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# Serbian Civilian Capacities for Peace Operations: Untapped Potential

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**Abstract:** This article examines Serbia's capacities to participate in civilian peace operations, including the analysis of legislation regulating international cooperation and contribution to peace operations. Furthermore, based on interviews with representatives of various institutions, it also addresses the key practical challenges that these institutions are currently facing in civilian contribution. It examines the roles of relevant stakeholders, the Ministry of Foreign Affairs, the military and the police, with potential participants from other branches of government also included in this analysis. The research sample also included local persons working by contract for international organizations in Serbia, in order to examine the capacities they possess. Several challenges and opportunities for further development of existing frameworks were detected therein. Initial interest expressed by various "civil" ministries to contribute to peace operations (Ministry of Foreign Trade, Ministry of Justice) could contribute to building of CIVCAP. Also, existing institutions, such as Office for cooperation with CSOs and Governmental Department of Human Resources Management could be easily turned into rosters of potential candidates for peace operations. The article argues that a huge potential exists in Serbia, however, its adequate use is prevented by the lack of clear foreign policy goals and coherent government policy. In this regard, the article recommends the government to increase the existing training capacities, coordinate the efforts of various stakeholders and establish two potential rosters of experts.

**Keywords:** peace operations, civilian capacities, police, roster, foreign policy

## Introduction: Global Changes In Peace Operations<sup>1</sup>

The end of the Cold War "thawed" the frozen conflicts around the world, and the last decade of the 20th century witnessed an increase in number of conflicts managed/moderated by UN missions. From 18 missions that existed at the end of the Cold War, the UN involved itself in 45 other missions that started in 1991.<sup>2</sup> The changing environment and type of

1 This article is based on findings from the project "Building Civilian Capacities from the Western Balkans in Peace Support Operations", supported by the Royal Norwegian Ministry of Foreign Affairs, project No SRB-13/0021.

2 According to: UN Operations timeline, <http://www.un.org/depts/dpko/dpko/timeline/pages/timeline.html> (accessed on 21 October 2008) and <http://www.un.org/en/peacekeeping/documents/operationslist.pdf>. Accessed on 10 January 2014.

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conflict imposed new tasks for peace contribution, and the military role changed from mere traditional *peacekeeping* to *multidimensional peacekeeping* and sometimes even *peace enforcement*. The newly imposed tasks were supposed to help the states in post conflict resolution and restoration of “normal” life. This need created the niche for the civilian involvement in peace operations. The military was tasked to fulfill non-military tasks, which it wasn’t able to provide, and the space for civilian missions was created. In 50 percent of cases conflict re-emerged after the departure of peacekeepers.<sup>3</sup> The civilian participation was twofold: as members of the military (embedded civilian experts, functional specialists, members of PRT teams), or as part of civilian missions (under international organizations like UN, EU, OSCE, and the Red Cross). Civilian presence increased as it offered a long term guarantee for peaceful resolution. The UN Department for Peacekeeping lists 15 key challenges when it comes to peacekeeping,<sup>4</sup> most of them non-military. Responding to this challenge, the UN currently deploys 85,057 soldiers and 29,735 civilians (including 12,913 policemen),<sup>5</sup> meaning that every fourth person in UN missions is a civilian. However, there are still many challenges when it comes to civilian participation in peacekeeping missions. One of the arguments put forward is that civilian missions represent a “neo-colonialist approach” to peacebuilding, where the actors involved do not take into account the local circumstances in the affected countries.<sup>6</sup> The local ownership is, however, claimed by hiring local staff, and currently 11,694 civilians in missions are locally contracted.<sup>7</sup> Coming up with more contextualized solutions, the UN is thinking of potentially using the capacities with relevant experience from post-conflict countries.<sup>8</sup> In this regard, the post conflict region of the Western Balkans has potential resources to offer. In this paper, under the term “civilian capacities”<sup>9</sup> we are including civilians and other non-military personnel that participate in peacebuilding

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3 Speech of DCAF Ambassador Gregor Zore at the awareness-raising workshop for senior decision-makers on the need for participation of civilian personnel in peace support operations (PSOs). Report available at [www.odbrana.mod.gov.rs/grab\\_file.php?id\\_clanka=229&redni\\_broj=148&putanja=24-25.pdf&id\\_casopisa=1](http://www.odbrana.mod.gov.rs/grab_file.php?id_clanka=229&redni_broj=148&putanja=24-25.pdf&id_casopisa=1). Accessed 11 November 2013.

4 Military, Police, Civil affairs, Rule of law, Electoral assistance, Security Sector Reform, Mine action, Gender and peacekeeping, Field support, Conduct and discipline, Protection of civilians, Environment and sustainability, Disarmament, demobilization and reintegration, Children in conflict and Human rights. List available at <https://www.un.org/en/peacekeeping/issues/>. Accessed 10 January 2014.

5 UNDPKO factsheet. Accessed 10 January 2014. <https://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml>.

6 Savkovic and Karlsrud 2012; referring to Chandler 2006; Autesserre 2010.

7 UNDPKO factsheet, available at <https://www.un.org/en/peacekeeping/resources/statistics/factsheet.shtml>. Accessed 10 January 2014.

