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Phases and Challenges of Security Sector Reform in the Experience of Bulgaria

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Фази и предизвикателства на реформата на сектора за сигурност: Анализ на българския опит

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IT4Sec Reports 85 includes the main theses of a presentation at the "Oversight and Accountability of the Defense Sector" panel of the Annual Conference of the Partnership for Peace Consortium of Defense Academies and Security Studies Institutes, Garmisch-Partenkirchen, 22-23 June 2011. The report describes the Bulgarian experience along the three main phases of reform in the post-communist transition of the country: (1) Establishing key mechanisms for civilian control over the armed forces and protection of human rights in the early 1990s; (2) Building democratic defense institutions, starting in the late 1990s and continuing to be in the focus throughout the first decade of the new century; and (3) Transformation of the security sector as a whole – the current focus of reform efforts.

IT4Sec Reports 85 представя основните тези на доклад в сесията "Надзор и отчетност на отбранителния сектор" на ежегодната конференция на Консорциума на военните академии и институти за изследване на сигурността, Гармиш-Партенкирхен, 22-23 юни 2011 г. Докладът анализира българския опит през трите основни фази на реформа на сектора за сигурност в посткомунистическия преход: (1) Установяване на основните механизми на цивилен контрол над въоръжените сили и защита на човешките права в началото на 90-те години; (2) Изграждане на демократични отбранителни институции, от края на 90-те години и първото десетилетие на 21 век; и (3) Трансформиране на сектора за сигурност като цяло – основен фокус на текущите реформи.

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INTRODUCTION

I was invited to speak today to the Annual Conference of the Partnership for Peace Consortium of Defense Academies and Security Studies Institutes and its panel on "Oversight and Accountability of the Defense Sector." More specifically, our moderator Anja Ebnöther from the Geneva Centre for the Democratic Control of the Armed Forces asked me to address current trends and challenges of the security sector in Bulgaria.[1] However, in order to make this presentation potentially more useful to interested partners, I will provide some information on past experience that helps understand the context for the current challenges.

Three distinct phases can be identified in the Bulgarian path to security sector reform (SSR) [2]:

1. Establishing key mechanisms for civilian control over the armed forces and protection of human rights in the early 1990s;

2. Building democratic defense institutions, starting in the late 1990s and continuing to be in the focus throughout the first decade of the new century;

3. Transformation of the security sector as a whole – the current focus of reform efforts.

These thoughts are based on my experience in Bulgaria and observations of developments in other partner countries—some of them already NATO and EU members—that did not go through war or any major turmoil involving violence. The dynamics of Security Sector Reform in other countries during the 1990s may have been somewhat different.

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[1]   For an early review of the SSR see Valeri Ratchev, *Lessons Learned from Security Sector Reform and Democratisation in Bulgaria*, DCAF Working Papers 96 (Geneva: Centre for the Democratic Control of Armed Forces. October 2002).

[2]   Prof. Pantev identifies three similar periods in the establishment of democratic control over the military. See Plamen Pantev, "How Democratic Control of Armed Forces Has Supported the Development of Democracy in Bulgaria," International seminar on *Democratic Control of Armed Forces in the European Security Context*, Vienna, 12-14 November 2008.

PHASE I:
ESTABLISHING KEY MECHANISMS FOR CIVILIAN CONTROL

To understand this focus of SSR in the first years of postcommunist transition,[3] one has to recognize the fact that many of the countries, embarking on democratic reforms, have experienced military coups, or at least attempts at coup d'état, one or more times in their Twentieth century history. Hence, the first changes in the security arrangements were intended to guarantee that the military will not interfere in the political process and will not be an obstacle to democratization. The following were among the key mechanisms towards that purpose:

- Constitutional and legal arrangements seeking to place the armed forces under the guidance and control of political authorities, elected in a democratic manner, and not under the control of a single party (which was the case of 'civilian control' under communism).

- Of particular importance was the constitutional arrangement that matters of war and peace are decided by elected officials – usually the parliament, or the head of state when the parliament is not in session. In the latter case the parliament is expected to convene as soon as possible and to sanction the decision of the president. Likewise, it is the parliament that decides on the introduction of martial law, on the deployment and use of troops outside the territory of the country, as well as on the deployment, crossing and use of foreign troops on national territory.

