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**EUROPEAN PERSPECTIVES**



**INTERNATIONAL SCIENTIFIC JOURNAL ON EUROPEAN PERSPECTIVES**

## EUROPEAN PERSPECTIVES

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VOLUME 13 NUMBER 2 (24) OCTOBER 2022

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# Letter from the Editor

This autumn does not look promising. The war in Ukraine and the energy crises do not provide us with nothing even close to a positive mood. However, each of us is anyway obliged to continue with his/her endeavors, since this is the only and the best way to move forward. And going ahead means not to accept the ancient 19<sup>th</sup> century approach and values.

Also this time, our distinguished authors prepared a valuable set of competitive and comprehensive discussions, having in mind the region of the Western Balkans as their starting point. Though, as our publisher, the International Institute for Middle East and Balkan Studies IFIMES broadens its research outreach to other parts of the world, also this journal is going the same way. We bring a policy presentation of the African security processes to our readers in this issue, with an intention to expand our policy and research outreach as well.

*The first* contribution discusses volunteering as a specific kind of social activity aiming at providing economic and social contribution to the management of social challenges. The ambitious author takes use of comprehensive theoretical frameworks in order to present better understanding of volunteering as a phenomenon. The paper is focused on the case of Croatia and its experiences in the field of volunteering infrastructure. Along with theoretical foundations also the relevant EU documents and legislation are used to provide a handful of recommendations for the region of the Western Balkans. *Consistent.*

*Our second* article is contemplating the ever-growing phenomenon of digital diplomacy, in particular in its relation towards the postmodern diplomatic practice, developed during the period after the end of the Cold War. The respected author argues that the former triumphed over the latter exactly during the time of the Covid-19 pandemic. However unique that period was, it confirms the dominant influence of a concrete historical situation on the appearance and mode of diplomatic practice. Special value of this discussion is a valuable foundation for

future similar researches, using advanced technology and its influence on diplomacy. *Referential.*

*The third* paper puts forward an analysis of private security as a part of the private protection concept, which encompasses private security, security consulting, detective work and citizen self-protection as it has been developed in Slovenia. This concept relates to interests of bodies of corporate and private law, where they are not protected, i.e., guaranteed by the state. The authors discuss the strategic, developmental, and constitutive elements of the development of private protection in the case of Slovenia and define the general framework, including proposals in the area not covered by the state and its institutions. *Systematic.*

*The fourth* discussion brings to our readers a new area of expertise: the African Peace and Security Architecture. As the first paper in the foreseen series, it dwells on its five pillars aiming at conflict prevention, management, resolution, peacebuilding, and post-conflict reconstruction and development in the continent. One could understand the establishment of this concept in 2002 as strive for the original local ownership structure that would be capable to deal with the continent's security threats. There exist many of them and primarily home-grown approach is needed for tackling them efficiently. *Refreshing.*

Our first book review discusses the case of the Srebrenica genocide from 1995. Never enough stressed and never sufficiently researched. And the second one contemplates the groundbreaking volume that initiated the emergence of diplomatic studies in the mid-nineties. The current Guest View innovatively puts forward and elaborates the fact that foreign policy is a public good.

We still witness the outcry breach of international law that faced us with a new threat: the aggressive war on Ukraine. As we more described then predicted in the April's issue our current slogan, which stems from the late 60s, continuous to illustrate Ukraine as the 21<sup>st</sup> century Vietnam. See you in next spring.

Ljubljana, October 2022

M. J.

*War, what is it good for? Absolutely nothing!*

**guest view**

**Foreign Policy as a Public Good**

*Kishan S. Rana*



# Foreign Policy as a Public Good

**Kishan S. Rana<sup>1</sup>**

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Foreign ministries (MFAs) do not have a ‘natural’ constituency within the national body politic. A little reflection will show that there is no significant home entity that is their logical ally, much less an institution or agency that has a strong vested interest in the external affairs system. And when things go wrong in foreign relationships, that ministry becomes a natural, first sight, fall guy. We see the challenges that most MFAs face, when finance ministries carry out the annual exercise of determining the budget allocations for each department, balancing competing funding demands against the limited funds available. MFAs usually end up with the short end of the stick, with few among the non-state actors, or civil society or the media to speak out in their favor.

Example: before the outbreak of the UK-Argentine clash over the Falkland Islands, the British Foreign Office was roundly criticized by the country’s media, for having privileged good relations with Buenos Aires, in lieu a more robust assertion of British national interests. It was then said in Parliament that just as the Health Ministry looked after citizen’s physical wellbeing, and the Department of Industry looked after the manufacturing business, the Foreign Office looked after the interest of foreigners! This has a serious dimension: when dealing with ‘problem’ countries, MFAs have an ingrained proclivity towards a ‘tough’ stance, to avoid being tarred as ‘soft’ by the home public.

## **MFA ROLE IN THE NATIONAL BODY POLITIC**

Foreign ministries lack a natural constituency within the national body politic. Yet, in a globalized world, it is in the economic sphere that the MFA and the diplomatic system can help home business enterprises, exporters, and manufacturers to build profitable connections with international markets. Empirical study shows that in most

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<sup>1</sup> Kishan S. Rana is retired ambassador, teacher, writer, professor emeritus and a Senior Fellow at DiploFoundation.

countries the MFA is an easy target for economy cuts. Interestingly, this goes together with widespread rises in consular charges, especially visa fees; in most countries the enhanced revenues go directly to the national exchequer; MFAs seldom retain any share. This is borne out in studies that examine the working of MFAs.<sup>2</sup> Around the world, this has happened precisely at a time when they face heightened work demands, helping home entities connect with foreign partners. The rise in the importance of diaspora affairs is another example of new responsibilities.

At home MFAs also confront new complexities in working with official agencies, which almost without exception have their own functional, specialized connections with foreign counterparts. Working with them, to coordinate actions with them, to enforce a 'whole of government' external policy stance is an increasing challenge. These ministries do not accept any primacy for the MFA, making it harder than ever before to assert seamless consistency, and uniformity. We see another dimension of this problem in federal countries, where provinces are tempted to establish their own cooperation agreements with foreign countries; Australia and Mexico are two countries where such actions have produced embarrassment when the federal government has rescinded such actions by their sub-state entities. Elsewhere, provincial entities chafe under what they see as unreasonable restrictions in their efforts to reach out to foreign states for foreign direct investments (FDI), trading arrangements, and partnerships with their diaspora organizations that.<sup>3</sup>

A consequence in Australia has been a demand that the Ministry of Foreign Affairs and Trade should be treated as having a special status vis-à-vis other ministries. This is unlikely to be conceded. Elsewhere, MFAs enlist the support of the head of government offices, or the cabinet office, to retain for themselves a seat at the decision-making table when other ministries take up issues that relate to external policy (such as trade issues at WTO and elsewhere, or global discussion on environment issues), but this is seldom easy. A UK report published in 2016 said:

'We should re-establish where the FCO can best add value to the rest

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2 See: Copeland, Daryl, *Guerrilla Diplomacy: Rethinking International Relations* (Lynne Reiner, Colorado, US, 2009)

3 See: Rana, 'Centre-State Cooperation in Handling Foreign Affairs: A Comparative Perspective', *Economic and Political Weekly*, February 6, 2021, Vol LVI, No. 6.

of Government: as a department at the centre with a lead voice on all bilateral and multilateral relationships, including the UK's relationship with Europe. Our unique selling point should be our understanding of other countries and the multilateral system; our ability to make and deliver policy which exploits that understanding to increase the UK's security and prosperity and our ability to convene and deliver through the global network. 'The FCO must always retain a leading voice on the biggest thematic international issues of the day, even if the lead lies elsewhere in Cabinet.'<sup>4</sup>

The plain fact is that functional ministries are loathe to accept any special status for their own MFAs. The tension here is between the equality of all ministries, and the cross-cutting nature of the MFAs responsibility, which places it in a position of requiring line ministries to handle their external actions in a way that advances national interests on a broad front, i.e., conforming to a consistent, 'whole of government' policy. Line ministries are directly concerned with their own functional agenda; they tend to have little interest in the overall bilateral relationship with individual countries. That places the MFA in a situation where it may sometimes have to tread on the toes of these line ministries.

Here is an example from Australia. One of its thinktanks wrote in 2022: suggestions of DFAT collaborating with the APS through Treasury or on multi-agency taskforces have been made before and these representatives exist within embassies, but a "public service diplomacy" agenda could offer more, whereby Australian public servants from areas not usually engaged internationally work directly on policy and programs with counterparts in departments around the region. Inspiration for such a proposal could be taken from the Australian Defence Cooperation Program (DCP).<sup>5</sup>

## FOREIGN POLICY A PUBLIC GOOD

Citizens have an intrinsic right to effective foreign policy, which advances the country's interests, across the entire span of engagement with the external world. In a globalized age, in which different agencies and institutions deal with foreign partners on political, economic, social, cultural, educational, and a range of other subjects, this beco-

<sup>4</sup> See: Future FCO, UK Foreign Office, 2016.

<sup>5</sup> 'The opportunities of cross-public service diplomacy', 8 Aug 22, Lowy Institute, <https://www.lowyinstitute.org/the-interpreter/opportunities-cross-public-service-diplomacy>

mes a complex, multidimensional task. When we understand this, we come recognize the centrality of the MFA, as the agency that is at the forefront of most external tasks, helping home actors to better connect with and profit from their foreign engagement, in a holistic, consistent and sustained manner.

While the expanded engagement of MFAs with their home partners is well-understood, we do not often focus on foreign policy is a public good. Just as the country's people have a right to safe water, a healthy environment and opportunities for education, employment, and social services, are also entitled to an effective foreign policy that facilitates and helps these agents to engage with institutions and people in other countries, across all the inward and outward actions that serve their interests. This point really does not need elaboration – it is simply a different way of viewing or re-framing relations with foreign states, organizations, and peoples. Those in Western countries with sophisticated institutional infrastructure may say that this is handled by all the concerned home actors, non-state and state, with their own contact networks. But for many global south countries that experience is missing. And as the agency with on-the-spot contacts, embassies and consulates are agile allies even for experienced institutions.<sup>6</sup>

Let us consider some facets of this public good, and why this concept has consequences in terms of the functioning of the MFA. In net terms, both home actors and the diplomatic network gain from proactive application of this concept.

*First*, working for the security of the country, remains is the primordial responsibilities of the state. For the MFA this translates into striving for peace and safety in the proximate neighborhood, as also finding ways to neutralize and eliminate threats to the country's security. It must also privilege the safety of its citizens that travel to or live in foreign countries. The MFA is the country's first line of defense.<sup>7</sup> Do home actors sufficiently realize and act on this perspective?

*Second*, governments need to devise ways that support the MFA in its coordination task vis-à-vis all the other ministries and official agencies.

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6 At both my bilateral diplomatic assignments in developed countries (San Francisco, 1986-89, Germany, 1992-95), I found that even experienced home non-state actors gained a great deal with the missions on-ground contact networks. For the missions too, this provided valuable learning and honed its networking skills and deepened their reach within the assignment country.