8 Guéhenno *et al.* 2011.

9 Civilian contribution to peace operations is under researched topic as elaborated by Savkovic and Karlsrud 2012, assuming that this practice is widespread across the Western Balkans. Building up on that expertise, the case of 6 Western Balkans countries was elaborated under previously agreed dimensions and indicators that would enable a comparative study. More information on the theoretical background and methods used in this research can be found in the introduction article by Karlsrud and Milošević (2014).

and statebuilding missions, including the police and civilians in military missions. Serbia needs to address its (existing) civilian capacities in order to maximize its foreign policy goals. Those capacities are largely unrecognized both among civil servants and throughout civil society. Furthermore, existing legislative framework is solid for such task, yet we still have no one (be that Government or Ministry of Foreign Affairs) to coordinate the process. In the field of training, a lot could be offered by existing capacities, and it could be further enhanced if trainings are held on regional level, that would help building security community. The aim of this paper is to explain the current situation in the area of peacekeeping, to analyze existing legislative, to identify CIVCAP resources, as well as to identify the obstacles for their adequate use; to define key areas where changes need to be made; and finally, to identify the priorities and the steps that need to be taken in order to increase civilian participation in peace operations.

### **The Big picture: The Context of Serbian Contribution To Peace Operations In the 21<sup>st</sup> Century**

Serbia is one of the countries with a rather complicated attitude towards peacekeeping missions. Namely, since it considers the heritage of SFRY as its own, Serbia has had a long tradition of participation in the UN peacekeeping missions. During the time of the SFRY, its Armed Forces participated in five missions, and even had a commander in mission in Sinai. However, during its dissolution, Yugoslavia came to the receiving end of *peace enforcement* operations. The most radical example was the operation *Allied Force*, the 1999 NATO bombing of the Federal Republic of Yugoslavia. Bearing in mind the history of multinational operations in which Serbia participated, it should be taken into account that it was first a peacekeeping “provider” and then the “beneficiary”, and that this schizophrenia is still influencing the domestic support for peace operations.

As of 2002, Serbian (Federal Yugoslavia) soldiers have been members of a monitoring team in East Timor (UNMISSET), and more missions followed, constituting mainly of military observers and medical teams. Members of the Armed forces served in the UN missions in Chad and Central African Republic (MINURCAT) and Burundi (ONUB), and the still ongoing missions are in Congo (MONUSCO), Cote d’Ivoire (UNOCI), Cyprus (UNFICYP), Middle East (UNTSO), Liberia (UNMIL) and Lebanon (UNIFIL). The first civilian mission was the police mission in Liberia in 2004. Two more missions followed: one in Haiti (MINUSTAH) and the other in Cyprus (UNFICYP). Yet, as the numbers increased and as the type of involvement grew more sophisticated, police and military remained the only two institutions contributing to peace operations. In terms of mandate, Serbian participation was under the UN mandate and two missions under the EU banner started in 2011 (EUNVAFOR Somalia – Operation ATALANTA) and 2012 (EUTM Somalia). Engagement of civilians (policemen) was modest, and under UN umbrella, although EU integration policy would benefit from participation in EU civilian mission. The necessary prerequisites exist – both political commitment to EU integrations and legislative framework that enables civilian participation.

## Legislative Framework

There are several laws regulating the deployment of Serbian personnel in peace operations. The most important is the *Law on Participation of the Serbian Armed Forces and Other Defense Forces in Multinational Operations outside the Borders of the Republic of Serbia*. This Law (hereafter: “Law on MNO”) was adopted in 2009, replacing the previous act adopted in 2004. Other significant laws have but a few articles addressing the participation in multinational operations, which enhances problematic areas by allowing “voluntary interpretations”. In this regard, the *Law on Police* (2005), the *Law on Emergency Situations* (2009), the *Law on Foreign Affairs* (2007) and the *Law on Civil Servants* (2005) will be analyzed further.

The Law on MNO recognizes the difference between military and civilian multinational operations. The military servicemen are deployed into operations by Parliamentary approval, whereas the Government decides on civilian participants in the missions. This is a good incentive for civilian participation as it clearly stipulates a civilian role. The biggest drawback of the Law on MNO is the fact that it is primarily focused on military personnel. The term “multinational operation” is rarely understood as “post conflict reconstruction”; hence little interest was shown in participating in civilian missions, apart from the police. The law envisages participation in the following types of missions:

1. Peacekeeping and peacebuilding missions,
2. Conflict preventions and peace enforcement,
3. Joint defense operations in line with defense regulations,
4. Elimination of consequences of terrorist attacks,
5. Humanitarian operations in the event of natural, technical-technological and environmental disasters and assistance in crisis management;<sup>10</sup>

Civilian contribution is mainly stipulated under paragraph 5, yet other paragraphs also offer room for civilian contribution, most notably 1 and 2. Civilian capacities are listed as “employees of the Ministry of Defense (MoD), Ministry of the Interior (MoI) and other state institutions, civil protection personnel and persons eligible to be engaged in the provision of assistance in multinational operations, or provision of humanitarian assistance to endangered states in crisis situations, as well as material resources of Serbia”<sup>11</sup>. Activities in multinational operations should be in line with the Constitution and national defense interests, they should be objectively reported, and it must be assured that adequate legal protection of personnel in missions is provided along with security assessment. Those

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10 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.