- The third key mechanism was designed to protect the rights of the citizens in uniform, in particular the conscripts, as well as the rights of people who for religious or other reasons do not want to carry arms – the so called "conscientious objectors." Bulgaria, among other countries, adopted towards that purpose its law on alternative service.[4]

Thus, in the period after the end of the Cold war, Western countries quickly downsized their militaries, while Central and Eastern European countries, for the lack of both interest and understanding, focused on new legislation and, on occasion, attempted some structural reforms. It may be seen anecdotal today, that one of the first civilian defense ministers in Bulgaria declared that the military organization has been transformed from the 'aggressive' army-divisional structure to a 'defensive' corps-brigade structure and, hence, it is 'fully compliant' with the requirements to NATO militaries.

With hindsight, the concerns of military interference seem rather exaggerated.[5] At the time however, measures to place the military under civilian control had to be taken fairly quickly while defense matters were not high on the priority lists of the political parties, as well as of the society. Taking these measures seemed relatively easy, but it became quickly evident that they had to be designed with greater care. In particular that applies to the powers and the interaction between the president—who is also a Supreme Commander in Chief of the Armed Forces—on one side, and the executive government, appointed by the parliament, on the other. In Bulgaria, these constitutional provisions create significant friction even today. One example is the quarrel between the president and the defense minister in 2010 via public media channels. One visible result is that,

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[3] The terminology of security sector reform, or SSR, was not yet used in that period.

[4] Law of Exchanging Military Obligations with Alternative Service, *State Gazette* 131 (6 November 1998) – in force till 31 December 2007. No conscripts are being called to serve after that date.

[5] Plamen Pantev concurs, *Ibid.* However, there is some evidence to the contrary, mainly in discussions at lower organizational levels. See for example the interview with Jordan Mutafchiev, the last uniformed defense minister (September 1990 – November 1991), under the title "It was suggested to me to take out the tanks," *24 chasa*, 10 November 2010 (in Bulgarian), <www.24chasa.bg/Article.asp?ArticleId=671109>.

by mid-2011 the military intelligence service has been without a formally appointed head for almost a year.

Another key lesson learned from that phase of reforms is that, while the focus is on preventing military interference in politics, no substantial effort was made to prevent political parties, each with its own agenda, from influencing the officer corps. Politicians were tempted to exploit the high respect of society to the armed forces by demonstrating the support they receive from the leaders of the military institution.

Thus, in the first half of the 1990s—time of high tension in society, economic downfall, and regular large scale strikes—the contradictions between the Chief of the General Staff General L. Petrov and the Commander of the Land Forces (by far the biggest service) LTG L. Lyutzkanov became public knowledge. The former was designated as the 'red' and the latter as the 'blue' general, according to the preferred colors of the two major opposing political forces at the time.[6]

In an earlier study, we conclude that

> This vicious practice was both discarded and intellectually outlived by the end of 1997. The Bulgarian politicians assimilated the restrained and responsible behaviour of the large majority of the Bulgarian officers not to be dragged into the political combinations and schemes of various parties and to remain true to their professional credit as patriots and guardians of their people. In Post-Communist Bulgaria, the acceptance of the transition to democracy by the military took place earlier than the agreement of the leading political forces to structure the civil-military relations in accordance with the rules of the democratic society.[7]

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[6] Upon retirement, General Petrov served several mandates as a member of parliament on behalf of the socialist party. While General Lyutzkanov denies charges of political affiliation, he was appointed as secretary of the Ministry of the Interior when the Union of Democratic Forces came to power in 1997 (after retiring from active military service). See the interview with LTG (ret.) Lytzkan Lyutzkanov in the weekly *Sedem*, no. 44 (8-14 November 2006), <www.sedembg.com/184/page14.htm>.

[7] Plamen Pantev, Valeri Ratchev and Todor Tagarev, "Civil-Military Relations in Bulgaria: Aspects, Factors, Problems," in *Civil-Military Relations in South-East Europe: National Perspectives and PfP Standards*, edited by Plamen Pantev (Vienna, Institut fuer Internationale Friedenssicherung, 2001), pp. 31-62, <www.isn.ethz.ch/isn/Digital-Library/Publications/Detail/?ots591=0c54e3b3-1e9c-be1e-2c24-a6a8c7060233&lng=en&id=131>, quote on p. 33.

PHASE II:
BUILDING DEMOCRATIC DEFENSE INSTITUTIONS

The Partnership for Peace Program was launched in 1994. By that time, several Central and Eastern European countries had already declared their desire to join NATO. And then, with the experience of the first years of reforms, seasoned observers started asking questions about effectiveness of defense organizations—do they do the job?—and the efficiency in spending a large portion of the state budget.

