

Progress in EU SSR Policies – the Austrian EU Presidency and Beyond

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When Austria's EU Presidency started in January this year the significance of Security Sector Reform (SSR) as an increasing field of EU policy was already indicated by the adoption of an ESDP concept for SSR by the Council in November 2005.

The European Union is more than any other actor ideally placed to assume a higher profile in promoting SSR due to its holistic approach and the availability of military and civilian instruments.

SSR constitutes an essential element in the process of ensuring the existence of efficient and democratically accountable public institutions as crucial prerequisite for social and economic development. Therefore all phases of the reform process in the security sector have to be comprehensive in goals and instruments.

Since South East Europe is considered as the priority region for Austrian governments it was rather evident that one of the main events during our Presidency dealt with the issue "Security Sector Reform in the Western Balkans" – the EU Presidency's Seminar on Security Sector Reform in the Western Balkans of last February in Vienna.

Following this seminar at the end of our presidency a final paper was elaborated. In this paper not only the work done was presented but also even more the open questions were mentioned and discussed.

At the end of our presidency the concept paper of the Commission "A Concept for European Community Support for Security Sector Reform" launched a very important initiative – a coherent and comprehensive approach that makes the EU a single and unchangeable actor in the field of SSR. "Security from one hand" enables the EU to act in the core

security area as well as in security management and oversight bodies, in justice and law enforcement institutions and last but not least- since the sector is growing rapidly - in non-statutory security forces like private body guard units, private security companies and related institutions which sometimes are challenging the primacy of public policy.

Any action of the EU and member states in the field of SSR has to be based on a set of principles.

Stemming from the OECD Guidelines the Councils Concept as well as the Commissions Concept offer relevant indications that may contribute to developing a common shared understanding of the main principles governing EU's role in SSR:

- Democratic oversight, transparency and accountability
- Local ownership
- Comprehensive and holistic approach
- Individually tailored approach
- Effective coordination among all actors
- Long-term timeframes and sustainability
- Necessity of an evaluation and lessons-learned process
- Interconnection between security and development policies

The EU's objective of promoting and supporting SSR in the Western Balkans is stipulated in several documents that I will briefly mention.

One important basis is represented by the "Copenhagen Criteria" which were already established in 1993 and define "stability of institutions guaranteeing democracy, rule of law, human rights and respect for and protection of minorities" as a precondition of EU membership. Since the entry into force of the Treaty of Amsterdam in May 1999, these requirements have been enshrined as constitutional principles in the Treaty on the European Union.

In order to evaluate fulfilment of the Copenhagen Criteria the Commission established a methodology under the Agenda 2000 which stresses the need for the "legal accountability of police, military and

secret services” including “acceptance of the principle of conscientious objection to military service”.

In order to meet the specific requirements of the countries of the Western Balkans the EU has set up a new generation of Stabilization and Association Agreements aiming at fostering economic, political and social co-operation between the EU and the respective countries through the CARDS-programme which will be replaced by the more comprehensive Instrument for Pre-Accession Assistance.

Within these aspects the difference between SSR as an instrument that can be used globally and SSR in the Western Balkans is significant.

SSR in the Western Balkans always means: preparation for membership whenever it will be realistically to achieve.

Enhancing coherence and co-operation between EU activities, instruments and actors is crucial. Therefore it is important to ensure the necessary degree of coordination between the various EU institutions involved and the relevant actors in the field. This will also facilitate the coordination of SSR activities with other policy areas such as development and neighbourhood policy. A common approach by all “three pillars” has to be a very desirable goal because only with that an added value of EU actions is visible.

Enhancing coordination between EU institutions and Member States has to complement the inter-pillar coordination mentioned above in order to avoid bi- or multilateral parallelism caused by member states.

Enhancing coordination and co-operation with other actors like the UN, NATO, OSCE and nongovernmental actors means first of all improved flow of information. This enables all actors finding a framework for a division of labour in supporting activities.

An overview of ongoing SSR actions supported by EU institutions and Member States can obviously be best created on a country-by-country basis on the level of EU and member representations in the respective

country. It might be left rather pragmatically to local decisions whether the indispensable overview is administered by the EUSR, the delegation of the Commission or the local presidency. As the Western Balkans is also a region with common problems and objectives and with some kind of interdependencies the regional view cannot be missed.

Coordination up to now seems not to be optimal. Heightened emphasis should be put on the issue of SSR in Country Strategy Papers, Action Plans and European Partnership Reports. The purpose of regular reviews is to discover remaining gaps and thus help to identify the necessity for additional efforts.

It seems highly likely that in the near future the EU will take over considerable responsibilities from UNMIK in Kosovo in the police sector and the judiciary. This mission should also be seen as a vital element of EU SSR activities in the Western Balkans.

Given the central importance of elements such as democratic accountability and parliamentary control and oversight in the framework of SSR, appropriate structures should be sought to involve the parliaments of the Western Balkan countries more profoundly in SSR issues. As it became evident at the Viennese Conference already mentioned above increased contacts between parliaments of the member states of the EU and the European Parliament are necessary aiming at sharing information among parliamentarians, especially the members of security related committees and – very important - their support staff which have to be trained more profoundly. Such patterns of parliamentary control and oversight could prove especially useful in what is probably one of the most delicate areas of any nation's security sector – namely political oversight over both military as well as civilian intelligence agencies.

And finally – funding SSR activities could and should be ensured through a coherent use of the various financing instruments currently available at EU level such as the Rapid Reaction Mechanism, the European Neighbourhood Policy, the Stability Instrument as well as the envisaged Instrument for Pre-Accession Assistance.