11 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.

latter provisions remain questionable in regard to civilian participation.<sup>12</sup> For instance, Montenegrin and Croatian laws specify another type of mission: “Activities relative to encouraging the development of democracy, legal security, and protection of human rights within international organizations and alliances”<sup>13</sup>.

The previous Law, from 2004, allowed only peacekeeping operations under the UN mandate.<sup>14</sup> The new Law allows for a wider spectrum of operations, not specifically naming the mandate (meaning that other mandates are eligible, such as EU, OSCE, PfP or eventually NATO). Also, an important novelty is the possession of “certificate of qualification for MNO”.<sup>15</sup> This certificate is intended to be issued to civilian participants by a “relevant Minister” (in charge of specific Ministry). The same article of the Law on MNO defines, quite broadly, criteria for the selection of members eligible for missions – it is stated that the same “relevant Minister” is in charge of defining those criteria, presumably by some bylaw.<sup>16</sup> So far, only MoD and MoI have adopted those bylaws.

Other laws that could be quoted with regard to multinational operations are covering a limited and broadly defined spectrum. For instance, the *Law on Police* defines international cooperation in several of its articles.<sup>17</sup> This cooperation is based on relevant laws (the Law on police and the Law on MNO), and on international treaties.

In article 140, *the Law on Emergency Situations* defines several aspects of international cooperation such as international treaties, membership in international organizations, exchange of information, providing, accepting and seeking help in protection and rescuing, transit of men and equipment during the emergency situations, and harmonization of the activities of protection and rescue forces of other countries in the territory of the Republic of Serbia. However, this is very broadly defined, and had to be supported with some bylaws. The *Law on Foreign Affairs* prescribes that MFA, in cooperation with other institutions, in line with specific law, ensures participation in multinational operations.<sup>18</sup> The *Law on Civil Servants* regulates general rights and obligations of civil servants in public

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12 „So far no problems were encountered, but we didn’t act preventively – the Army is doing security assessments for themselves, but for our missions it is unclear who is doing it? ...Also, no one guarantees me that I will not miss the opportunity to get promoted. If I am not here when the need arises, someone else (from his institution) will climb the ladder.” Interview with MoI representatives, November 2013.

13 Milošević 2009, 24.

14 Law on Participation of Professional Members of the Armed Forces of Serbia and Montenegro, Civil Defense Personnel, and Ministerial Council Administrative Bodies Staff in Peacekeeping Operations 2004.

15 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 12.

16 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 14.

17 Law on Police, Official Gazette RS 101/2005, Articles 19-19b.

18 Law on Foreign Affairs, Official Gazette RS 116/2007, Article 5.

administration. Articles 94–95 define transfers of civil servants from one institution to another,<sup>19</sup> providing legal coverage for the “lending” of civil experts to possible Ministry that is in charge of specific operation (i.e. ministry of justice is lending a prosecutor to police mission). General provisions for setting roster capabilities are enabled by Article 160 of this Law. In defining competences of the Governmental Department of Human Resources Management, this Article lists the basic data needed for central evidence on HR.<sup>20</sup> This sets the path for further management of potential candidates for peace operations, as it lists relevant experience, time spent in the organization, education and skills (specific knowledge, courses taken etc...).

Apart from the legal documents, references to peace operations can also be found in the Defense Strategy<sup>21</sup> and the National Security Strategy.<sup>22</sup> However, there is no Foreign Policy Strategy and hence no political goals are defined for peace operations. The only guiding document is the *Engagement of SAF and other Defense Forces in Multinational Operations Annual Plan (hereinafter: the Annual Engagement Plan)*,<sup>23</sup> a document defined in the Law on MNO. It determines participation in the ongoing and potential missions for a one year period, the troop contribution, the type of mandate and estimated/planned costs of engagement in each mission. Normative framework allows various modalities of civilian participation in peace operations. So, with legal provisions in place, we should divert our attention to supply and demand side of CIVCAPs in Serbia.

### Mapping the Areas of Expertise

Interviews with participants in the missions showed the possible demand side in current operations.<sup>24</sup> Both the members of SAF and the police agreed that more sophisticated participation is needed to enhance the ongoing missions and post conflict reconstruction efforts. Some demands, such as reparation of critical infrastructure, could be addressed by military engineers, yet civilians would be better suited to perform this job, providing some manual jobs for the local population and contributing to local ownership. The judiciary could be coupled with police and structured like the EULEX mission in Kosovo. The situation in the missions showed that apprehended criminals were freed because of incompetent/corrupted/threatened judges and this, as a consequence, downgraded the police efforts in that particular mission. The possibility of transfer of “know how” lies in the

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19 Law on Civil Servants, Official Gazette RS 79/2005, Articles 94–95.

20 Law on Civil Servants, Official Gazette RS 79/2005, Article 160.

21 Defense Strategy, Official Gazette RS 88/2009, pp. 11, 13, 15.

22 National Security Strategy, Official Gazette RS 88/2009, p 23.

23 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 7.