Chris Donnelly, at the time Special Advisor for Central and Eastern European Affairs to the Secretary General of NATO, refocused the reform debate, stating that

> … it is no good claiming that "we have good democratic control" if the country has an army which is in a shambles; no one in the government really knows how many hospital beds are the equivalent of the cost of a battalion of tanks, or if the civilian government cannot identify how many tanks are required to defend the country.[8]

Do the politicians, expected to exercise civilian control, know what is the cost of a fully capable, NATO interoperable battalion? What happens when the parliament provides only a portion of the budget necessary to make a unit capable? What are the consequences for the country's defense policy?

At the time, these were rhetoric questions. For some partners, these may be rhetoric questions even today.

I was director for defense planning at the end of the 1990s. We included in the defense programming guidance the requirement that the General Staff provides information on specific tasks and readiness levels—both current and programmed—of each battalion in the force structure. As a reference for those who are not fully familiar with the subject: At that time the UK had already announced the results of their 'Strategic Defence Review' and the decision to maintain 40 mechanized/ infantry battalions,[9] and Bulgaria is 7-8 times smaller in terms of population.

The unofficial response from the General Staff was "Are you kidding?" We do not deal with battalions, we deal with corps and brigades.

If that's been the case with the General Staff, what would a civilian minister, not to mention parliamentarians, know about the status of the armed forces? How would they understand what a certain budget proposal or a budget decision means?

One way to provide for such understanding, widely practiced in established democracies, is to develop a corps of civilian defense professionals that brings different experience, perspectives and, to an extent, different values. Most partner countries have largely failed to build such a corps – a corps, and I will emphasize that once again, that brings *different* perspective and can

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[8]   Christopher Donnelly, "Defence Transformation in the New Democracies: A Framework for Tackling the Problem," *NATO Review* 45, no. 1 (1997): 15-19, <www.nato.int/docu/review/1997/9701-4.htm>.

[9]   *Strategic Defence Review*, Presented to Parliament by the Secretary of State for Defence by Command of Her Majesty (July 1998), <www.mod.uk/NR/rdonlyres/65F3D7AC-4340-4119-93A2-20825848E50E/0/sdr1998_complete.pdf>.

provide advice to political leaders independent from the mainstream views in the officer corps.[10] That is certainly not a corps of retired officers, who are awarded with a civil servant salary in addition to the military pension.

Defense educators can contribute substantially to the success of defense institution building.[11] Bulgaria can share its positive experience, in particular with the establishment of its program-based defense resource management system [12] and the introduction of a systematic security and defense management education, including:

- Establishment of a "Security and Defense Management Department" as part of the National Security and Defense Faculty of "G.S. Rakovski" Defense and Staff College in Sofia;

- Introduction of a masters' degree program in security and defense management for civilians and mid-career officers who transition to a career in defense planning, programming, financial, personnel, acquisition management and related fields;

- A system of qualification courses in the main fields of defense management;

- Research in support of defense policy making, planning, and management.[13]

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[10] For detailed treatment of the issue of defense civilians see Valeri Ratchev, *Civilianisation of the Defence Ministry: A Functional Approach to a Modern Defence Institution*, DCAF Regional Programmes no. 7 (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2011), <www.dcaf.ch/Publications/Publication-Detail/?id=129534&lng=en>.

[11] For other key initiatives in defense institution building in Bulgaria, with critical assessment of achievements and drawbacks, see Velizar Shalamanov, "Bulgarian Defense Reform from 1990-2008 as a Change Management Process and the Role of Integrity Building," *Connections: The Quarterly Journal* 8:3 (Summer 2009): 85-108, <www.pfpconsortium.org/file/bulgarian-defence-reform-from-1990-2008-as-a-change-management-process-and-the-role-of-integrity-building-by-v-shalamanov>.

[12] See, for example, Todor Tagarev, "Introduction to Program-based Defense Resource Management," *Connections: The Quarterly Journal* 5:1 (Spring-Summer 2006): 55-69, <www.pfpconsortium.org/file/introduction-to-program-based-defense-resource-management-by-todor-tagarev>.

[13] Among numerous examples are the Simulation game "Decision-making in Force Development and Budget Planning," conducted with senior decision makers and experts in the National Defense Academy of Ukraine, 14-16 May 2008, and the study on 'rightsizing' the force structure, reported in Todor Tagarev and Lidia Velkova, "Bulgaria's Defence Policy and Force Size from a Comparative Macro Perspective," *Information & Security: An International Journal* 23:1 (2008): 115-128, <http://infosec.procon.bg>.

