, and promotes and strengthens the rule of law. By recognizing the inherent interdependence of the areas of security sector reform and by operational integration with institutional and governance, the security sector reform, promotes effective security, legitimacy, transparency and justice with security responsibility. Security sector reform fully captures a range of security activities under the umbrella of a large single coherent framework. This covers the military and police forces training, disarmament, demobilization and reintegration of former combatants and the supervision and financial support of security sector reform.

All security sector reform programs are based on the understanding that good governance - the efficient, equitable, accountable, transparent, effective management of civil services and resources – is necessary for the rule of law and for the establishment of an effective security sector. Sustainable governance of the security sector extends the concept of civilian surveillance and control, including administration and management of the developed policies.

Security sector consists of militarized forces - army and police - civilian agencies and organizations operating at different levels within the operational

environment. Interdependent elements are functioning in the security sector, so that the work of any actor significantly affects the other elements.

The four basic elements of the security sector are:<sup>7</sup>

- The state security providers;
- Government security management and surveillance organisms;
- Non-state security providers;
- Civil society.

*Security providers* are those organizations authorized by the State to use force and to support its use. These include active armed forces, civil agencies, welfare services, police, military and civilian intelligence services, border and coastal police, customs, civil defense units, national guards and other paramilitary organizations.

*Security management governance and surveillance organizations* are the formal and informal organisms authorized by the state to manage and supervise the activities of government and armed security forces including public agencies. These may include (but are not limited to) the executive, Ministries of Defense, Interior, Justice and Foreign affairs, the judiciary and approved bodies to advise and coordinate an national security, the legislative branch its committees, traditional authorities and customary security, Ministry of Finance and other financial management bodies, local government structures. The latter includes governors, municipal councils, bodies and audit committees of public complaints.<sup>8</sup>

The basic element of the security sector consists of *civil society and other non-state actors*.

*Society* is made up of professional organizations, government policy analyses, human rights commissions, traditional justice systems, NGOs, media and other non-state actors. In addition to these actors monitoring the security field, the civil society is connected to public security and safety requirements. In some cases where government capacity is limited to host nation, civil society and other non-state actors fill the security gap by providing a degree of security and justice in the local community.

*Non-state security providers* are providers of justice and security. These suppliers include a wide range of actors with varying degrees of legitimacy and legal status. However, these non-state actors and illicit power structures can lead to violations of human rights. Sometimes, they facilitate connections between the public and private inadequate security and political parties, state agencies, paramilitary organizations and organized crime.

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<sup>7</sup> *Ibidem.*

<sup>8</sup> *Idem.*

Security sector reform may occur at any time in the entire spectrum of conflict, under circumstances that vary up to general peace, after carrying out major operations. Regardless of the circumstances, the security sector reform is focused on creating the prerequisites for stability of the host nation and not the creation of crisis and conflict.

In the entire spectrum of operations, security sector reform is an aspect of stability operations. It includes tasks, functions and activities from each field of activity. It focuses on generating capacity needed by the state and social institutions to support responsible governance and the rule of law.<sup>9</sup>

In general, military forces must play a leading role in security sector reform affecting the armed forces and defense institutions of the host nation. In other fields of the security sector, military forces are usually limited to a supporting role for other actors of the reform. However, military forces may assume a more active role in security reform activities affecting non-military elements of the security sector. Finally, environmental conditions determine the role of military forces operating in the security sector reform activities.<sup>10</sup>

If the operating environment is hostile, military forces are likely to become the leaders of the reform efforts.

When conditions allow other actors of security sector reform to assume primary responsibility within their role, military forces can give up their leading position in reforming these activities. Initially, the presence of non-military partners of the reform may be limited, and in this case it is necessary for military forces to assume responsibility together with other agencies or partners with civilians. Even when security sector reform actors are present, the nature of the security environment may require the presence of military forces to support the work of non-military actors and to take over some of their tasks. Many civilian agencies need a secure environment before assuming the responsibility of reform elements. In some cases, military forces establish safe areas they can control, so that elements of the security sector may become active. The military role is essential to establish conditions enabling the subsequent efforts of the civil partners of security sector reform.

If the operating environment is more permissive and more adequate to introduce non-military partners of security sector reform, the reform efforts can focus on all the activities of the security sector reform. These activities include the transition from host nation support to external responsibility by the public security and safety. In these circumstances, security sector reform activities can also be shifted to the host nation institutions, groups and government sectors as part of the peace process. When the transition is

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<sup>9</sup> *Idem.*

<sup>10</sup> *Idem.*

complete, military rule is removed and civilian agencies and organizations come to the forefront. They work in areas where military do not have expertise and leave them to focus on the defense of the host nation. Situation often requires the disarmament, demobilization and reintegration of armed forces personnel associated with warring groups before and as part of security sector reform.

Military forces must assume a leading role in disarmament and as the operational situation and environmental conditions permit, the military can begin the process of formation and training of host nation military forces, over a comprehensive reform program. During this program, they validate the military capabilities of host nation military forces, and begin to assume responsibility for security of the country and carry out military operations.<sup>11</sup>

Finally, external military support in the execution of military operations and surveillance of host nation military forces are reduced and civil authorities assume full responsibility for the security sector functions.

Stability operations are trying to strengthen the legitimacy of the host nation government, while efforts should focus on security sector reform. Host nation institutions, laws and processes, whatever their level of development may be, must play a leading role in implementing security sector reform programs. External influences have to make their presence felt on security sector reform policies, especially if the host nation's governance performance is weak. However, we believe that security sector reform program planners should pay attention to the integration planning and implementation of government reform.