24 Some interviews were conducted in 2008–2009, during previous research. As none of the ongoing missions have ended, demands were still unaddressed, so we still hold them relevant, or at least guiding for further participation.



expertise regarding the prosecution of corruption and war crimes, as Serbia is facing those threats as well (more likely for OSCE and EU missions). Serbian military medical expertise was praised in Chad, and several demands for more medical staff might were addressed to Ministry of Health but with no reply<sup>25</sup>. In general terms, the three additional challenges are: public administration, agriculture and education (yet these categories are often under auspices of field missions where UN staff is employed rather than national contributors). The demands are recognized, but no proper research has been done on how to answer them. In a longer perspective, private security companies might be contracted to relieve the police and the military from peripheral tasks.<sup>26</sup>

In the last decade, only the military and police personnel took part in missions. Yet, for the first time there was willingness from other civil ministries to participate in the forthcoming missions.<sup>27</sup> While data was being collected for the 2014 Annual Engagement Plan, three ministries sent their applications: Ministry of Justice (6 candidates), Ministry of Education and Ministry of Foreign and Internal Trade and Telecommunication (11 candidates). Their applications were, however, incomplete, and couldn't be taken into consideration.<sup>28</sup> In a meeting that took place on MFA premises on 23 October 2013, representatives of various civil ministries had little to share regarding peace operations: none of them have ever read the Law on MNO, hence their contribution failed. Our interviewee<sup>29</sup> explained: "MFA didn't coordinate things well, and neither did the MoD. We expected to be included in a military mission, but that did not happen. No one told us what to do. And there was the issue of money – how to make a plan when budget has been spent, and how to explain to my Minister that we need money for *business trips*?"<sup>30</sup>

Each ministry had to develop its own set of selection criteria, and that is still a challenge for some civilian ministries. In MoI, they applied the UN standards<sup>31</sup> and defined procedural

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25 Interview with MoD representative, September 2014.

26 Gumedze 2007.

27 Interview with MoD representative, January 2014.

28 They sent only the names of potential participants, while they were supposed to send exact missions, estimated budget, to check compatibility of their candidates with the demand side in the mission etc.

29 Interview with a representative of the Ministry of Foreign and Internal Trade and Telecommunication.

30 Government session held on 8 October 2013: Deputy Prime Minister addressed the unpopular and costly business trips that should be reduced as a means of budget cuts.

31 UN prescribes 5 criteria: 5 years of professional experience, driver's license, knowledge of foreign language, a weapons' license and medical fitness suitable for service.

things in their bylaw,<sup>32</sup> but even that backfired.<sup>33</sup> Selection criteria are a slippery ground prone to corruption that, in turn, can hamper the efforts and image of peace operations. On the other hand, small incentives are currently on the table apart from individual material gains, and no capitalization of contributions to peace operations has taken place. Both the National Security Strategy and Defense Strategy define collective security and maintenance of international order as their objectives. However, no Strategy of Foreign Policy exists, so nonexistent objectives of this nonexistent strategy can't be addressed.

### Main Actors and Their Performances

The gap between MFA and MoD was documented in the Law on MNO, where the role of MFA is almost nonexistent, as law was written in accordance with demands of that period. This left the Armed forces in the "driver's seat" regarding the peace operations and determined the efforts of peace operations as primarily military ones. The military is not particularly keen to address civilian issues,<sup>34</sup> so no one took care of this dimension, since civilian contribution is very low. Several events recently took place addressing the issue of civilian capacities. A conference organized by MoD in Belgrade, in November 2011<sup>35</sup> was held with the participation of representatives of civilian ministries. In 2012, a project proposal titled "Strengthening of civilian capacities for PSO"<sup>36</sup> was drafted and published on the official MoD webpage, but it was later withdrawn (allegedly, due to lack of financial resources).<sup>37</sup> So far, the MoD has organized several courses attended by civilians (most notably MoI representatives), and has contemplated on the role of (civilian) functional specialists, but without any concrete steps taken in that direction.<sup>38</sup> In their opinion, it would most likely be civilian contribution, as functional specialists would be mixed teams of civil and military doctors, since that would meet the demands imposed by some missions. Still, cooperation with the Ministry of Health was close to none.<sup>39</sup> It is worth

32 The rulebook on the requirements and manner of selecting the police officials seconded to work abroad, and the latter's duties, rights, and responsibilities while on service abroad, Official Gazette of RS, No 5/07, Belgrade 2007.

33 The selection criteria were arbitrarily interpreted, counting years spent in MA studies as work experience, so a female candidate was selected for mission with only 3 relevant years of service. Images of this policewoman from mission, in swim suit, shocked the Serbian public and brought allegations on corruption. More on: <http://www.blic.rs/Vesti/Drustvo/420453/Seksi-srpska-polica-jka-obucava-koleginice-i-kolege-u-Liberiji>.

34 "If military starts to moderate civilian issues...there is a name for this, and this is not democratic, nor do we want to do it!" – Interview with a MoD representative November 2013.

35 Awareness-raising workshop for senior decision-makers on the need for participation of civilian personnel in peace support operations (PSOs) available at [http://mod.gov.rs/sadrzaj.php?id\\_sadrzaja=3339](http://mod.gov.rs/sadrzaj.php?id_sadrzaja=3339)

36 (Used to be) available at: <http://www.dzup.mod.gov.rs/sr/projekti/predlozi-projekata/2012/projekat-09>.