7 This is one of the centerpiece themes in Copeland's *Guerrilla Diplomacy*, (2009)

Equally, the MFA must deal with them with sensitivity, treating them as indispensable partners in the shared goal of ensuring a 'whole of government' external posture. Often, jurisdiction issues are kicked upwards to the level of the head of government, and to the office of the president or the prime minister. The real need is for a system that works in collegial fashion, minimizing inter-ministry dissonance. In practice, we usually find shortcomings on both sides of that equation, and that is of little benefit to the nation.

*Third*, we should realize that in parallel with expansion in the external agendas of line ministries, very many domestic non-state entities also find themselves engaged with foreign counterparts. In doing this, they bring great value to the nation, directly on issues in international dialogue, as also the country image and its attractiveness. The key players include business and industry associations, civil society actors (including NGOs dealing with development and societal issues), research institutes and think tanks, the media, educational institutions, and science and technology agencies, to name just a few. In effect, almost every entity in the body politic is engaged with its foreign counterparts. This has expanded the work remit of the MFA, even while it is not responsible for the actions of these multifarious players. Yet, some degree of harmony, or coordination actions, aimed at avoidance of dissonance with these non-official agencies is useful. This helps to create a degree of national coherence in their positions on international issues. For example, be it on climate change, or global trade and economic issues, or internet and communications policy, to name just a few topics that are on the global agenda, we realize that inter-state dialogue now makes place for perspectives thrown up by all these societal actors. The legitimacy of their interest in world affairs is a fact of life. MFAs are challenged to find effective ways to engage with these societal actors.

*Fourth*, some MFAs have moved faster than others in recognizing this domestic 'public diplomacy' function for themselves. Broadly, it is a by-product of an increasingly interconnected world. The driver has been the networking and emergence of epistemic communities, a result of ever-wider use of the internet since the early 1990s, which has linked institutions and like-minded people across the world, as never before. An example: the Indian Ministry of External Affairs (MEA) created a Public Diplomacy Division around 2007. A couple of years later, when the head of this unit travelled to Mumbai college for a discussion

on international affairs, he was told by a student representative in her public speech that it was a first for the college audience to receive an official from the country's MEA, though they often heard from foreign consuls general about the views of their countries. That set this official thinking putting in motion a chain of events. It produced an active home public diplomacy program by MEA, including 20 to 30 visits to different university campuses across the country by retired ambassadors, plus MEA's participate in campus foreign policy discussions, besides other forms of support to non-state actors. Two other actions followed. MEA started a program to receive interns to work for a few months on different topics. It also led to new outreach to the country's states (provinces), with mid-senior officials being designated to guide each state in its external actions, especially efforts to mobilize inward foreign direct investment (FDI), as also exports.

*Fifth*, citizens have a concomitant responsibility to inform themselves and understand external developments, and how these impact on the nation. This is one of the outcomes of globalization, in so far as external events impact on people as never before. In a world marked by instant social media communication it is easy and facile to see events, at home and abroad, in soundbites. But citizens have an obligation to look deeper and consider how these external events impact on their lives. The prism through which home politics are seen should also take into account these externalities. In this, the youth have a special obligation, to function effectively as the country's avantgarde and its future.

Overall, foreign ministries have consequently widened engagement with domestic constituencies. This includes two-way communication with civil society, to understand their concerns and the harness them to a 'whole of country' orientation. Such actions add to the 'legitimacy' of the nation's foreign policy, and the credibility of the MFA. This involves the MFA in close, continuous dialogue with academia, societal organizations and think tanks - all of whom are to be wooed and engaged. That also opens for the MFA a window to different domestic perspectives on foreign affairs.<sup>8</sup>

These are some of the strands that underpin the notion of treating foreign policy as a public good. Through that MFAs understand better

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8 Many MFAs now have a mechanism for regular dialogue with think-tanks and civil society organizations. Mexico has been a pioneer on this, say in relation to climate change issues. For India, discussions at WTO have been instrumental for engaging with home non-state actors on trade and economic policy. Most developing countries are on a learning curve in developing this process.

their own direct, self-interest. Besides a general need for public support, the diplomatic system needs to appeal to the country's youth, to attract the best talent available for their annual intake into the diplomatic service. It has to be pro-active in mobilizing talent, offering itself as a career option for the country's youth. The pendulum of career choices oscillates in unpredictable fashion, as many Western countries have seen. In contrast Global South countries have seen that the diplomatic service usually retains a high position in relation to other career choices.

### **INFORMATION AND COMMUNICATIONS TECHNOLOGY**

The underlying factor in many of the changes we have witnessed over the past three decades in the management of foreign relations is the transformation in information and communications technology (ICT). That has produced major change in international affairs and in diplomatic practices. If one single element is to be named to represent these, it is the arrival of the internet. The fact that within the country and outside, individuals and institutions can seamlessly connect with one another, almost at zero cost, has produced paradigm transformation. Three decades after the arrival of the global internet, we are still groping to understand and deal with this, as much in our daily lives, as in the ways in which we and our institutions connect with the world around us. Simply put, politics, institutional behaviour and all manner of national and international activity has been transformed. Individuals now have instant access to global audiences, depending on both their actions and the circumstances. What we call the 'social media' have transformed politics and society – we are still groping with the consequences.

Foreign ministries, diplomats, and all manner of agencies and actors are empowered in ways that were unimaginable even a generation earlier. Managing this new system of communication, summed up under 'internet governance', has become a hydra-headed theme in the international discourse, engaging countries, the technological agencies and an array of business enterprises, non-official institutions, and public policy specialists, to say nothing of researchers, innovators and social activists.<sup>9</sup>

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<sup>9</sup> For over two decades I have been a member of the faculty team of DiploFoundation ([www.diplomacy.edu](http://www.diplomacy.edu)), now based in Geneva, Malta and Belgrade, a pioneer in conceptualizing the relevance of modern ITC in international affairs, and its impact on diplomacy. In this, this small, focused institution has built a sterling international reputation.

Politicians and all manner of public figures work assiduously to build up their numbers of 'followers' on the public media. These numbers are having become a barometer of standing and public acclaim for almost everyone that seeks fame. At the same time, new categories and skill clusters have emerged, like 'influencers', bloggers and market leaders. Everyone wants to be a social media stars.

**Volunteering as a Response to  
Society's Challenges**

*Gordana Šimunković*

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# Volunteering as a Response to Society's Challenges

Gordana Šimunković<sup>1</sup>

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## ABSTRACT

Volunteering, with its potential for economic and social contribution, has gained the growing interest of decision makers. In parallel, the research community tried to build comprehensive theoretical frameworks in order to better understand volunteering as a phenomenon. Also, the importance of measuring the contribution of volunteering was recognized in order to create informed decision-making and to the preservation of volunteering as a complementary phenomenon to the welfare state. This paper is aimed to answer what are the key theoretical views on volunteering, what are the key challenges in the measuring of volunteering and how volunteering can be a response to challenges in society. By reviewing the relevant literature and presenting the case of volunteering infrastructure in the Republic of Croatia, recommendations for further development are given. Documents created at the European level are recognized as a mirror for decision-makers to check the state of their country and to take the further steps towards the development of volunteering. The contribution of volunteering as the response to the priorities of the countries of the Western Balkans, is highlighted as well.

**KEYWORDS:** volunteering, volunteering theories, volunteering measurement, social policy, social innovations, volunteering infrastructure

## POVZETEK

Prostovoljstvo s svojim potencialom gospodarskega in družbenega prispevka pridobiva vedno večje zanimanje nosilcev odločanja. Vzporedno s tem je raziskovalna skupnost poskušala zgraditi bolj ali manj celovite teoretske okvire za boljše razumevanje prostovoljstva kot fenomena. Obenem je bil prepoznan pomen merjenja prispevka k prostovoljstvu za sprejemanje informiranih odločitev za najustreznejši razvoj prostovoljstva in ohranjanje prostovoljstva kot komplementarnega pojava socialni državi. Članek predstavlja bistvene teoretične poglede na prostovoljstvo, izzive v metodologiji raziskovanja prostovoljstva in kako je lahko prostovoljstvo odgovor na izzive v družbi. Na podlagi pregleda relevantne literature in prikazom primera infrastrukture prostovoljstva v Republiki Hrvaški so podana priporočila za nadaljnji razvoj ureditve. V tem kontekstu so nastali ključni dokumenti na evropski ravni, ki so lahko odločevalcem kot ogledalo za preverjanje stanja posamezne države in določanje nadaljnjih korakov delovanja v smeri razvoja prostovoljstva. Izpostavljen je prispevek prostovoljstva k ciljem trajnostnega razvoja in s tem k odzivu na prioritete držav Zahodnega Balkana.

**KLJUČNE BESEDE:** prostovoljstvo, teorije prostovoljstva, merjenje prostovoljstva, socialna politika, družbene inovacije, infrastruktura prostovoljstva

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## INTRODUCTION

The terms that define volunteering and its manifestations may differ in different contexts, languages and cultures (UNV, 2021; GHK, 2010), but the values that initiate it are, in its core, common and universal: the desire to contribute to the common good with free will, in the spirit of solidarity and without expecting material compensation (GHK, 2010). Although the scientific community is still searching for a unique definition of volunteering (Skov Henriksen, et al., 2008; Hustinx, Cnaan, Handy, 2010), when talking about volunteering, exactly those three elements (giving, free will and intangible benefits) are continuously present, regardless of whether it is a theoretical, regulatory or operational definition. These features of volunteering, along with its widespread nature, placed volunteering as a phenomenon in the interest of the bearer and implementer of social policies.

It is recognized that volunteering is part of all communities and a significant social and economic contribution to all societies, exceeding the global workforce of many major industries. The data speak of a global amount of 15% or 862 million people as a monthly volunteer rate (proportion of people of working age who volunteer in a month). Globally, 6.5% of people are involved in formal volunteering and 14.3% in informal volunteering<sup>2</sup> (UNV, 2021). It is estimated that global involvement in volunteer activities exceeds the number of people employed in more than half of the 10 most populous countries. Analyses put the global volunteer workforce at the equivalent of 109 million full-time employees, a number that exceeds many of the world's major industries (Salamon, Wojciech Sokolowski, Haddock, 2018).

