



CENTRE FOR SECURITY COOPERATION

**CMR Seminar: "Private (Military) Security Companies II"  
(P(M)SC)/National Security Sector**

SSR-12-S

28<sup>th</sup> – 30<sup>th</sup> April 2014



Group photo

**Abstract**

This was the second time that RACVIAC SSR Pillar addressed the issue of Private security and its role in national economies and national security or the State.

The purpose of this second event was to re-open the issue and pave the ground for regular, annual follow-up activities for the benefit of all actors involved in Private security, as well as broader and regional security.

The aims of the Seminar were successfully accomplished because it became evident that this issue presents a relevant

segment of the national economies and of the Governments' budget constraints.

Not to be overlooked, it has also been proven that the Seminars on P(M)SCs have gained the attention of a global actor in this field. Namely, DCAF-Geneva remains interested in further support of RACVIAC's efforts in the field of Private security.

A detail also worth mentioning: there is absolutely no misunderstanding anymore when distinguishing between the general Private security matters in the region of SEE and the military aspect of Private security with practically no roots in the area.

## **Activity Background**

Private security providers play an increasingly important role in protecting both non-state and state clients and assets. Considering the importance of this division of clients, as well as the diverse nature of the responsibility of both partner sides it is clear that a firm and fair regulation must be put in place for the benefit of success of private businesses and the fulfilment of national interests.



Ms Ines Krajčak, Assistant Minister, Ministry of Interior, HR

What needs to be taken into consideration in this regard is ensuring a high level of human rights protection and the rule of law because this is what harmonisation of the interests of private security and the State is really all about. On the international level, there are two documents that aspire to be the overarching regulation pertaining to Private (Military) security: The Montreux Document and the International Code of Conduct for Private Security Service Providers. Crucially important in this regard is the national regulation which, under the umbrella of the two mentioned documents, can be called upon when

need be and provide a sustainable and comfortable framework for the smooth operation of Private security and the State.

## **Activity Facilitators**

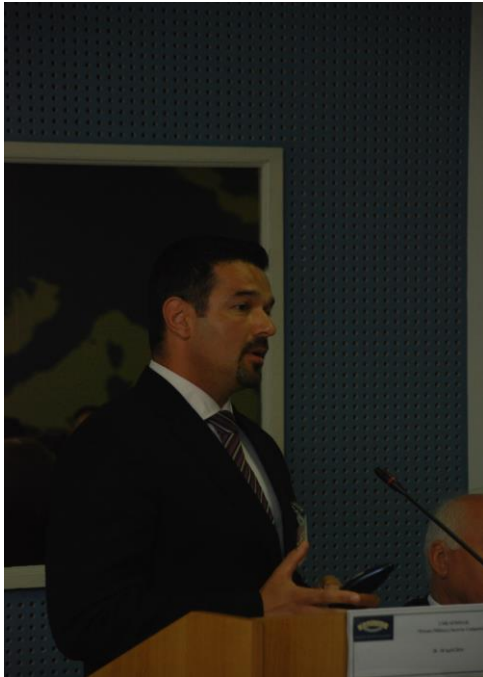
The Seminar was planned and executed by RACVIAC – Centre for Security cooperation, with the indispensable support generously provided by Croatian and international experts during the whole preparatory period.



Mr Zlatko Gareljić, Defence Adviser to the President of the Republic of Croatia

## **Activity Venue, Duration and Participation**

The event was conducted in RACVIAC facilities for two working days and was successfully closed on 30<sup>th</sup> April 2014. The Seminar brought together a total of 41 participants, including nominees from RACVIAC Member countries; AL, BA, HR, ME, MK, and RS; presenters from DCAF Geneva, the Hungarian academia, the George C. Marshall Center, Garmisch-Partenkirchen, the Belgrade Centre for Security Policy, regional experts and entrepreneurs in the field of Private security from Slovenia and Croatia as well as the hosting organisation.