37 Interview with a representative of MoD, January 2014.

38 Savkovic and Karlsrud 2012.

39 Interview with MoD representative, November 2013.



mentioning that MoD/SAF staff could be used in their civilian dimensions – experience/transfer of know how in the reform of security sector.

The Ministry of Foreign Affairs<sup>40</sup> is the main institution that formulates the goals of foreign politics and addresses the need for civil participation in peace operations. These activities go beyond the scope of the Law on MNO, as they encompass cooperation with OSCE, bilateral cooperation and cooperation in emergency situations. MFA conducts its activities in this regard mainly in accordance with UN and CSDP policies. No contributions for the Annual Engagement Plan have been considered for 2014, but there are some thoughts about the activities of MFA in 2015. In that regard, they recognize two possible paths of involvement – within the ongoing missions and regarding the involvement in new missions. As a main driver they stipulate “willingness to share the responsibilities.”<sup>41</sup> In UN missions they envisage strengthening components of ongoing military missions with possible medical teams or reconstruction teams. EU is clearly a good choice as incentives are twofold: EU partly finances civilian missions, and the political goal (EU integration) is better addressed. So far little has been done in this regard, and the next steps would be to select (and dedicate) resources among the ministries and to conduct some trainings, as they never took place. MFA is faced with the challenge in Mali, where a civil-military mission might be needed. According to MFA representatives, a team is ready,<sup>42</sup> but AEP for 2014 only envisages members of Armed forces that are “likely to join.”<sup>43</sup>

No strategy of communication is envisaged for the promotion of foreign policy goals through peace operations.<sup>44</sup> Opinions on MFA’s performances (by other respondents) are mostly restrained or dissatisfied. The main reason for this is the lack of proper and timely information. The second reason<sup>45</sup> is the lack of staff that is permanently in charge of peace operations, hence no continuity is secured. As one interviewee has put it:

They tend to fluctuate from position to position, and being back in Serbia is like a punishment for them. No expertise is accumulated. We work with one person, he gets to know the relevant problems, and the next moment he is a diplomatic representative elsewhere, and we have to go through the same process all over again with his successor.<sup>46</sup>

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40 Information on MFA activities, acquired for this research, came from MFA representatives that we interviewed, and from other interviewees who described their relations to MFA’s activities.

41 Interviews with 5 representatives of MFA, November 2013.

42 Interview with MFA representative, November 2013.

43 The Annual Engagement Plan for 2014.

44 Interview with MFA representative, November 2013.

45 interview with representative of a civil ministry, November 2013.

46 Interview with a representative of civil ministry, November 2013.

BCSP researchers had the same impression when interviewing MFA representatives in 2009, 2011 and 2013.<sup>47</sup>

The Ministry of Interior has been the only contributor of civilian personnel for peace operations. Since 2004, they took part in a mission in Liberia under the provisions of the Law on Police (from 1991, revised and amended).<sup>48</sup> Their engagement continued in three different missions under UN mandate. In late 2012<sup>49</sup> and subsequently in 2013, MoI announced that they will take part in civilian EU crisis management operations (two policemen). According to the Annual Engagement Plan, the EU will contract Serbia as a third party country. However, no budget allocations are earmarked for this mission – neither in the Annual Engagement Plan, nor in the Law on Budget for 2014, which makes this mission futile,<sup>50</sup> unless the financial assets are initially provided. MoI usually participates in UN missions using its own skills and expertise, with a minimal role of MFA. “We are happy that they are progressing so well (*in peace operations*)” – said one of our respondents in MFA.<sup>51</sup> Another type of foreign participation is achieved through OSCE cooperation. So far one policeman held a post in Skopje (the mission has ended) and there is an ongoing mission in Kirgizstan where one policeman is seconded. Troubles with this secondment were elaborated by MoI staff:

When we second someone, we are sending him/her away for a year. No reporting whatsoever is required, and after that period expires we don't know what kind of experience they had received. They receive some funds, but their working status is on hold, and that can affect their families as well.<sup>52</sup>

Serbia has no law on secondment<sup>53</sup> and this raises more concerns. Namely, there is lack of adequate legal protection of personnel in missions. This model is encouraging only short term individual financial gains, and institutions cannot benefit from it. Also, some senior representatives claimed that “they wouldn't go to missions anymore, to be seconded in that manner”<sup>54</sup> – the practice is to sign a contract with MFA, stipulating that the employee renounces all financial obligations from the state, so that they receive only daily

47 On several occasions Marko Savkovic and Marko Milosevic interviewed representatives of MFA on their possible role in peace operations, some of the findings were published in *Western Balkans Security Observer* 16.

48 Milosevic 2010.

49 The Annual Engagement Plan for 2012 was adopted on 24 December 2012 and came into force 7 days later, actually in 2013. This „late“ adoption of the Plan can be explained, but not justified, by changes of Government in 2012.

50 At first, a relevant Ministry has to allocate funds for the operation, and to pay it, and after that reimbursement (by EU or UN) takes place.