Ten years ago, the topic of the social and economic contribution of volunteer work became a central focus in documents at the European Union level (GHK, 2010), which is also evident through the call on governments to cooperate closely with volunteers in order to achieve the goals of sustainable development set in the 2030 Sustainable Development Agenda. The Policy Agenda for Volunteering in Europe – P.A.V.E. (CEV, 2011) played a significant role in encouraging the affirmation and development of volunteering, which provided recommendations for more effective European policy frameworks for supporting and

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2 Formal volunteering is done through organizations, associations or groups, typically by volunteers with a permanent and continuous commitment to the organization, who contribute their time on a regular basis. Informal volunteering occurs directly between individuals and communities without the mediation of an organization (UNV, 2021).

promoting volunteering.<sup>3</sup> P.A.V.E. was focused on the quality of volunteering, volunteer management and volunteering infrastructure (CEV, 2021). Building on the strengths of P.A.V.E., the document 2030 Blueprint for European volunteering was created as an additional tool for all stakeholders who want to see the full potential of volunteering at the European level (CEV, 2021). The document is organized around the following topics: Independent and Inclusive Engagement; New Volunteers and Methods; Empowerment; Appreciation of Contributions, Resources and Coordination. Both documents detected areas of strength where it is advisable to further build volunteering and emphasize the importance of awareness that volunteering should not be used to solve European problems but should be valued as an expression of European values and an appropriate expression of solidarity among citizens. It was also recognized that the impact of volunteering depends on the context of the volunteering policy in which it takes place (CEV, 2021).

Although the historical and contextual background of volunteering varies between countries (GHK, 2010), in most countries of Central and Eastern Europe, volunteering was put on hold after the Second World War until the 90s (Angermann, Sittermann, 2010; GHK, 2010) and after that period it was more often placed within the framework of the law, promoted through various policies, encouraged in its development, etc. Its actualization is related to responses to the challenges that arose during the transition to a post-industrial society (Babić, Baturina, 2016; Morel, Palier, Palme, 2012a) when volunteering was increasingly seen as a significant resource in addressing various social problems (Rochester, 2013).

The welfare states in the Western Balkans face multiple challenges that are to some extent specific to the region and that require consideration of strategic options for improving social protection and human resources. Most countries have a relatively low gross domestic product, an unfavorable demographic and social situation, and inadequate educational and health outcomes. Specific challenges include high emigration, long-term unemployment, widespread gray economy and European integration (Matković, 2019). COVID-19 pandemic has added to the challenges by affecting the already weak social protection

3 See also: Opinion of the European Economic and Social Committee on the 'Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Communication on EU Policies and Volunteering: Recognizing and Promoting Cross-border Voluntary Activities in the EU' COM(2011) 568 final. Official Journal [online] C 181, pp.150-153. Available at: <<https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:181:0150:0153:EN:PDF>> [Accessed 8 August 2022].

system. At the same time, COVID-19 pandemic pointed out the specific role of volunteering, which appeared somewhere as a parallel form of service provision and which was thus perceived as a positive development element (Matković, Stubbs, 2020).

For the countries of Western Balkans, significant developmental economic and social achievements have been observed in recent decades, but finding sources of productivity growth and drivers for structural transformation are recognized as urgent challenges. Investments in better education and competences, strengthening of social cohesion and a cleaner environment were singled out as priorities. Everything to make the country an attractive place to live, work and invest in. At the same time, the listed priorities have their own specific topics and areas of overlap that require synergistic action (OECD, 2022). Volunteering has a place in this synergy with its contribution to the individual level (volunteer and user of volunteering) and the community level (organizational level, local level, national level, international level).

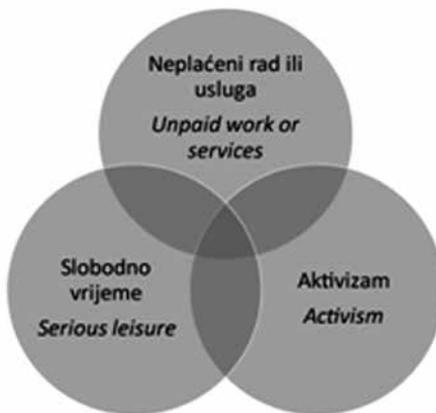
The significance of the economic and social contribution of volunteering is an open research area that builds theoretical approaches to consider the phenomenon and search for a unique methodology that will enable the monitoring of the phenomenon and its comparison between countries. Following theoretical and methodological frameworks is important for understanding volunteering and its correct positioning in the implementation of policies as a response to challenges in society. In order to answer the questions of what are the key theoretical perspectives on volunteering, what are the key challenges in the methodology of researching the phenomenon, and how can volunteering be a response to challenges in society, by reviewing the relevant literature and presenting the case of volunteering infrastructure in the Republic of Croatia, recommendations for further policy development are given.

## **THEORIES BEHIND VOLUNTEERING**

Comprehensive theoretical frameworks that cover volunteering are the focus of several authors, each covering certain features to a greater or lesser extent. The good thing is that the foundation on which research can be based is being more and more developed, which will be (and is) the basis for informed decision-making.

Rochester (2013), in order to overcome the segmentary part of certain paradigms of the phenomenon of volunteering, established a comprehensive approach to volunteering. In his three perspectives model (Figure 1), he distinguishes three paradigms of volunteering: 1) the non-profit paradigm, 2) the civil society paradigm, and 3) the serious leisure paradigm. In their overlapping areas of perspective, they provide four hybrid forms of volunteering.

**Figure 1: Presentation of the three perspectives model**



*Source: Rochester, 2013, p.181.*

The dominant paradigm is also the non-profit paradigm, which he states is the basic setting in analyses and discussions about volunteering in non-profit societies. Each of the paradigms is observed through key elements: motivation, area of activity, organizational context and the role of volunteers.

The dominant paradigm, according to the key element of motivation, assumes that the primary motivation of volunteers is based on altruism, essentially as a philanthropic act (giving time that can go hand in hand with giving money). In the area of activity, volunteering is widely seen in the field of social welfare and contributes to counseling, care and support for people in need. As part of the organizational context element, opportunities for volunteering are provided within a larger, formally structured organization with professional employees, which, in addition to humanitarian and voluntary sector organizations, also includes institutions such as hospitals, prisons and schools. Volunteers provide a significant additional resource in

the form of unpaid work and are treated as a human resource that needs formal management similar to that of employees. The volunteer role element presupposes that the volunteer's work is pre-defined by the volunteering organizer and volunteers are sought for a specific role or task that may involve varying degrees of formal selection, onboarding and training procedures.

In contrast to the dominant, non-profit paradigm, the paradigm of civil society (sometimes "horizontal volunteering") assumes that the motivation of volunteers is related to self-help and mutual help in associations or self-help groups. The primary area of activity is providing mutual support in self-help groups or campaigns for better service provision and is not only related to the area of social welfare. The roles of volunteers within this paradigm cannot be defined in advance, but develop over time. The serious leisure paradigm assumes that volunteer motivation is primarily intrinsic, related to enthusiasm for a specific involvement. The field of volunteering activities includes art, culture, sports and recreation in associations that can be within larger, more complex, organizations or in smaller volunteer groups in the community through different variations of roles with frequent opportunities to move from one role to another.

Hustinx, Cnaan and Handy (2010), recognizing that despite multiple theoretical and conceptual models there was no emergence of an integrated theory of volunteering, offer a new conceptual framework of volunteering that takes complexity and contradictions in the object of research as a basic point. Their hybrid model is built on three identified layers of complexity. For each layer of complexity, they provide theoretical elements and key frameworks and approaches. Here we highlight layers of complexity and theoretical elements: 1) the problem of definition (theoretical element: what is the object of the study), 2) the problem of interdisciplinarity (theoretical element: why do we study) and 3) the problem of multidimensionality of theory (theoretical element: theory as explanation; theory as a narrative; theory as enlightenment).

Smith and Puyvelde (2016) provide a comprehensive overview of theories of volunteering (as well as associations with which volunteer work is primarily associated). Smith and Puyvelde (2016) distinguish between theories related to volunteering: a) those related to the nature of the entire non-profit sector, the so-called macro-theories, b)

those that are related to clarifying aspects of non-profit associations or that explain the loss of collectivity such as social movements or social conflicts, the so-called meso-theories and c) those that explain the membership and participation of individuals as volunteers, members, participants, activists or that generally explain pro-social behavior, so-called micro-theories.

As part of the macro theories of Smith and Puyvelde (2016), they single out theories that capture the nature, origin and structure of the non-profit sector (contract or market failure theory, the public goods or government failure theory, entrepreneurship theories, stakeholder theory, interdependence or voluntary failure theory, social origins theory, general theory of voluntary association prevalence), theories that affect the relationship of the non-profit sector with other sectors in society (theory of the relationship of the non-profit sector with other sectors in society), theories that affect the rates of incidence - prevalence - cessation of non-profit organizations (demand theory, supply theory, social structure theory) and theories involving rates of incidence - prevalence - exit of associations (theory of prevalence of associations).

The contract or market failure theory the public goods or government failure theory, the entrepreneurship theories and the stakeholder theory come from the economic approach and are theories of demand and supply developed to explain the existence of non-profit organizations. The interdependence or voluntary failure theory argues that the relationship between the nonprofit sector and government is not one of conflict or competition, but one of partnership. Given that volunteer activity can be limited, sporadic, disorganized and ineffective, in addition to market and state failure, there is also volunteer failure, which can result in ensuring a more stable flow of resources as a government intervention.

The social origins theory claims that variations in the size and composition of the non-profit sector depend on the type of non-profit regime of a particular country (liberal, social democratic, corporatist and statist). Each type reflects a particular constellation of social factors, policies and policy-making, leading to the development of a particular form of the non-profit sector. The general theory of voluntary association prevalence distinguishes three types of social factors influencing associations: factors of social origin, aspects of the basic social structure and factors of social mobilization.

As part of the theories of the relationship between the non-profit sector and other sectors in society, there is a view according to which the non-profit sector consists of two sub-sectors that make up the fourth and fifth sub-sectors in society, where both operate differently and their components usually have internally oriented goals. These are a) the sector where members benefit and which consists primarily of associations and b) the sector where non-members benefit and which consists of non-profit agencies.

Demand theories suggest the emergence of non-profit organizations in the economy to correct market and government failures. Supply-side theories argue that non-profit organizations are usually formed by entrepreneurs who want to gain control over the organization and maximize non-monetary income. Theories of social structure suggest that variation in the nonprofit sector can be explained by factors such as population size, employment structure, political culture, and social cohesion. Association prevalence theories isolate key factors influencing association prevalence.

Smith and Puyvelde (2016) observe meso-theories in relation to the clarification of aspects of non-profit associations or the loss of collectivity. Within them, they include those interpreted by all conventional associations (General Theory of Associations), associations with paid-staff (Management tensions, member influence and management power), deviant voluntary associations (Theories of social movement organizations and social movement theories, Smith's general theory of deviant associations) and informal collective conflicts and protests (Gurri's theory of why people rebel violently, Chenoweth's and Stephans' theory of nonviolent resistance).

Within the framework of micro-theories, Smith and Puyvelde (2016) distinguish between those that interpret membership, participation and volunteering in associations (Rocherster's three perspectives model, Smith's analytical types of volunteering) and those that interpret general human behavior and prosocial behavior (Lewin's theory, Exchange Theory, Model of political participation, S-Theory).