PHASE III:
TRANSFORMING THE SECURITY SECTOR

This phase, in which Security Sector Reform in Bulgaria currently fits, can be examined from two very different perspectives.

SYSTEMIC PERSPECTIVE ON SSR

The transformation of the security sector from this perspective looks at efficient development of security sector capabilities. We all face a multitude of threats and challenges that usually demand well coordinated responses by military and a variety of civilian actors, both governmental and non-governmental, international organizations, NGOs and business entities.

In this environment, by definition, organizational stovepipes cannot provide good response, i.e. a response that is both effective and efficient. But organizational stovepipes happen to be quite strong. Often, it is easier for the military to cooperate with militaries from other countries, e.g. in the NATO/PfP framework, and for police and border guards to cooperate with their foreign counterparts, than to have national military, police, and other security sector actors cooperate locally. That is occasionally the case in operations-related cooperation, but it is particularly visible in coordinating the development of security capabilities.

We continually witness organizational rivalry and reluctance to cooperate. Our experience is rich with negative examples. To give you just one example: three different organizations have attempted to build, independently from others, their own maritime surveillance systems. As a result, for twice the money, Bulgaria got systems that are not interoperable. Even worse, the work of one system creates problems for the work of others.

With the understanding of this problem at highest levels of government, Bulgarian authorities started taking measures, but the results so far are modest. The experience of other countries provides ideas for relevant initiatives and priorities. For example:

1. The latest review in the United Kingdom did not look narrowly on defense, but was instead designated as a "Strategic Defence and Security Review"[14];

2. In 2010, the U.S. Government Accountability Office has recommended that the government establish a *central national security budget* "and then set aside money by responsibilities, breaking with the current arrangement of letting departments and agencies decide how best to arrange their budgets."[15] The expectation is that, with time and rigor of congressional involvement, this measure will bring better coordination in the development of capabilities of various security actors and, thus, will markedly increase the efficiency in utilizing constrained budgets.

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[14] *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Presented to Parliament by the Prime Minister by Command of Her Majesty (London, October 2010), <www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/documents/digitalasset/dg_191 634.pdf>.

[15] Walter Pincus, "GAO urges changes in budgeting for national security," Washington Post, 18 January 2010, <www.washingtonpost.com/wp-dyn/content/article/2010/01/17/AR2010011702562.html>.

VALUES PERSPECTIVE ON SSR

This perspective helps explain the most visible current efforts in security sector reform in Bulgaria. It reflects the understanding, that the key problems of the transition period were not related to the armed forces *per se,* but to other security actors, in particular the highly secretive intelligence and security services. Having penetrated all spheres of state and public life, they used their power:

- to become involved in the shadow economy, and sometimes in the legal economy;

- to gain influence on, and often ownership of, major media channels;

- to utilize their links to organized crime;

- to practice political engineering, etc.

This influence still corrupts political, economic, and social life.[16]

With the lessons learned in mind, Bulgaria should have started its security sector reform not with the military, but with cutting the umbilical cord between the leadership of the communist party and the security services. Regrettably, it is not possible to get back in time and start anew with these lessons learned, but the experience may be of use to other countries.

There are no simple recipes in how to deal with the current problems of values and governance. In the short space available I will emphasize the power of:

- Building Integrity;

- Increasing Transparency;

- Improving accountability, and

- Involving society

all in a coherent framework of good governance and effective management.[17]

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In conclusion, in times of major societal shifts, transition is never smooth or well planned. The reform of the security sector in such environment is a messy process, requiring strategic thinking and dedication of politicians, practitioners from the administration and academia, and active civil society. With the luxury of hindsight, it would have been possible to establish different priorities and achieve better results. Nevertheless, I believe that the experience of Bulgaria, with its strengths and downsides, may provide food for thoughts and examples of good practice to partners and other countries that have started or intent to embark on the path to security sector reform.

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[16] On the 24 June 2011—the morning after the SSR panel of the annual conference took place—in an interview to the Bulgarian national television, HE Peter Stoyanov, President of Republic of Bulgaria, 1997-2011, described the transition and its current impact with almost identical wording.

[17] The Geneva Centre for the Democratic Control of Armed Forces (DCAF) provides numerous sources on SSR and good governance in defense. See for example *Building Integrity and Reducing Corruption in Defence: A Compendium of Best Practices* (Geneva: DCAF, 2010), <www.dcaf.ch/Publications/Publication-Detail?lng=en&id=113983>, available also in Russian and Ukrainian.