51 Ref.

52 If children receive health insurance through their parents' employer – MoI, for instance.

53 Unlike Slovenia, Finland or Germany, laws available at <https://www.civcap.info/recruitment-roster-agencies/national-secondment-laws.html>. Accessed 26 February 2014.

54 Senior ranking representative of MoI, November 2013.

allowances.<sup>55</sup> This lack of legal protection is coupled with lack of security assessment. The military performs its own security assessment. No such thing is provided for the police, nor is it precisely determined by law. MFA is not providing such assessments, and this negative practice extends to OSCE missions as well: "There was a need for personnel in the training center in Kyrgyzstan, but there was no information on what type of personnel was needed and in what capacity."<sup>56</sup>

Addressing former needs of the police, we revisited the issue of foreign languages. This problem is overcome by more intensive and more diverse language courses for policemen. Since 2009, 200 men received various courses of English language, 30 men went to Italian language courses, and further 20 policemen took German language courses. It is important to note that 30 policemen took French language courses, since "this language is very important for missions in Africa, and both UN and EU constantly ask for French speaking policemen."<sup>57</sup>

### Other Potential Actors

So far, several other Ministries replied to the call for the Annual Engagement Plan. Among them are the Ministry of Justice, the Ministry of Education and the Ministry of Foreign and Internal Trade and Telecommunication.<sup>58</sup> Their future engagement will depend upon the knowledge of the senior mid-managerial staff that will recognize and commit their potential resources for peace operations. Incentives, however, need to be recognized, such as the economic ones (financing modalities where money is reimbursed, stimulating wages for personnel in the missions), and/or career ones (experience gained abroad, coupled with prospects of promotion/recognition of gained experience). Also, top managerial positions, occupied by political appointees, will be in charge to foster political will and communicate this necessity to the Government. Apart from these ministries, resources are allocated in the Red Cross of Serbia and the OSCE mission in Serbia. Although they participate in missions, they do it under the banner of their organization. Committing trained personnel (about 150 trained volunteers from Red Cross<sup>59</sup> or OSCE personnel) to governmental institutions is doubtful. It will be a duplication of resources, or sharing their own resources with the state without any incentives for the organization. Namely, many OSCE members have undergone various trainings,<sup>60</sup> and their potential capacity might be utilized when OSCE presence in Serbia starts to decrease. As Serbia will be co-chairing OSCE in 2015, this might happen in a few years' time. Also, could the state

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55 Which are not modest, but they can attract only younger policemen, whereas more experienced cadre wants to be legally and financially secured.

56 Interview with MoI representative, November 2013.

57 Interview with MoI representative, November 2013.

58 those were the names of ministries in 2012–2014 mandate.

59 Interview with a Red Cross representative, November 2013.

60 Interview with OSCE representatives, November 2013.

offer those individuals a better stimulation than OSCE elsewhere? It is not very likely, but several positions in Serbian state institutions are occupied by former OSCE members. As for the Red Cross, their engagement in crisis situation could be organized along the lines of Serbian police teams, in accordance with what the Law on emergency situations allows. This way, the Red Cross integrity might be preserved and the Serbian banner might be visible, claiming national ownership.

Expertise in the civil society is not sufficiently recognized. CSOs themselves are struggling with donations, and projects financed by the state represent an exception rather than a rule.<sup>61</sup> Provision of electoral monitoring, a type of expertise developed by one CSO from Serbia, could be used as 'export product'. They have around 800 trained observers in Serbia, but it is unlikely that they will export this potential. Working for international organizations, they already provided knowledge sharing in various countries. Asked about their potential engagement by the state – they are open for it, but they assume that it should be in the area of theoretical and long term planning.<sup>62</sup> On the other hand, no state institution has sufficient expertise in electoral monitoring, according to international standards, so if the state should decide to get engaged in this way, there is room for CSO involvement. So far little effort was shown by civilian ministries as they lacked knowledge to use their capacities. International organizations used their channels for participation, in peace operations. Few CSOs with necessary skills and expertise, offered their services to international organizations as state failed to recognize them as potential partners.

### **Training and Rosters**

The issue deriving from Article 12 of the Law on MNO is the "certificate of qualification for MNO". In order to receive this certificate, civilians, regardless of their skills and expertise, must undergo some sort of training for peace operations. Those are preparatory courses and expert courses. Serbia's policemen<sup>63</sup> attended various trainings in Italy, Slovakia, Croatia, Slovenia and Bosnia. Recently, they started to conduct their own trainings and since 2012, 28 policemen were trained in domestic facilities. All those trainings are similar (around 70 percent of curricula and trainings are identical<sup>64</sup>) and they provide the participants with internationally valid certificates.

The German Center for International Peace Operations (ZIF) offers various trainings for civilians. Until 2012, nine candidates attended these courses, most of them working for

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61 In this regard, very few organizations responded to our questionnaire. Only one provided us with relevant prognosis.