From the dominant paradigm identified by Rochester (2013), we can draw out the importance of formal management for nurturing volunteering resources within formally structured organizations that will offer volunteering opportunities. From the non-profit par-

adigm, we can draw out the importance of open space for volunteer initiatives that will arise in response to currently perceived needs. The free time paradigm, as well as the non-profit paradigm, can talk about the importance of an open space for an individual to make a change through their free action. Hustinx, Cnaan and Handy (2010) return us to the basic elements of what and why we study while recognizing that every good theory is multidimensional. Of the macro, meso and micro theories listed and described by Smith and Puyvelde (2016), macro theories as those that capture the nature, origin and structure of the non-profit sector, come into the significant focus of this paper. They gain significant focus due to the opening of space for consideration of the relationship between volunteering and the state. In this segment, the claim that the relationship between the non-profit sector and the government is one form of the partnership, and the development of the non-profit sector is the result of demand and supply, stands out from the aforementioned theories. The very development of the non-profit sector (and all phenomena that are primarily connected to it, such as volunteering) is dependent on the current regime in a particular country. The remaining theories cited by Smith and Puyvelde (2016) also have their importance. In order to maintain a clearer focus, they are not further distinguished except for Rochester's model of three perspectives (Rochester, 2013) due to its pure emphasis on three perspectives and their overlapping areas, which can be a reminder of the importance of setting a political framework that will enable the coverage of all three.

## **METHODOLOGY IN THE BACKGROUND OF VOLUNTEERING**

In order to adequately recognize the potential of partnership between volunteering and the government in responding to demand and needs, it is important to have specific data on volunteering. Along with the recognition of the important economic and social contribution of volunteering, the need for high-quality data and evidence that would support that contribution, also grew. Little is known about how many people volunteer, in what way and how their contribution can be maximized (UNV, 2021). The importance of creating a methodology that will enable greater comparability and unification of data is highlighted (CEV, 2021; UNV, 2021). For this purpose, at the international level few initiatives are launched. As an example we can point out a package of tools by Kuonqui (2020) based on the guidelines of United

Nations bodies, initiatives of national governments, civil society, the private sector and researches. The toolkit presents resources related to the identification of the prevalence, scope and trends of volunteering (who volunteers, when and how), intrinsic values of volunteering (what is the economic and social value of volunteering), instrumental values (what is the contribution to sustainable goals - 2030 Sustainable Development Agenda) and volunteer initiatives (what patterns and connections are present in the interventions and what is the effect of specific instruments). As tools for identifying the prevalence of volunteering, Kuonqui (2020) presents a labor force survey, a time use survey, a census and research on the type of volunteering activities. The intrinsic values of volunteering can be captured by organizational surveys, national and cross-national surveys and by collecting qualitative data in order to capture collective possibilities. Models of economic and social contribution are used to capture instrumental values. Initiatives in the evaluation of effectiveness are affected by quasi-experiments, case studies and mixed methods.

At the global level, the measurement of volunteering remains a challenge (UNV, 2021) with the recommendation of the United Nations Volunteers program (UNV program) to use newly developed tools by the International Labor Organization (ILO) and the UNV (UNV, 2021). ILO (2021) in cooperation with the UNV program, following the aspiration to support countries that want to collect data on participation in volunteer activities, developed a question module that represents an adapted and upgraded earlier version of the labor force survey module, harmonized with the current international statistical standards. Such data collection is also seen as a possible contribution to the generation of valuable evidence used in economic and social policy making, especially if used in combination with other data.

The ILO (2021) singles out three basic indicators: 1) the number of volunteers, 2) the proportion of volunteers and 3) the number of volunteering hours. The main topics recommended by the ILO (2021) for data collection include:

- tasks performed to help or support others
- number of hours worked
- type of user of volunteer work
- the main reason for engaging in volunteer work
- organizers of volunteer work

- the main activity of the organization through which the volunteering took place (if relevant)
- support or encouragement provided to volunteers (if relevant).

The methodology proposed that the classification of tasks performed by a volunteer should be harmonized with the Standard Classification of Occupational Activities (ISCO-08), according to which every activity collected by the questionnaire would be coded, all in order to facilitate the subsequent calculation of the economic contribution of volunteer work (ILO, 2021).

It is important to keep in mind that research should not be limited to the economic value of volunteering, but should also cover the contribution to personal well-being, health, safety, social ties and civic engagement, and that the collected information should be used to change policies related to volunteering (CEV, 2021). Such comprehensiveness is in line with what Kuonqu i (2020) provides in the Measuring Volunteering for the 2030 Agenda toolkit.

#### **THE ROLE OF VOLUNTEER WORK IN SOCIAL POLICY**

As a result of economic and social changes related to the transition to a post-industrial society, new social risks appeared in the second half of the last century (Babić, Baturina, 2016; Morel, Palier, Palme, 2012a; 2005; Ascoli, Ranci, 2002). New risks (increase in the share of women on the labor market, increase in single households and single-parent families, weakening of family ties, reduced fertility, increased life expectancy, increase in the share of the elderly population, migration, etc.) have put additional pressure on the structures of the European welfare state constructed for dealing with the needs generated in industrialism. The welfare state was challenged to reconcile three concurrent factors: growing demand, limited resources, and the limited capacity of governments to reconcile the previously two (Taylor-Goo-by, 2004; Ascoli, Ranci, 2002). In the search and consideration of stable solutions, concepts such as the welfare mix, volunteering, social investment and social innovation were actualized.

Through the welfare mix, all parts of the community have gained a more visible role, including the private sector, which is increasingly appearing as a service provider and users who participate in the service. There is a difference among researchers regarding the view of the

welfare mix as a novelty. Stewart (2019) states that the combination of involvement of the state, family, market and the voluntary sector in the provision of care has always existed, but that the role of an individual actor, the range of his involvement and the relationship between individual actors changed over time depending on the prevailing historical circumstances. On the other hand, the welfare mix is recognized as a new trend and concept that constitutes one of the frameworks of the modernization of the welfare state (Bežovan, Dimić Vugec, Radović, 2015; Bežovan, 2009).

As the main aspiration the welfare mix, set out how to combine and use all available potentials of different sectors in the community in the most efficient way in economic and social terms (Bežovan, 1998). The state is one of the equal stakeholders with a regulatory role, which is a shift from its earlier monopolistic position (Bežovan, 2009), recognizing other stakeholders as partners for cooperation in the preparation, decision-making and implementation of social programs (Bežovan, 2009; Bežovan, Dimić Vugec, Radović, 2015).

The concepts of social investment and social innovation were actualized as a response to the challenges of the welfare state in the 1990s (Morel, Palier, Palme, 2012a; EU, 2013a; Edwards-Schachter, Wallace, 2017). The approach of social investments focuses on human capital (Morel, Palier, Palme, 2012a; Morel, Palier, Palme, 2012b) recognizing the importance of preparing an individual to deal with risks and changes in the labor market, giving a double return: financial and social (Babić, Baturina, 2016). At the European level, social investment becomes an important tool for growth and cohesion (EU, 2013b). Social innovation as a concept has its origin much earlier than the 90s, in technological innovations (Edwards-Schachter, Wallace, 2017). Today we note that in the leading initiatives of the Europe 2020 strategy, the European Platform against Poverty and Social Exclusion and the Innovation Union, social innovation is identified as a powerful tool for facing social challenges and as a response to insufficiently met social needs<sup>4</sup>.

Volunteering is traditionally primarily associated with civil society (volunteer, independent, informal, third sector), which is one of the

<sup>4</sup> UREDBA (EU) br. 1296/2013 Europskog parlamenta i Vijeća od 11. prosinca 2013. o Programu Europske unije za zapošljavanje i socijalne inovacije. Official Journal [online] L 347, pp.238-252. Available at: < <https://eur-lex.europa.eu/legal-content/HR/TXT/PDF/?uri=CELEX:32013R1296&from=IT> > [Accessed 8 August 2022].

components of the welfare mix. It is increasingly recognized that the boundaries in the characteristics of a particular sector or organizations within it change and that the characteristics of one sector are present in another, which leads to the overcoming of the weakness of one sector, with the strength of another (Billis, 2016; Evers, 2008). Such is the situation with volunteering, which becomes a contribution and a partner in the regular provision of services, their innovative improvement and part of a thoughtful and wise social investment. Villadsen (2011) distinguishes voluntary organizations and states that for the last twenty years they have been placed in the center of the discussion on how to innovate social services and how to make them more sensitive. This potential is also transferred to other sectors, i.e. to organizations in other sectors that are not primarily voluntary, enabling them to raise the level of quality of service provision.

Discourses on the role of volunteering in the welfare state contain different thematic orientations, thus reflecting a different understanding of the volunteer sector: a) the struggle between volunteer organizations and market actors over public contracts for the provision of social services, b) new ways of involving volunteers and increasing volunteering inside and outside volunteer organizations (e.g. local communities and public institutions) while calling for democratic participation and the need to increase the legitimacy of the social model and c) the potential of the volunteer sector as an arena for innovation in creating new responses to social problems and in establishing a multi-sector platform for the participation and cooperation of actors from different sectors - voluntary, public, market (Essen, Frederiksen, Loga, 2019). Boje, Hermansen, Juul Møberg (2019) recognize that depending on the social model and the construction of the combined model of social policy, the connection between volunteering, paid work and informal assistance varies among European countries. For example, the Scandinavian countries, with the organized provision of services through the public sector and professional employees, had a request for volunteers, but due to economic limitations, the authors announce the possibility that an increasing part of care activities will be through volunteering and informal forms of care provision.

The need for further study of the phenomenon of volunteering in the provision of social services is recognized, in order to ensure that the role of the state, volunteers and organizations that organize volunteers remain complementary in the provision of services and with

the needs of users in focus. In this way, volunteering is retained as a complementary feature of the welfare state, and not exploited as its integral feature (Civico, Nagy, Adamson, 2013). This is also in line with the message of the document 2030 Blueprint for European volunteering, which wants to bring policy makers a vision that volunteers are not only a source of labor for essential and significant tasks in society, but play an important role in social cohesion, interpersonal relations, social transformation and pave the way for the transformation of European values into reality (CEV, 2021).

The latest report on the state of volunteering in the world (UNV, 2021) highlights that volunteering plays a central role in strengthening the relationship between people and the state: it promotes better governance, helps build an inclusive society and fosters stability. Global volunteering is a powerful driver for shaping and encouraging development. In dealing with society's challenges, all stakeholders and all sectors are important, with partnership gaining importance. The report identifies three models of the relationship between volunteers and the state, categorizing them according to the actors involved, the relationships between actors, and the extent to which they deal with voice and inclusion, innovation, and ownership: 1) the deliberative management model, 2) the service co-production model, and 3) the social innovation model. In the case of the deliberative management model, it is considered how different voices and aspirations are introduced into the decision-making processes at the state level. The co-production model considers the extent to which volunteers can shape public policies and programs, from their creation to the implementation and evaluation of services. The social innovation model considers how volunteers can be involved in the generation, implementation and dissemination of new ideas and practices aimed at solving current and emerging social challenges. We will stick to the model of social innovation and consider the roles of volunteers in the context of innovation in more detail.