Mr Robert Mikac, PhD, Head of Sector for Civil Protection – Commander of the Civil Protection of the Republic of Croatia, National Protection and Rescue Directorate, HR

### **Activity Description and Content**

The Seminar was opened by Ambassador Branimir Mandić, Director of RACVIAC, followed by introductory addresses given by Ms Ines Krajčak, Assistant Minister at the Ministry of Interior, Croatia and Mr Zlatko Garelijić, Defence Adviser to the President of the Republic of Croatia. The Assistant Minister of Interior Ms Ines Krajčak discussed the most important novelties proposed in respect of the current Private Protection Act in Croatia, such as the possibility to establish the Croatian Chamber of Security Guards and the Financial Institutions Security Act, while the Defence Adviser to the President of the Republic of Croatia Mr Zlatko Garelijić focused his presentation on the question to what extent the democratization of P(M)SCs is actually possible, given the fact that without

provision of security any sort of development in a particular society would not be feasible. In Panel I, entitled “History, Global Trends and Rapid Growth of the P(M)S Sector and Impact on Civil Military Relations” DCAF Geneva’s Project Coordinator Mr Ben Buckland first gave an overview of the history of P(M)SCs ever since their emergence in the 1960s in Sierra Leone with special focus on the true nature and accountability dimensions of the P(M)SCs that have developed over time, the challenges before them (such as inherently governmental functions, military to civilian transition, multiple jurisdiction, oversight and authorization) and their connection to the state (f.e., when a British company works for the US government in Afghanistan).

Robert Mikac, PhD, Head of Sector for Civil Protection – Commander of the Civil Protection of the Republic of Croatia, National Protection and Rescue Directorate in his presentation “Current Trends in Private Security Industry” expanded on this topic by showing that there are various overlapping industry interests in the P(M)SC sector and problems when defining the P(M)SCs role in the changed global surroundings (such as the global war in terror) with many open questions that complicate this problem even further, such as not enough public debate, transparency, legality and performing of inherently governmental functions. How to align private enterprise and public/national interest in situations such as acts of terrorism and natural disasters (i.e., hurricane Katrina) was the main topic of the presentation delivered by Mr Justin M. Bishop, CPP, President of Offline Solutions d.o.o. who pointed out that enhancing PSC support to National Critical Infrastructure necessitates, among other things, that governments provide incentives and standards for implementing measures to increase CIP and integrated

PSC planning and tax incentives to promote investment in security and resiliency. In Panel II, which revolved around the question of what roles would be most appropriate for P(M)SCs, Mr James K Wither, Professor of National Security Studies and Director of the Program in Security Sector Capacity Building, College of International and Security Studies, George C Marshall European Center delivered a presentation on P(M)SCs and Critical Infrastructure Protection in which he underlined that today more and more companies are setting up in countries where there are no strict regulations and that private sector now accounts for as much as 50% of the market and growth of informal private security militias regions.

Mr Dragiša Jovanović, Chairman of the Commission for Public Private Partnership in the Security sector of the Republic of Serbia then went on to present the main challenges facing the Private Military/Security Companies in Serbia. His presentation also focused on the mandatory training to acquire licences in this still largely unregulated sector in Serbia.



Actors and experts in Private security

Mr Maj Fritz, PhD candidate at the Faculty of Criminal Justice and Security, University of Maribor, SI, on the other hand, presented the issue of P(M)SCs and Intelligence Gathering which gave the participants of this Seminar a better

insight into the critical phases of the intelligence gathering process for contracted employees of P(M)SCs. Talking about Critical Infrastructure Protection Mr Robert Mikac, PhD underlined the fact that one of the main tasks that lie ahead is to prioritize critical infrastructure with clear risk assessment and critical infrastructure protection and also stressed that EU MS are at varying degrees of maturity with respect to the development of a comprehensive and effective CIP policy. Talking about the controversial institutionalization of P(M)SCs Mr Krisztian Varga, PhD candidate at ELTE University (Faculty of Law, Institute of Political Science, HU) posed the questions on whether outsourcing in the states' security and defence sector is today becoming a norm, what the current images regarding P(M)SCs in politics and the media are and other overriding trends. Panel II rounded off with a presentation entitled „Private security and public affairs- Zagreb airport“, which is the first takeover of complex security services from the police at one of the airports in Croatia, based on the alignment with the European regulations and which was presented by Mr Željko Pivalica, Quality manager at Securitas d.o.o., HR.