62 Interview with a CSO representative, December 2013.

63 Unknown number.

64 Interview with MoI representative, November 2013.

the OSCE mission in Serbia,<sup>65</sup> while new data suggests seven additional participants from Serbia – four from OSCE, two from MFA and one from the Ministry of Justice.<sup>66</sup>

Centre for Peace Operations of the Serbian Armed Forces also organized special trainings. In 2011-2013, 59 representatives of MoI (31) as well as students from Faculty of Political Sciences (8) and Faculty of Security (20) attended those courses.<sup>67</sup> Apart from MoI attendance, participation of students in these courses merely boosts the transparency of these curricula, while the utility of the students' participants is modest at best. No official or additional recognition is gained in any institution because of this expertise (when applying for the job), so it would be better if MoD targeted civil servants in other ministries. Also, those are elementary courses, whereas preparatory courses could last longer.<sup>68</sup> However, such courses could increase the awareness of the peace operations, encouraging civilians to formulate goals and meet demands in peace operations.<sup>69</sup>

The opportunity lies in regional centers that could offer their trainings, along with Serbian centers that could offer its expertise to regional participants. This way a cost efficient structure could be established and regional cooperation<sup>70</sup> could be enhanced through mutual trainings and building of security community. This way conflicts are being solved through diplomatic channels and otherwise peaceful means.<sup>71</sup>

Only MoD and MoI have their (internal) rosters. However, some preconditions are set and some legal backing is evident for future rosters. There are two types of civilians that could take part in missions: those employed as civil servants, and experts from the civil sector. A roster for the first group could be placed in the Governmental Department of Human Resources Management, with additional functions added within the envisaged competencies, as they already keep records on all civil servants.<sup>72</sup> The additional functions would be to extract potential candidates for missions, or to collect data on interested participants.

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65 Savkovic and Karlsrud 2012.

66 Correspondence with ZIF. [Email], December 6, 2013.

67 FOI request to MoD, 1013-4/13, 11 December, 2013.

68 Interview with an MoD representative, November 2013.

69 Also, lack of plans or ideas among ministries results in bad practice of (occasionally) sending uninterested men that will attend courses abroad as sort of a reward, regardless of the fact that they will not go in any mission.

70 Alghali et al. 2013.

71 Pouliot 2006.

72 Law on Civil Servants, Official Gazette RS 79/2005, Article 160.

Gathering civilian experts who are not civil servants for potential missions<sup>73</sup> could be placed under the mandate of the Office for Cooperation with Civil Society.<sup>74</sup> As a bureaucrat working in the office stated:

No one asked us to make any roster, nor did anyone think about that. Generally, there is little knowledge about our function among the civil servants. Yet, this office would be the exact place for such activity, since we serve as a channel of communication between the state institutions and the civil sector.<sup>75</sup>

This office has a mandate to embrace the civil sector capacities (be that the CSOs, the Chamber of Commerce, Engineer Chamber, Hunters Association etc.) to participate in governmental efforts. Furthermore, he added:

We recently (June 2013) had a regional meeting of environmental organizations for flood management.<sup>76</sup> That is a kind of cooperation that enabled us to establish contact with regional organizations that possess expertise in this area, which could be turned into a roster if civil participation is needed in crisis management operations.<sup>77</sup>

To strengthen the position of this office, a draft bylaw was created that precisely defines the coordination of efforts of governmental bodies and CSOs, as channeled through this office. The initiative for this roster function could be twofold – from above and from below. In the first case, the Government would recognize that need and task this office to create roster of experts. In the second case, civil society would address their interest to participate in peace operations with their expertise and apply pressure to this office. The Government would then be prone to task this office in order to exploit the offered civil capacities.<sup>78</sup> So far no incentives from either side were shown.<sup>79</sup> The necessity of rosters is evident, and existing structures could be modified to meet this challenge, yet the lack of vision, rather than political will, hampers these efforts. The incentives for developing CIVCAP, for which rosters are a necessity, will be described below.

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73 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.

74 Office for Cooperation with Civil Society, <http://civilnodrustvo.gov.rs/en/>. Accessed 26 February 2014.

75 Interview with representative of Office for Cooperation with Civil Society, November 2013.

76 <http://www.osce.org/serbia/108310> and <http://www.osce.org/serbia/103214>. Accessed on 15 January 2014.

77 Interview with representative of Office for Cooperation with Civil Society, November 2013.

78 Interview with representative of Office for Cooperation with Civil Society, November 2013.

79 We are under the impression that CSOs are reluctant to share their expertise with the state, unless some other goals (gaining other projects, for instance) are expressed. Few CSOs that responded us, mentioned that their expertise is better recognized and paid by international organizations like UN or OSCE.



## Incentives and Challenges

Unlike Croatia, Serbia is still a beneficiary of development aid. DAC lists Serbia as an upper middle-income country.<sup>80</sup> No development aid is envisaged by any law; hence no civilian mission is accompanying it to enhance foreign policy goals. Another challenge might be the lack of proper regulation of secondment. If properly regulated to address the issues related to the labor law (continuity of employment, health insurance provisions, and maintenance of job position upon returning from a mission...), this would be a good incentive.<sup>81</sup> The biggest drawback is the lack of sufficient political will to recognize the benefits of civilian peace operations. The second problem is the lack of comprehensive Government approach. Without it, each ministry will follow its own agenda according to their preferences, leaving peace operations to the military and the police. Our respondents agree that some “permanent working body”, or at least a body with permanent staff, as a place of sharing of know-how, would improve the performance of civilian ministries. So far, there have been only ad hoc meetings with different representatives of institutions, and this did not improve the situation, as “year after year we have the same contribution, and the same lack of knowledge on the side of civilian ministries.”<sup>82</sup>