## **VOLUNTEERING AND SOCIAL INNOVATIONS**

Existing research is not explicitly directed towards the role of volunteering and volunteers in the process of generating, implementing and spreading innovative activities (Wit, et al., 2017). In research focused on organizational factors that can contribute to and hinder the contribution of volunteers to social innovation, Wit, et al. (2017) through 26

interviews in 17 organizations of the third sector in eight European countries, detected that the contribution of volunteers to social innovations is strengthened by: a decentralized organizational structure, a systematic gradual increase of ideas, providing education and giving a sense of ownership in contrast to a reluctant attitude and a lack of resources that act limiting. They considered the role of volunteers in the context of the stages that every innovation goes through according to the more general formulation of the linear model<sup>5</sup>: generation, development, production and dissemination. Munro (2018), investigating the contribution of the volunteer sector to local innovations through the public sector, states that his findings confirm the findings of earlier research, for example, the importance of volunteer organizations is confirmed and that volunteer organizations can bring fresh thinking and experience to cooperation. Investigating the success of volunteer social innovation, Reznickova and Zepeda (2016) suggest that meeting the needs and intrinsic motivation of volunteers is related to the creation of self-propagating social innovation where volunteers create new ideas and successfully transfer skills to others. We can say that the role of volunteer work in the creation of new innovative ideas can be seen here.

As stated above, volunteer work in the context of social innovations appears as a generator of the process (phase) of social innovations, where volunteer work contributes to the generation of ideas, the development of ideas, the production of ideas and their dissemination. Another position that we can consider is the situation when volunteer work itself is a social innovation. As an example, we can take the voluntary work of socially excluded groups or groups at risk of social exclusion when it is applied as a way of influencing their greater involvement in the community (by building additional social ties), increased employment opportunities (by generating competencies that will contribute to greater competitiveness on the labor market). Here we distinguish volunteer work, which is the overall idea for solving a perceived problem, from volunteer work, which is a resource for the production of a specific idea, as would be the case with the aforementioned first position. Such a distinction resembles that described by O'Leary, et al. (2018) who, when focusing on the lack of research on social investment programs and the lack of research on the connection

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5 The linear model is a basic model of technological innovation that includes basic research, applied research, development, production and dissemination. See: Godin, B., 2006. The Linear Model of Innovation: The Historical Construction of an Analytical Framework. *Science, Technology, & Human Values*. [e-journal] 31(6). pp.639-667. doi:10.1177/0162243906291865.

between social investment and social innovation, come to the conclusion that volunteer work is a significant feature among the twenty evaluated case studies that they include in their analysis, and that as a means by which the intervention “financed” and as a means (service model) through which social activation can be achieved. The authors cite examples of programs that could not function without volunteer work, e.g. connecting volunteer mentors with young unaccompanied migrants and examples where volunteer work is a mechanism for building human and social capital, e.g. beneficiaries support a service within the framework of social entrepreneurship through volunteer work, where such involvement helps them in employability and integration into the community. In O’Leary, et al. (2018) it cannot be read that they classify volunteer work as a social innovation. They classify the activation of vulnerable groups through training, volunteer work, employment and entrepreneurship as a social investment, observing within the phenomenon social innovation through a new form of social value and exchange.

Taken as a whole, volunteer work will contribute to social innovation in one of its phases or will be a social innovation itself. At the same time, if we want to fulfill the full potential of social innovation, i.e. volunteer work, it will be necessary to pay attention to the factors observed to be important for realizing their full potential, as is stated by the research findings of e.g. Wita, et al. (2017), Reznickove and Zepeda (2016), Studer and von Schnurbein (2012) and others. Through a systematic literature review, which included 386 publications relevant to the coordination of volunteers, Studer and von Schnurbein (2012) have singled out the key factors that reflect on volunteers: the practice and instruments of volunteer management, the organization’s attitudes towards volunteers and the values embedded in the organization are determined by social processes such as integration and production of meaning. The management of human potential and human resources (Bahtijarević-Šiber, 1999) teaches us about the importance of external (economic system, institutional factors, labor market, social culture) and internal factors (management, size of the organization, type of activity, technological equipment) in achieving the maximum that will be kept as a reminder of the complexity of the phenomenon. Paying attention to organizational factors can be based on the efforts of Paton (according to Osborne, 1998), who, considering research in the field of organizational theory and volunteer organizations, emphasized the

difference between approaches from the direction of social welfare/care services and the direction of organizational theory and management, stressing that such a distinction could be a source strengths, and Osborne (1998) saw in this a rich potential for mutual stimulation of ideas and joint learning. This is just one of the theories that can be used to approach the segment of the emergence of volunteer work in the context of social innovations.

### **CROATIA'S EXPERIENCES IN VOLUNTEERING**

When it comes to volunteering, Croatia has built a comprehensive volunteering infrastructure following events at the European level. Thanks to such an infrastructure, a stimulating political, social and economic environment for supporting, increasing and developing volunteerism was created. Ten years ago, the infrastructure of volunteering in Croatia included: a) Legislative framework, b) Government policy on volunteering, c) Organizers of volunteering activities: organizations and networks at the local, regional and national level d) Volunteer centers and the Croatian Volunteer Development Center, e) Opportunities for volunteering and mediation mechanisms between (potential) volunteers and volunteer positions, including online databases, f) Promotion and raising public awareness of the value of volunteering, g) Financial support to ensure the sustainability of volunteer programs and h) Research projects by the academic community and civil society organizations (Forčić, Ćulum, 2012). Such infrastructure is still current, with additional upgrades and strengthening over time. The upgrades also included responses to the challenges detected ten years ago: establishment of systematic research on volunteering and data collection, increase of cross-sectoral cooperation among stakeholders (especially corporations and universities), recognition of volunteering especially in the process of employment and education, adjustment of the system for measuring the economic value of volunteering and ensuring various an opportunity to finance volunteering<sup>6</sup>.

The basic legal framework for volunteering is the Law on Volunteering 2007. It was upgraded twice (in 2013 and 2021)<sup>7</sup>. Adoption of the Reg-

6 See also: Volunteering in Croatia – Fact Sheet. Available at: <<https://voluntaris.cat/wp-content/uploads/2020/06/Volunteering-in-Croatia.pdf>> [Accessed 9 August 2022].

7 See: Law on Amendments to the Law on Volunteering 2013 (22). [online] Available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2013\\_02\\_22\\_361.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2013_02_22_361.html) [Accessed 8 August 2022].; Law on Amendments to the Law on Volunteering 2021 (84). [online] Available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2021\\_07\\_84\\_1558.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2021_07_84_1558.html) [Accessed 8 August 2022].

ulation of the National Volunteer Award 2007 (upgraded in 2021)<sup>8</sup>, the Code of Ethics for volunteering 2008 and the Regulation on the content and form of the Report from Volunteer Organizers 2015 (upgraded twice – in 2018 and 2021)<sup>9</sup> were followed after adoption of the Law on Volunteering 2007. The Law on Volunteering 2007 regulates the basic terms related to volunteering, the basic principles of volunteering, the conditions of volunteering, the rights and duties of volunteers and volunteer organizers, the conditions for concluding a contract on volunteering, the adoption of the Code of Ethics for volunteering, certificate of volunteering, national volunteer award and supervision of the implementation of the Law.

Croatia was able to monitor the reflection of basic public policies related to volunteering through the National strategy for the creating of enabling environment for the civil society development<sup>10</sup> and through the National program for the volunteerism development<sup>11</sup>. The new National strategy for the creating of enabling environment for the civil society development is still being drafted. The development of the National program for the volunteerism development began in 2011 and public consultations were held twice. It is noteworthy that the National Board of Volunteering Development acts as an advisory body of the Government of the Republic of Croatia with the aim of promoting and further developing volunteering<sup>12</sup>.

The volunteer organizers (the organization who organizes volunteering), according to the Law on Volunteering 2007 and its amendments,

8 See: Regulation of the National Volunteer Award 2021 (109). [online] Available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2021\\_10\\_109\\_1921.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2021_10_109_1921.html) [Accessed 8 August 2022].

9 See: Regulation on the content and form of the Report from Volunteer Organizers 2018 (9). [online] Available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2018\\_01\\_9\\_220.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2018_01_9_220.html) [Accessed 8 August 2022].; Regulation on the content and form of the Report from Volunteer Organizers 2021 (109). [online] Available at: [https://narodne-novine.nn.hr/clanci/sluzbeni/2021\\_10\\_109\\_1920.html](https://narodne-novine.nn.hr/clanci/sluzbeni/2021_10_109_1920.html) [Accessed 8 August 2022].

10 See also: VRH - Vlada Republike Hrvatske, 2012. *Nacionalna strategija stvaranja poticajnog okruženja za razvoj civilnoga društva od 2012. do 2016. godine*. Zagreb: Vlada Republike Hrvatske.; Središnji državni ured za razvoj digitalnog društva, Ured za zakonodavstvo, 2022. *Nacionalna strategija stvaranja poticajnog okruženja za razvoj civilnoga društva od 2017. do 2021. godine - Nacr.* Available at: <https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=5697> [Accessed 2 August 2022].

11 See also: Središnji državni ured za razvoj digitalnog društva, Ured za zakonodavstvo, 2022. Nacrt prijedloga nacionalnog programa za razvoj volonterstva za razdoblje 2015. - 2018. sa nacrtom prijedloga operativnog plana provedbe nacionalnog programa za razvoj volonterstva za razdoblje 2015. - 2018. Available at: <https://esavjetovanja.gov.hr/ECon/MainScreen?entityId=1532> [Accessed 2 August 2022].; Središnji državni ured za razvoj digitalnog društva, Ured za zakonodavstvo, 2022. Nacrt prijedloga nacionalnog programa za razvoj volonterstva za razdoblje od 2020. do 2024. godine. Available at: <https://esavjetovanja.gov.hr/Econ/MainScreen?EntityId=14091> [Accessed 2 August 2022].

12 Ministarstvo rada, mirovinskog sustava, obitelji i socijalne politike, 2022. Nacionalni odbor za razvoj volonterstva. Available at: <https://mrosp.gov.hr/istaknute-teme/obitelj-i-socijalna-politika/socijalna-politika-11977/udruga-humanitarni-rad-i-volonterstvo-12006/volonterstvo-12023/nacionalni-odbor-za-razvoj-volonterstva-12027/12027> [Accessed 2 August 2022].

can be an association, foundation, institution and any other legal entity that it was not established with the aim of making a profit, i.e. that it is a non-profit legal entity. The volunteer organizers appoint a volunteer coordinator and draws up a volunteering program that determines the need to involve volunteers, the type of activities, i.e. services, the method and procedures of providing these services, and other elements important for the implementation of the volunteering program.

Regional and local volunteer centers in Croatia are connected in the Network of Volunteer Centers. The Network of Volunteer Centers (NVC) is one of the programs of the Croatian Volunteer Development Center (CVDC). The backbone of NVC's activities is communication with local and regional volunteer centers in order to increase the visibility and availability of information about the importance and value of volunteering in the national and international environment<sup>13</sup>. Volunteer centers are organizations or organizational units aimed at affirming the value and practice of volunteering (HCRV, n.d).