PANEL III: „National Experiences in the Implementation of P(M)SC Regulations“ contained presentations on the current trends in the field of Private security. Presentations were given by Mr Ivan Funčić, Securitas Hrvatska d.o.o., Area Manager West, HR, Mr Branko Slak, President of the Association for the Development of the Slovenian Private Security, SI and Mr Marko Milošević from the Belgrade Centre for Security Policy (BCSP). Their presentations were followed by a question and answer session which also marked the end of the first day of this CMR Seminar, held for the second time so



far in RACVIAC – Centre for Security Cooperation.



Ms Nelleke van Amstel, Project Officer, DCAF Geneva

The second working day was opened by PANEL IV: „Options for the Effective Regulation of P(M)SCs at the International Level“. Related presentations were delivered by Mr Ben Buckland, Project Coordinator, DCAF Geneva, who in his presentation „Montreux Process: Model Laws and Model Contracts“ pointed out that there are still a lot of legal liability gaps and that clear laws should be developed in view of the Montreux Process as an overarching document in this area and Nelleke van Amstel, Project Officer from DCAF Geneva, who gave an in-depth presentation on the Association of the International Code of Conduct (ICoCA). The final Panel of the conference (Panel V) considered how regulation can be implemented from the international level into national legislation and included presentations on „International Initiatives as Tools for National Implementation“ (Nelleke van Amstel, Project Officer, DCAF Geneva), a presentation on how maritime security providers on board Croatian flagged vessels are licensed (given by Mr Branimir Belančić Farkaš, Ministry of Maritime Affairs, Transport and

Infrastructure) and a similarly-themed presentation on the „Implementation of International Maritime Security Standards on the National Level“, given by Mr Mišo Mudrić, PhD, Faculty of Law, University of Zagreb, HR. A further example included the case of Slovenia, in the presentation „Implementation of the European Standards for Technical Security Equipment“, which was delivered by Mr Marko Dolanc, Senior Adviser, Securita d.o.o, SI. The Seminar then gradually drew to a close after the finishing remarks given by Mr Ben Buckland, Project Coordinator, DCAF Geneva, Mr Robert Mikac, PhD, Head of Sector for Civil Protection – Commander of the Civil Protection of the Republic of Croatia and Ambassador Branimir Mandić, Director of RACVIAC.

### **Concluding remarks and future actions**

It has proved evident that this second event on Private security was a relevant action dealing with a sensitive issue consisting of a triangle: private industry, the Government and national interests.

Not surprisingly, as Mr Robert Mikac had reiterated:

- What is really needed is the public debate on the issue. Especially on the critical infrastructure protection,
- New topics like Human Rights and ender should be addressed,
- Preparations for the third event next year should start soon by keeping in contact and thus identifying the most relevant aspects of Private security.

As Mr Ben Buckland of DCAF pointed out:

- The field of critical infrastructure protection (uniting all three angles of the triangle) clearly need

information sharing and the usefulness of international and regional standards in ensuring that Private security involved in these activities are operating effectively, efficiently and in accordance with precise regulation, human rights and other relevant standards,

- Each of the diverse contexts tackled during the seminar deserves a meeting of its own, looking at implementation, opportunities and challenges relating to these very specific areas at the national and regional level,
- The fact that the Private security in the area moved from near-total absence to a major employer and security provider today deserves comprehensive expert research.

Compiled by SSR Pillar  
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