As regards the finances, incentives for civilian contribution could be found in UN and EU missions. The UN is reimbursing part of the costs of missions, whereas EU (CSDP) is reimbursing the costs of civilian missions, although the initial budget is the responsibility of each participating state. This justifies the supposition that in the upcoming period the Republic of Serbia will show more interest in participation in civilian missions.<sup>83</sup> In this specific regard, the involvement in EU mission could be along the lines of a third party financed by EU, as recent trends show an increase in third party countries’ contributions. Taking this into account, there are several modalities of probable engagement of CIVCAP in future, and we divided them, for the purpose of this paper, on short, mid and long term possible missions.

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80 DAC list of ODA recipients, available at <http://www.oecd.org/dac/stats/DAC%20List%20used%20for%202012%20and%202013%20flows.pdf>. Accessed 21 January 2014.

81 Examples of secondment laws can be found here: <https://www.civcap.info/recruitment-roster-agencies/national-secondment-laws.html>. Accessed 27 January 2014.

82 Interview with MoD representative, November 2013.

83 Ejodus, Savkovic, Dragojlovic 2010, 7.

### Estimation of Short, Mid and Long Term Involvement

Judging from the interviews conducted with representatives of MoD, MoI and MFA, in the nearest future one should expect prolonged military and police missions under UN and EU mandate, along with OSCE missions for policemen. An added civilian component might be found within military missions by engaging functional specialists, most likely doctors and other medical staff. Civilians skilled in de-mining might be contracted as well. In this way civilian contribution will help the military achieve their objectives, rather than support the objectives which the military is not designed to carry out. The police will increase its OSCE cooperation, since Serbia is chairing OSCE in the first half of 2015. As for EU, Serbia is expected to take part in the EU missions that have been announced for the last two years. Negotiation with the EU might be an impetus for further engagement in EU missions.

Over a mid-term period,<sup>84</sup> the civilian participation, apart from those listed above, is expected from the ranks of MFA, Ministry of Justice and several other ministries that expressed willingness to send their employees in peace operations. By enhancing the “supply” side by relevant courses, trainings and awareness workshops, it is expected to have a trained cadre in several ministries (mid and top level professionals). To a modest extent, the contribution will number but a few representatives from these institutions. However, this will be a good starting point for the accumulation of expertise and sharing of “know how” both within these institutions and in other ministries that are embarking on the process.

On a long term basis (the next decade), one could expect more ambitious contribution. Larger contingents could be deployed from the ministries, but we can also expect experts from private companies or CSOs. Two particularly strong incentives will be the EU negotiations process and eventually the EU accession.<sup>85</sup> Raising the standard of living will remove Serbia from the list of donor recipients, and development cooperation – financing projects in underdeveloped countries, in the form of legal obligation, would go hand in hand with civilian participation in those theatres. In this long-term phase, the Government should rely on potential rosters of expertise for the selection of potential candidates.

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84 Estimation based on interviews conducted in MFA, November 2013.

85 *Serbia kicks off EU membership talks, sets 2020 as target for completion*. Deutsche Welle 27 January 2014, available at <http://www.dw.de/serbia-kicks-off-eu-membership-talks-sets-2020-as-target-for-completion/a-17376298>.

## **Conclusion**

Serbian “great comeback” in peace operations, after 2000, was the result of military and police efforts. Since then, Serbia is increasing its participation in peace operations. Yet, only numbers grew among these two actors, but we remained anchored in UN and (recently) EU operations, where police missions were the only civilian missions in the field. There are interested parties in Serbia, and potential among ministries, civil servants, members of international organizations and CSOs, but it remained untapped and unrecognized by the Government. With the notion that “more (EU accession), could be achieved with less (reimbursement of costs, no body bags)”, it is sad to recognize that Serbia lacks explicit leadership of this (CICAP) process. Having that in mind, it is necessary to start “whole of the government” approach to peace operations, rather than ongoing piecemeal policies. In this regard, Law on MNO should be amended with provisions for civil missions like Croatian and Montenegrin laws (development of democracy, legal security, and protection of human rights). Second, it is necessary to define civil ministry that will be in charge of coordinating CIVCAP, most likely MFA. Also, adopting Foreign policy strategy will help connecting foreign policy goals with civilian missions in the field. Furthermore, legislation that address secondment should be drafted and adopted as best practices of several west European countries have shown. Two existing government institutions should be tasked, within existing competencies, to act like rosters of cadres. In line with Law on MNO, civilian ministries should adopt secondary legislation that will precisely define the criteria for selection for peace operations, in order to minimize risks of corruption. The MoD should offer its training capacities to civilian ministries’ representatives for targeted courses for peace operations, and regional exchange of trainings should be encouraged. Certainly, there is room for improvement, and with the coordinated roles of MFA and MoD in training and selection of the missions, Serbia could provide more than it currently fields. The financial aspect might not present a big obstacle, as UN and EU are reimbursing (some) costs of peace operations. A bigger challenge would be the political will to address the issue of peace operations as a Governmental, rather than a partisan/ministerial project.

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