Possibilities for volunteering and mediation mechanisms between (potential) volunteers and volunteer positions are part of the activity of volunteer centers in addition to informational and promotional campaigns and conducting research in the field of volunteer work (HCRV, n.d.). Online databases of volunteering organizers, volunteers and volunteer positions that provide an accessible and fast way of connecting interested parties are also current as a mediation mechanism<sup>14</sup>. In the segment of promoting and raising public awareness of the value of volunteering, the national volunteering award, which is defined by the Regulation of the National Volunteer Award 2021, stands out. The national award for volunteering is the highest recognition that the Republic of Croatia awards annually for volunteering. In addition to the national award, awards are also given by volunteer centers in cooperation with local units<sup>15</sup>, universities<sup>16</sup>, etc. Research projects on the subject of volunteering are realized in cooperation with the academic community and civil society organizations<sup>17</sup>.

13 See also: Hrvatski centar za razvoj volonterstva, n.d. *Mreža volonterskih centara*. Available at: <<https://www.hcrv.hr/centri-heading/mapa>> [Accessed 2 August 2022].

14 See also: Volonteka. Available at: <<https://volonteka.vcz.hr/>> [Accessed 2 August 2022].

15 See also: *Volonterski oskar*. Available at: <https://www.oskar.vcz.hr/oskar/>. [Accessed 2 August 2022].

16 See also: Sveučilište u Rijeci, 2022. *Rektorove nagrade*. Available at: <<https://uniri.hr/studiranje/studenti/rektorove-nagrade/>> [Accessed 2 August 2022].

17 See also: DKolektiv, 2022. *Radius V*. Available at: <<https://www.dkolektiv.hr/public/hr/project/radius-v>> [Accessed 2 August 2022].

As a contribution to the recognition of volunteering, especially in the process of employment and education, in 2013 the Certificate on Competences gained through volunteering was created. The Certificate is a document confirming participation in volunteering, describing activities/tasks as well as what was learned and developed during volunteering. The Certificate uses the common European framework on key competences for lifelong learning, contributing to the recognition of non-formal and informal learning<sup>18</sup>.

Financial support, in order to ensure the sustainability of volunteer programs, is incorporated through public tenders for civil associations and public institutions, where an integral part of the tender documentation and information on the number of volunteers involved in the operation of the organization and/or program/project being applied for. Continuous (co)financing of volunteer centers in the territory of the Republic of Croatia, by the competent ministry<sup>19</sup> for volunteering, has existed since 2008<sup>20</sup>. Then the first partnership agreement was signed with four regional volunteer centers, which ensured systematic financial and partnership support for volunteer centers as the basic units of the infrastructure for the development of volunteering in Croatia (HMVC, n.d.).

The report on the services and activities performed, as an obligation of the organizer of volunteering, is a step in building a systematic research on volunteering and collecting data on volunteering. The report is submitted annually to the relevant ministry<sup>21</sup> in accordance with the Law on Volunteering 2007 and its amendments and the Regulation on the content and form of the Report from Volunteer Organizers 2021. An increase in cross-sector cooperation among stakeholders is ensured through the Network for the development of corporate volunteering, established in 2017, which, among other things, aims to integrate corporate volunteering into as many business organizations

18 See also: Ministarstvo socijalne politike i mladih i Nacionalni odbor za razvoj volonterstva, 2013. *Kako do potvrde o kompetencijama stečenim kroz volontiranje. Vodič za organizatore volontiranja i volontere*. Zagreb: Ministarstvo socijalne politike i mladih i Nacionalni odbor za razvoj volonterstva. Available at: <<https://mrosp.gov.hr/>> [Accessed 2 August 2022].

19 The current name of the relevant ministry is the Ministry of Labor, Intergenerational Solidarity, Family and Social Policy. At the time of the first partnership agreement, the ministry was called the Ministry of Family, Veterans and Intergenerational Solidarity.

20 Ministarstvo rada, međugeneracijske solidarnosti, obitelji i socijalne politike, 2022. Volonterstvo. Available at: <https://mrosp.gov.hr/istaknute-teme/obitelj-i-socijalna-politika/socijalna-politika-11977/udruga-humanitarni-rad-i-volonterstvo-12006/volonterstvo-12023/12023> [Accessed 3 August 2022].

21 See also: Ministarstvo rada, mirovinskog sustava, obitelji i socijalne, 2022. *Aplikacija za izvješća organizatora volontiranja*. Available at: <<https://volonteri.mdomsp.hr/Admin/Login>> [Accessed 8 August 2022].

as possible in Croatia (Opačak Bebić, Prgić Znika, 2017). Two years later, the initiative of signing the Charter on employee volunteering by various organizations in the private and public sector was launched<sup>22</sup>.

The above information about the infrastructure of volunteering in the Republic of Croatia is only basic information. A more detailed insight goes beyond the scope of this work, but it certainly deserves special attention from the aspect of monitoring the development of volunteering in the Republic of Croatia, but also as a case study that can be an incentive for other countries in the region.

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22 See also: *Povelja o volontiranju zaposlenika*. Available at: <<https://korporativnovolontiranje.vcz.hr/wp-content/uploads/2019/04/Povelja%20o%20volontiranju%20zaposlenika.pdf>> [Accessed 8 August 2022].; VCZ – Volonterski centar Zagreb (n.d). *Povelja o volontiranju zaposlenika*. Available at: <<https://korporativnovolontiranje.vcz.hr/>> [Accessed 8 August 2022].

## CONCLUSION

The general aspirations at the European level when it comes to volunteering are outlined in the document 2030 Blueprint for European volunteering (CEV, 2021) and its predecessor: Policy Agenda for Volunteering in Europe – P.A.V.E. (CEV, 2011). Both documents, providing rich guidelines for policy makers, can be a mirror for checking the state of a particular country and determining further action steps towards enabling the development of the full potential of volunteering. The 2030 Blueprint for European volunteering (CEV, 2021) recognizes the existence of different cultural and legal contexts for volunteering and emphasizes as the main message for policy makers that volunteering also has an important role in social cohesion, interpersonal relations, social transformation and the revival of European values. P.A.V.E. (CEV, 2011) with its focus on the quality of volunteering, volunteer management and volunteering infrastructure, has been a reference point for the development of volunteering in many countries, and still contains that potential.

The current report on the state of volunteering in the world (UNV, 2021) also highlights key recommendations for policy makers to achieve the 2030 Sustainable Development Agenda. Highlights include: removing obstacles faced by marginalized groups when volunteering; increasing partnership through volunteering; recognition of expertise, knowledge and experience of volunteers; promoting social innovations; recognition of informal volunteering and its contribution; and investing in measuring volunteering.

Volunteering and the values that drive it are deeply woven into communities at the European level (and beyond). These values, such as solidarity and democracy, deserve special attention and a suitable context for development that will be made possible through adequate policies. Without looking at where we are and where we want to go, it is difficult to expect a forward movement in this development. Therefore, the priority task of national governments is to check how far they have allowed volunteering to grow and what they must and should do to enable its further development. The guidelines of the previously mentioned documents and examples of individual countries can be an additional incentive in this regard.

Although it is seen as a significant response to challenges in society

such as the demand for social services, the significant response(s) of volunteering is in building trust in the community, developing and transforming the community and acting in solidarity. To preserve this perspective of volunteering, the economic and social contribution of volunteering should be viewed in parallel. Observing volunteering as an innovative response to problems (when volunteering is innovation and when volunteering is a generator of innovations, a resource for their implementation and their spreader), should also follow both contributions: economic and social.

The key segment here is the cooperation and partnership between different stakeholders and sectors in solving challenges in society as a wise path to success, especially if the characteristics of individual stakeholders are respected through an open participatory dialogue. Only with such a dialogue, the characteristics of individual stakeholders and sectors can be united as a strength and driving resource. Such a dialogue is thus a guardian of significant values (volunteering and others). In this dialogue, the research community has a big task, relying on existing theories and building new ones, to give a strong basis to decision makers in the process of creating policies for the development of volunteering.

In dealing with multiple challenges, like other countries globally, the countries of the Western Balkans, can rely on volunteering as a resource. Priorities recognized for the countries of the Western Balkans (OECD, 2022): investing in better education and competences, strengthening social cohesion and a cleaner environment seem to call for the resource of volunteering. All three priorities are nurtured through volunteering if it is correctly recognized, set and encouraged through national policies, which is also recognized through the contribution of volunteering to the Sustainable Development Goals.

Every society and every community has its own challenges. Some are common and some are specific. Volunteering, on the other hand, is always the same: giving, free will and intangible benefits that generate multiple changes. The extent to which volunteering will be an answer to society's challenges (national, regional, global) depends on how much policy will recognize its importance, recognize its roots and potential among its residents, and build stimulating frameworks for its noble growth.

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# Is Digital Diplomacy Triumphant Over Political Diplomacy?

Viona Rashica<sup>1</sup>

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## ABSTRACT

Regardless of how much the role of digital diplomacy increased in realizing the priorities of the subjects of international relations, the opinion that it would have the power to triumph over political diplomacy was opposed by most of the diplomatic law experts. However, the appearance of the coronavirus in 2020 proved that such a thing could happen. The main purpose of this paper is to explain how digital diplomacy triumphed over political diplomacy during the COVID-19 pandemic. The realization of the paper is based on the usage of qualitative methods, respectively from the data collected in literature and credible Internet sources related to diplomatic law and digital diplomacy. The research results show that not only during the coronavirus pandemic, but also in the future there may be such situations when digital diplomacy can triumph over political diplomacy. The conclusions of the paper aim to contribute to the increase of information regarding the importance that digital diplomacy has had, has and will have in the future.

**KEYWORDS:** political diplomacy, digital diplomacy, digital platforms, international actors, interdependence

## POVZETEK

Ne glede na to, koliko se je povečala vloga digitalne diplomacije pri uresničevanju prioritet subjektov mednarodnih odnosov, je mnenju, da bo imela moč zmagati nad politično diplomacijo, nasprotovala večina diplomatskopравnih strokovnjakov. Pojav koronavirusa leta 2020 pa je dokazal, da se kaj takega lahko zgodi. Glavni namen tega prispevka je razložiti, kako je digitalna diplomacija med pandemijo COVID-19 zmagala nad politično diplomacijo. Izvedba prispevka temelji na uporabi kvalitativnih metod oziroma podatkov, zbranih v literaturi in verodostojnih spletnih virih, povezanih z diplomatskim pravom in digitalno diplomacijo. Rezultati raziskave kažejo, da ne le v času pandemije koronavirusa, ampak tudi v prihodnosti lahko pride do situacij, ko bo digitalna diplomacija lahko zmagala nad politično diplomacijo. Zaključki prispevka želijo prispevati k povečanju informiranosti o pomenu, ki ga je digitalna diplomacija imela, ga ima in ga bo imela v prihodnosti.

