Abstract

This was the first time that RACVIAC SSR Pillar address a somewhat controversial yet important issue placed rather high on the global security agenda, the issue of private security and its role in national economies and its relation with national security.

The three-fold purpose of the first event on P(M)SC /National Security was successfully accomplished.

Firstly, it succeeded in bringing together representatives from South East European (SEE) private security companies and representatives of state structures and providing them with relevant general information on the global trends, rapid growth and changing nature of the private (military) security sector in the last two decades and its impact on civil-military relations (CMR).

Secondly, the seminar touched upon pros and cons of the use of P(M)SC and lessons learned in the course of security privatisation and outsourcing.

Thirdly, the event outlined the actual situation in participating countries in terms of the impact of effective regulation of P(M)SC within national legislation, as well as benefits and shortcomings of complying with the existing international regulation on the subject matter.
**Activity Background**

Providing private protection services both to private and state clients by P(M)SC can have potentially positive and negative consequences for the local population in the area of operation, general security environment, enjoyment of human rights and the rule of law.

![Mr Robert Mikac, Ph.D.](image)

To ensure a higher level of human rights protection and the rule of law as well as to harmonise the interests of private security with the state, the government of the Swiss Confederation and the International Committee of the Red Cross, in cooperation with the representatives of 17 states (Afghanistan, Angola, Australia, Austria, Canada, China, France, Germany, Iraq, Poland, Sierra Leone, South Africa, Sweden, Switzerland, the United Kingdom, Ukraine, and the United States) launched an initiative resulting in a non-binding Montreux Document. A further step was the adoption of the International Code of Conduct for Private Security Service Providers, also a non-binding document for PSC.

**Activity Facilitators**

The seminar was planned and executed by RACVIAC – Centre for Security Cooperation.

**Activity Venue, Duration and Participation**

The event started with a welcome dinner on 23rd April 2013. It continued in RACVIAC facilities for the following two working days and was successfully closed on 25th April 2013.

This seminar brought together a total of 40 participants, including nominees from RACVIAC MAG countries; AL, BA, HR, GR, MK, RO and RS; presenters from DCAF Geneva and regional experts and entrepreneurs in the field of PSC from BA, HR, HU, RS and SI.

**Activity Description and Content**

The opening remarks were given by Mr Branko Kromar, M.Sc., PM, SSR Pillar, RACVIAC.

They were followed by the working part of the seminar. The first to deliver introductory addresses were DCAF experts Mr André du Plessis and Mr Ben Buckland who covered the topic “Framing and Debate on P(M)SC: Definitions and Scope”.

![Opening session: Mr André du Plessis and Mr Ben Buckland](image)

Within the panel on “History, Global Trends on Rapid Growth of P(M)S Sector and Impact on Civil Military Relations”, comprehensive presentations were given by Mr Robert Mikac, Ph.D., Head of Sector for Civil Protection – Commander of the Civil Protection of the Republic of Croatia,
National Protection and Rescue Directorate, HR; Mr Krisztian Varga, Professor, ELTE Faculty of Law Institute of Political Science, HU, and Mr Vlatko Cvrtila, Ph.D., Professor, Faculty of Political Sciences, University of Zagreb and President of the Council of the Croatian Association of Security Managers (UHMS), HR.

This panel was concluded by an intense discussion that indicated the overall success of the seminar.

The next panel on the “Regional, National and Local Experiences of P(M)SC” included presentations from the viewpoint of regional PS companies, governmental experts and members of academia, given by Mr Emsad Dizdarević, Centre for Security Studies (CSS), Sarajevo, BA; Mr Maj Fritz, Ph.D. candidate, Faculty of Criminal Justice and Security, University of Maribor, SI; Mr Ivan Funčić, M.Sc, Director, Protect d.o.o., Rijeka and Vice-president of the Croatian Association of Security Managers (UHMS), HR; Mr Slobodan Andčelković, Security Director, TRAG Security, Belgrade, RS, and Mr Bojan Potočnik, Ph.D., Security consultant of CSB, SI.

The discussion that followed brought to light different approaches and legal statuses of regulating private security in the SEE. It proved evident that the regulation of this issue was relevant both for private businesses in providing security services and state structures in defining all aspects of interrelation in security matters. Here, it became clear that the absence of representatives from the regulatory side and their crucial input was the only setback in the seminar.

The second working day started with the panel “Options for Effective Regulation of P(M)SC at the International Level”, as part of which DCAF experts covered the issue of the Montreux Document and the subsequent International Code of Conduct for Private Security Service Providers (ICoC).
The last Panel, “Implementation of the International Maritime Security Guidelines on the National Level”, was covered by Mr Mišo Mudrić, Ph.D. candidate, Hamburg University, Max Planck Research School for Maritime Affairs.

What has to be pointed out here is the active participation in discussions of Mr Ioannis Boutselis, Senior Investigator in the Greek Ombudsman Office and plenary expose of Lt Col Ionel-Catalin Stegaroiu, Chief of Staff, Romanian Gendarmerie.

A plenary discussion that followed, along with closing addresses, marked the end of this successful event.

Concluding remarks and future actions

Although not perfect or fully comprehensive, both documents, the Montreux Document and the International Code of Conduct for Private Security Service Providers, constitute a fair set of documents that can regulate PMS functioning on the national level and their interaction with the state, both nationally and internationally.

Private (Military) Security Companies and other Private Security Providers, as primary actors belonging to the private sector, often play an important role in providing services related to the protection of national or state assets, thus taking over a portion of responsibilities previously associated only with the state.

This becomes all the more important and sensitive when those services are being provided outside national borders.

The truth is that the participating SEE countries do not have full-scope private military companies but a significant number of companies operating abroad or training personnel for operation abroad in real terms provide military knowledge and skills in the areas of logistics, information gathering, training and other.

The Seminar on P(M)SC and National Security is aimed at becoming RACVIAC mid-term project focused on the changes in Civil-Military Relations (CMR) and the effects of privatisation of the security sector. RACVIAC’s security Sector Programme for the mid-term period also aims to cover the parliamentary oversight over security sector and protection of human rights and this seminar could serve as a tool to cover these issues as well.

The main goals of the seminar were fully achieved. The only detail, perhaps an indicative one, was the absence of representatives of national regulators in this field (Police, Chambers of Commerce, Parliamentary Committees, etc.).

As unanimously expressed by the most active participants, it is worth organising a follow-up event in 2014.

Compiled by SSR Pillar RACVIAC