Participants in the security sector reform of a state help to develop programs using their own policy and mechanisms for implementing them. For example, the United Nations (UN) Security Council resolutions established mandates for peacekeeping missions. Guidelines of national political system, national legal system, national legislation and bilateral treaties and multilateral agreements provide the framework for action and the participation of host nation's military forces in the reform.

In order to have the desired results of the security sector reform, detail planning of all activities should be carried out and assessments should be made within the standards achieved. The success of reform depends, at the same time, on international security forces working with all actors involved in national and state political and on cultural context of the subject of reform. Therefore, the security sector reform plan should take into account the culture and sensitivities of the host nation and its security culture. However, in our opinion, a model of reform, even the Western one, can not be perfectly true

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<sup>11</sup> *Idem.*

for another country whatever it may be, without taking into account political traditions, culture and religion of the state subject to reform.

Such a plan should seek to resolve problems that led to the conflict and at the same time prevent other sources of insecurity and the escalation of future crises.

Host nation's level of development, especially related to poverty and economic opportunities is a very important element to consider when planning security sector reform. High levels of poverty and corruption challenges significantly reduce the security sector reform efforts. These factors, both individual and the government are usually highlighted by inadequate government revenues and insufficient resources in the public sector and security sector reform programs must be adapted to the challenges of these environments.

The security sector reform programs confronted with corruption in the public sector can be implemented due to capacity limitations of government management. External financial resources to support elements of the security sector, including military institutions are required to obtain local authorities' capacity to financially support these activities of the security sector reform.

Ideal Security reform plan must accommodate the policy of defense and security strategy of the host nation. However, in countries without stable institutions, only the legitimate government institutions can develop policies and strategies for implementing mature reform plan. Final state which must be reached through the application of security sector reform plan is operating a security device suitable for the needs of the state and its people.

Security sector reform requires unity of effort and common vision among the agencies, organizations, institutions and forces that contribute to the reform process and must have a comprehensive reform of all elements by all stakeholders in the reformation process. Security sector reform is a set of cooperative activities undertaken by the host nation with other agencies of other states, intergovernmental organizations, NGOs and multinational partners.

Integrated programs that are taken into account in relations between organizations and stakeholders increase the likelihood of success, minimize unforeseen developments and ensure the most effective use of resources at their disposal, using a set of six principles to guide the reformation process.

These principles are:<sup>12</sup>

- a - host nation support property;
- b - good governance and human rights;
- c - balance between operational support and institutional reform;
- d - close link between security and justice;

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<sup>12</sup> *Idem.*

e - transparency;

f - not causing harm.

a - *support the host nation's ownership*. Principles, policies and laws to achieve a program of security sector reform must be based on cultural and historical traditions of the host nation, and the legal framework for operation of state institutions. In general, the needs, priorities and circumstances for conducting such a program differ from one country to another. One such program is designed to assist local authorities and civil reforms priorities in ensuring the sustainability of reform.

Final responsibility for the success of reform lies with the host nation. Commanders must comply with host nation authorities' opinions and interpretations on perceptions of security architecture, which must take into account its security threats and needs. The essence of security sector reform programs must result from social, political and economic structures of its host nation. Only through constructive engagement of host nation leaders will ensure that the forces and capabilities expected to be achieved in their reform programs should be sustainable and appropriate to the needs of the host nation, and ultimately win the trust of local people, based the principles of good governance and human rights.

b - *good governance and human rights*. Accountability, transparency, public participation and legitimacy are integral features of the development of security forces and their modernization. Technical assistance aims to build capacity not only operational but also to strengthen democratic principles and to build respect for human rights. Security forces, both military and the military police or intelligence, must respect these principles to their tasks. This is very important in rebuilding the security sector, particularly in countries where military abuses have eroded public confidence in these forces.

c - *balance between operational support and institutional reform*. For security sector reform to be sustainable and have the desired results, there must be a balance between external support and host nation's desire to reform their institutions so that the external assistance to ensure completion of this process to continue and develop. Therefore, we believe, without parallel efforts to help develop infrastructure, train staff elements within the security sector, the nation will not be able to finally reach to provide security forces that make up the national security. The success and sustainability of this process depends largely on the capacity of institutions and government to support the human capacity that should lead and manage the elements of reform.

d - *close link between security and justice*. Security policies and practices of a nation must be consistent with the rule of law. State law can not evolve in a hostile security environment, where citizens fear for their safety. Assistance efforts must take into account a diverse range of actors and institutions that compose the justice system. Actions taken to police assistance, without being accompanied by other efforts to support also other



fields of the justice system can lead to an increased number of arrests, without the means to deliver sentences, in these cases violation of law, or lacking the means to support state detention or rehabilitation of convicted criminals.

Similarly, the focus on military reform and reconstruction of the host nation, while police and justice system institutions are neglected, can lead to the militarization of civil society. It would also encourage the use of military forces for missions incompatible with their role in the rule of law and national justice system.

e - *transparency*. An effective program of security sector reform will be one in which programs will be implemented to ensure transparency as open as possible. The program must include very good communication among people, among State officials, with neighboring states, with the donor community and other stakeholders to promote awareness of reform efforts.

f - *not causing harm*. Last but not least, the principle of a program of security sector reform of a state becomes very important in achieving the ultimate goals of this program and leads to failure if it is not taken into account. In a complex environment, donor assistance can become a part of the dynamics of conflict, which may serve to increase or decrease tension. As in any political activity or program involving changes to the status of a nation, players must ensure that their efforts do not adversely affect the security or political climate in unexpected ways and without means of settlement.

Thorough understanding of the system is a prerequisite for the success of any reform related activities. Actors must do risk assessment before implementing the program and make necessary adjustments during the planned activities.

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