**KLJUČNE BESEDE:** politična diplomacija, digitalna diplomacija, digitalne platforme, mednarodni akterji, soodvisnost

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## INTRODUCTION

Based on the title of the paper, it is understood that the topic treated in the latter deals with has to do with a very important part of diplomacy in general. In recent years, with the advancement of Information and Communications Technology and the increased role of social media, the importance of digital diplomacy has also increased. However, despite this fact, the idea that digital diplomacy will have the power to triumph over political diplomacy has always faced contradictions. The purpose of this research paper is to explain how such a triumph of digital diplomacy happened during the coronavirus pandemic. The research question of the paper is: What will happen to diplomatic practices after the COVID-19 pandemic? In parallel, the hypothesis of the paper is: In the post-pandemic period, the increased importance of digital diplomacy will not decrease.

To answer the research question as accurately as possible, as well as to verify the raised hypothesis, the research paper, in addition to the abstract, introduction, conclusion and references, also has four separate chapters. The first chapter presents the main characteristics of political diplomacy. Meanwhile, the second chapter provides information to understand what digital diplomacy is and shows the arguments why it has such an important role. The third chapter and the fourth one are the most important chapters of the paper because within them there are data that answer the research question and prove the raised hypothesis in this paper. The third chapter describes how the coronavirus disfavored political diplomacy and greatly favored digital diplomacy, and the fourth chapter specifies some changes that will have diplomatic practices in the near future after the COVID-19 pandemic. This paper has a descriptive, explanatory, comparative and analytical nature. For its realization the qualitative methodology was used, based on data gathered from books and internet resources related to political diplomacy and digital diplomacy.

## THE MAIN CHARACTERISTICS OF POLITICAL DIPLOMACY

Foreign policy is the activity of the state with which it realizes its goals and interests in the international environment (Petrič, 2012, p.15). Meanwhile, the tool through which foreign policy is realized is called diplomacy. There are many definitions for the latter. According to nineteenth century British diplomat Ernest Satow, “diplomacy is the application of intelligence and tact to the conduct of official relations

between governments”. Whereas, according to the authors John R. Wood and Jean Serres, “diplomacy is the art of solving international difficulties in a peaceful way”. However, the term “diplomacy” has a threefold meaning:

- The science and mastery of representing the state and developing negotiations;
- Foreign missions of a state, meaning the Ministry of Foreign Affairs and all its political representatives;
- Diplomatic service.

While in practice, the construction of diplomatic activity is done in different forms:

- By participating in congresses, conferences or international councils, in which heads of state, prime ministers, ministers of foreign affairs and other state representatives take part;
- Through diplomatic correspondence<sup>2</sup>, which represents a very important matter of communication because through it, it is done the assessment for the state and for those who represent it. It takes place between persons and bodies that are competent to represent the subject in its international relations (Gruda, 2009, pp.239-240). There are some important terms within diplomatic correspondence, such as letters, statements, notes, memorandums etc. Credentials is the name for letters given to an ambassador by his/her head of state, and addressed to the head of state of the host country. They are delivered to the latter by the ambassador in a formal credentials ceremony, which generally takes place shortly after his/her arrival at a new post. The letters are termed “letters of credence” because they request the receiving head of state to give “full credence” to what the ambassador will say of behalf of his/her government (Gruda, 2009, pp.136-137). Note is a term that is generally used to designate any type of official correspondence between diplomatic missions, as well as with the Ministry of Foreign Affairs of the receiving state. Diplomatic notes can be: personal; verbal; secret; protest etc. The memorandum is a document that explains in detail or argues the position regarding any factual or legal issue, or contests the arguments of the other party (Gruda, 2009, pp.253-254).
- With the preparation and signing of international agreements;

<sup>2</sup> According to French terminology, diplomatic correspondence is divided into: official correspondence; personal correspondence; private correspondence. While according to Anglo-Saxon terminology, diplomatic correspondence is classified into: official correspondence; semi-official correspondence; private correspondence.

- With daily representation by state representations in the outside world;
- With representation and participation in the work of international organizations (Gruda, 2009, pp.18-19).

Based on historical development, three specific points can be emphasized in the characterization of diplomacy as a professional activity:

- The establishment of permanent diplomatic representatives in the period of small medieval Italian city-states and their continuous communication between them and their rulers;
- The Congress of Vienna of 1815 (adoption of regulation on classes and rank of diplomatic representatives);
- Acceptance of the Vienna Convention on Diplomatic Relations (VCDR) of 1961 and the Vienna Convention on Consular Relations of 1963 (Jazbec, 2010, p.144).

The general characteristic of diplomacy is the regulation and development of relations between states and international organizations in the classical field of foreign policy. Therefore today's diplomatic practice is based on two types of diplomacy, which are: bilateral and multilateral diplomacy. For the first type of diplomacy, we can say that it is present in diplomatic practice since its beginning, while for the other, we can state that it appears later with the creation of international conferences in the nineteenth century. Conferences and international organizations experience their own sensational development in the twentieth century and become an active sign of modern diplomacy. Bilateral diplomacy is based on two-way official communication between the representatives of the sending state and the receiving state. The language in which bilateral communication takes place depends on the agreement of both parties, which means that it can be any language, although for practical purposes it is in principle one of the six official diplomatic languages (English, French, Spanish, Russian, Arabic, Chinese). Multilateral diplomacy is based on multilateral official communication between the representatives of the sending states at the headquarters of the international organization, to which these representatives are accredited. The representatives of the mentioned international organization are also included in this communication. The bearers of diplomatic communication in multilateral diplomacy are at least three, usually diplomats from different sending countries, which at the headquarters of the international organization make agreements with its representatives and regulate the issues, namely the topics common to all parties. The language in which multilateral communication

takes place is always the official language of the international organization. So far, contemporary diplomatic practice shows that those official languages are often diplomatic languages (Jazbec, 2010, pp.15-18). Diplomacy has expanded and developed both in terms of form and content, that is best shown in the following table:

**Table 1: The main factors and characteristics in the development of diplomacy in different time periods**

Initial diplomacy	Classical diplomacy	Modern diplomacy	Post-modern diplomacy
The period until 1648 <sup>2a</sup>	1648 - 1920	1920 - 1989	1989 -
Greek polis and Italian city-states	Nation state	Nation state and international organizations	Nation state and integrative processes
Individuals and the circle of rulers	Permanent diplomatic organization and personnel	Permanent diplomatic organization and personnel	Permanent diplomatic organization and personnel
Ad-hoc missions	Permanent diplomatic missions	Permanent diplomatic missions	Permanent diplomatic missions and the rapid development of the diplomacy of envoys
Instructions for going on the mission and reporting after its completion	Continuous two-way communication between the center and the mission	Continuous two-way communication between the center and the mission	Continuous two-way communication between the center and the mission
The genesis of bilateral and multilateral diplomacy	Bilateral diplomacy and partially multilateral diplomacy	Bilateral and multilateral diplomacy	Bilateral and multilateral diplomacy
Secret diplomacy	Secret diplomacy	Public diplomacy	Public diplomacy
Temporary and indirect communication of rulers	Congresses of rulers	League of Nations, United Nations	UN, G8, European Union, North Atlantic Treaty Organization, various meetings at the highest level

*Source: Jazbec, 2010, pp.38-39.*

When we talk about traditional diplomacy in general, which otherwise can be called political diplomacy, some very important data should be mentioned. States as the primary subjects of international relations act through their own bodies. Domestic law and international law

2a The Peace of Westphalia of 1648 is regarded as the beginning of the modern era of international relations. It is the collective name for two peace treaties signed in October 1648 in the Westphalian cities of Osnabrück and Münster. They ended the Thirty Years' War (1618–1648) and Eighty Years' War (1568–1648), and brought peace to the Holy Roman Empire, closing a calamitous period of European history that took the lives of millions of people. The Holy Roman Emperor, the Spanish Empire, the kingdoms of France and Sweden, the United Provinces, and their respective allies among the princes of the Holy Roman Empire participated in these treaties. Unlike the medieval system of international relations, the Westphalian system of new relations is characterized by these features: separation of ecclesiastical power from sacred power; the power of the emperor was visibly weakened; the system relies exclusively on contemporary states, which are the only protagonists of international relations.

expressly determine which are the bodies whose actions cause international legal consequences. Some of these bodies have the sole task of representing the state abroad, while others exercise their external functions in parallel with the functions they have according to the internal state order. State bodies for international relations are divided into two groups:

- Within the state: the head of state, the government and the prime minister, the minister of foreign affairs;
- Abroad: embassies, consulates, temporary missions, delegations (Gruda, 2013, p.241).

In diplomatic practice and theory for different types of diplomatic-consular representations, is used the common term mission, respectively diplomatic mission. The mentioned term includes three types of diplomatic-consular representations, which are:

- Embassy;
- Mission to the international organization;
- Consulate (Jazbec, 2010, p.84).

According to Article 3 of the VCDR, the diplomatic functions of the mission consist in particular of:

- Representing the sending State in the receiving State;
- Protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
- Negotiating with the Government of the receiving State;
- Ascertaining by all lawful means conditions and developments in the receiving State, and reporting thereon to the Government of the sending State;
- Promoting friendly relations between the sending State and the receiving State, and developing their economic, cultural and scientific relations (United Nations Office of Legal Affairs, 2005). Embassies and consulates have some differences, which are presented in the following table:

**Table 2: General differences between embassy and consulate**

Representation	Headquarters	Leader	Document
Embassy	The capital of the host country	Ambassador	Agrément Credentials
Consulate	The capital of the state unit	The consul general	Exequatur

**Source:** *Jazbec, 2010, p.140.*

Certainly, what constitutes diplomacy today goes beyond the sometimes rather narrow politico-strategic conception given to the term. It is not appropriate to view diplomacy in a restrictive or formal sense as being the preserve of foreign ministries and diplomatic service personnel. Rather, diplomacy is undertaken by a wide range of actors, including “political” diplomats, advisers, envoys and officials from a wide range of “domestic” ministries or agencies with their foreign counterparts, reflecting its technical content between officials from different international organizations, or involving foreign corporations and a host government transnationally, and with or through non-governmental organizations and “private” individuals (Barston, 2014, p.1). In recent times, diplomacy has begun to be classified according to the number of participants, according to the method of realization, according to the methods that are used, etc. The following table shows some of the most important types of diplomacy:

**Table 3: Comparison of the types of diplomacy, their implementers, objects and types of relations**

Type of diplomacy	Implementer	Object	Type of relations
Political	Diplomat	State; international organization	Bilateral and multilateral
Military	Military attache	Armed forces	Bilateral
Defensive	Defense advisor	Defense system (alliance - NATO)	Multilateral and bilateral
Parliamentary	Parliamentarians	Parliament (national and other)	Bilateral and multilateral
Economic	Economic attache	Economic systems and international organizations	Bilateral and multilateral
Cultural	Cultural attache	Cultural systems	Bilateral and multilateral
Scientific	Scientific attache	Scientific systems	Bilateral and multilateral
Highest level	Politicians	The highest political sphere	Bilateral and multilateral
Public	Diplomats	Local and international opinion	Bilateral and multilateral

*Source: Jazbec, 2010, p.62.*

At the beginning of the twenty-first century, a special type of diplomacy has appeared- the digital one. It differs from the above-mentioned types of diplomacy because it is present in bilateral and multilateral relations, and is realized by all the implementers in all the objects that are mentioned in the table above.

## WHAT IS DIGITAL DIPLOMACY AND WHY IT HAS SUCH AN IMPORTANT ROLE?

An excellent opportunity to begin bridging the “change management” gap in diplomatic theory is offered by the recent spread of digital initiatives in MFAs, which probably can be described as nothing less than a revolution in the practice of diplomacy. Digital technology has already changed the ways by which firms manage their business, individuals conduct social relations and states govern themselves. Governments and international organizations are now realizing that social media is also a potential game changer for how international relations can be pursued. In particular, the adoption of digital diplomacy change practices of how diplomats engage in information management, public diplomacy, strategy planning, international negotiations or even crisis management (Bjola and Holmes, 2015, p.4). But, what is digital diplomacy? The latter is a form of new public diplomacy, which aims to realize the diplomatic activities of international relations subjects through the use of Information and Communication Technologies, the Internet and social media (Rashica, 2019). To understand much better digital diplomacy, the differences between classic public diplomacy and new public diplomacy should be noted first, as shown in the following table:

**Table 4: Differences between classic public diplomacy and new public diplomacy**

Dominant characteristics	Classic public diplomacy	New public diplomacy
Identity of international actor	State	State and non-state
Technological environment	Short wave radio, Print newspapers, Land-line telephones	Satellite, Internet, real-time news, Mobile telephones
Media environment	Clear line between domestic and international news sphere	Blurring of domestic and international news sphere
Source of approach	Outgrowth of political advocacy & propaganda theory	Outgrowth of corporate branding & network theory
Terminology	“International image”, “Prestige”	“Soft power”, “Nation Brand”
Structure of role	Top down, actor to foreign peoples	Horizontal, facilitated by actor
Nature of role	Targeted messaging	Relationship-building
Overall aim	The management of the international environment	The management of the international environment

*Source: Cull, 2009, p.14.*

It can be said that as a unique strategy, digital diplomacy is growing tremendously and has an undeniable impact in terms of fulfilling state in-

terests and managing global changes through digital tools and virtual collaboration. While searching for information related to digital diplomacy, it is seen that different terms are used in relation to it that have caused terminological confusion, which has also influenced discussions and policies in this field. The question is, should diplomacy be “digital”, “cyber”, “technological”, “virtual”, etc., or should the prefixes “e”, “net”, “Twitter”, “Instagram”, “Zoom” and so on be used? The aforementioned prefixes even some special terms created by different countries for digital diplomacy such as “la Diplomatie Numérique”, “21st Century-Craft”, “Open Policy”, etc., despite being different enough and able to cause terminological ambiguity, they have the same meaning. All the terms created from the aforementioned prefixes or adjectives so far together with many other terms that can be created in the future are synonyms of digital diplomacy because they describe the digitization of diplomacy or the use of social media in in diplomatic practice.

Digital diplomacy aims to use specific data that are available to the relevant state institutions, which are considered useful for the foreign policy of the state. It has proven its effectiveness in gathering and analyzing information that facilitates understanding and predicting goals, managing relations, and reducing uncertainty. Digital diplomacy with new means of communication, especially social media, has facilitated communication, targeting, and the extension of influence to different audiences. Various digital platforms are used by diplomats in their daily work, ranging from negotiations and representation, to communication and policy analysis, but their greatest use is concentrated in various emergencies and crises. The usage of digital mechanisms to attract and utilize external expertise in the advancement of national goals is another goal of digital diplomacy. Digitization and the redistribution of power in international relations, new types of conflicts, digital interdependence and sovereignty, etc., then also the emergence of new policy topics in diplomatic negotiations, which include such topics of digital governance as cyber security, privacy, data storage, electronic commerce, cybercrimes, etc., all these have presented the need for policy planning. But, it should be emphasized that also one of the main goals of digital diplomacy is to use the freedom offered by the Internet and social media for the dissemination of democratic values, as an effort towards the destruction of authoritarianism.

The ICT revolution stands out for four main effects in the field of diplomacy, which are:

- The transboundary effect of information technology that has modified the relation between distance and time;
- It has had the effect of altering the tempo of diplomacy and reducing or removing the effects of distance;
- The constant search for competitive advantage has driven technical development in integrated personal communications systems, making them an essential diplomatic tool;
- An impact on the diplomatic setting and conduct of diplomacy has been with regard to the generation of a variety of new threats to diplomatic systems (Barston, 2014, p.112).

Talking about the importance of ICT for digital diplomacy, the role that the smartphone had in the practice of diplomacy should be mentioned. It has influenced the speed of diplomacy and working hours; as well as created much closer working relationship and greater cooperation at the Ambassador level (Digital Diplomacy Blog, 2014).

Many world leaders and diplomats nowadays conduct all their correspondence by e-mail. Meanwhile, the creation and use of websites by heads of states, governments, relevant ministries of states and their diplomatic missions is a standard practice. Websites of MFAs serve to explain and record national foreign policy and rebut unacceptable actions or claims by other states. They are also used by international organizations; even their bodies have special websites where they publish their activities. Maintaining and updating data on websites requires great care. A non-operational MFA or international organization website closed for “service”, redesign or containing seriously out-of-date information significantly harms image, and, can undo or counteract other media activity (Barston, 2014, p.16). Despite the large role of social media for digital diplomacy, the importance of websites for all subjects of international relations cannot be underestimated.

Social media have such an important place in digital diplomacy that they are now considered as its basis. Application of these platforms has been hailed as a transformative development of international politics. Not only are social networks able to transcend hierarchical chains of diplomatic communication, but by bringing ordinary people into the spotlight of political life and making their voice heard, they also allow diplomats to directly engage foreign publics in a sustained dialogue (Bjola, Holmes, 2015, p.71). Although the number of social me-

dia continues to increase, the most used ones from states and international organizations are: Twitter, Facebook and Instagram. Twitter has become a diplomatic barometer, a tool used to analyze and forecast international relations. According to the latest studies of the blog “Twiplomacy”, the governments and leaders of 189 countries had an official presence on Twitter, representing 98% of the 193 UN member states (Twiplomacy, 2020). Meanwhile, over years Facebook has become the channel of choice for community engagement with world leaders. The governments and leaders of 184 countries had an official presence on the social network, representing 95% of the 193 UN member states (Twiplomacy, 2020). Diplomacy is becoming more visible and more visual through social media, especially Instagram. The latter has become the fastest growing social media network among world leaders, governments and foreign ministers and is the third most used social media platform (Twiplomacy, 2018). Otherwise hashtags<sup>3</sup> are an important part of social media posts because MFAs and world leaders have used and continue to use hashtags in their posts to promote specific issues (Twiplomacy, 2017).

The benefits of digital diplomacy are numerous. The flow of international relations in the twenty-first century is characterized by a large number of international actors operate, such as states, ethnonationalist factors, multinational corporations, intergovernmental organizations, non-governmental organizations, various transnational movements or networks, and individuals. The rapid growth of this network of actors and the increasing communication and interaction that takes place within it are the best indicators of the growth of international interdependence, growth to which digital diplomacy has greatly contributed. Digital diplomacy has brought international actors closer to various audiences all over the world, avoiding all geographical distances. One of the main benefits of digital diplomacy is regular communications and the fast exchange of information. This is very favorable for all types of states, especially for small states. Since human resources are primary resources for digital diplomacy, which stands out for its low financial cost, for small states that have limited territorial, population, GDP, and military capacities, digital diplomacy is considered the key tool for realizing their foreign policy goals and for their extension in the international arena. Then, the reduction of financial expenses, which saves states and international organizations from budget dam-

3 Hashtag or the symbol # is used in order for a photo or idea to go public. That is to be viewed by many users. Hashtag will appear in blue as one word, and there is no space in a hashtag.

ages, has made digital diplomacy even more attractive for them. Of course, digitization, in addition to the benefits, also has many risks, and cyber-attacks are the most serious category of them. Therefore, in recent years, cyber security has been listed among the primary issues on the agendas of international actors (Rashica, 2019).

## **2020, THE YEAR OF DIGITAL DIPLOMACY**

In December 2019, an infectious disease was discovered in Wuhan, China, which spread rapidly and also caused deaths. This was the COVID-19 disease<sup>4</sup> caused by a coronavirus called SARS-CoV-2. At the beginning of 2020, as a result of the large number of infected people, the Chinese authorities were alarmed and requested the help of the World Health Organization to investigate the outbreak of the coronavirus. The latter began to emerge from China, spreading rapidly to other countries of the world in all continents. Deeply concerned by the alarming levels of spread and severity, on March 11, 2020, WHO declared COVID-19 a pandemic (CNN Health, 2020). This virus had the power to completely change the world, attacking all aspects of life and causing staggering consequences, the presence of which will be seen for a very long time. According to WHO data, by September 2022, over 600 million people have been infected with coronavirus, of which nearly 7 million have died (World Health Organization, 2022). On December 18, 2020, CEPI<sup>5</sup>, alongside Gavi<sup>6</sup> and the WHO, launched COVAX, the vaccines pillar of the ACT Accelerator<sup>7</sup>, with the aim of ending the acute phase of the pandemic by the end of 2021 (The Coalition for Epidemic Preparedness Innovations, n.d.). Based on the latest data from the WHO, over 12 and a half billion vaccine doses have been administered (World Health Organization, 2022).

The COVID-19 has thoroughly upended diplomacy, as a profession which involves a fair amount of travel, physical meetings and in-per-

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4 According to the WHO, The symptoms of COVID-19 are divided into three groups: Most common symptoms: fever, dry cough and tiredness; Less common symptoms are: aches and pains, sore throat, diarrhea, conjunctivitis, headache, loss of taste or smell, and a rash on skin, or discolouration of fingers or toes; Serious symptoms are: difficulty breathing, shortness of breath, chest pain, pressure and loss of speech or movement.

5 The Coalition for Epidemic Preparedness Innovations is a foundation that takes donations from public, private, philanthropic, and civil society organisations, to finance independent research projects to develop vaccines against emerging infectious diseases.

6 GAVI, officially Gavi, the Vaccine Alliance is a public-private global health partnership with the goal of increasing access to immunisation in poor countries.

7 The Access to COVID-19 Tools Accelerator, or the Global Collaboration to Accelerate the Development, Production and Equitable Access to New COVID-19 diagnostics, therapeutics and vaccines, is a G20 initiative announced by pro-tem Chair Mohammed al-Jadaon on April 24, 2020.

son interactions. The traditional work of world leaders and diplomats had come to a sudden stop as travel restrictions, border closures and shelter-in-place orders had scuppered in-person diplomatic activity. There were no handshakes of world leaders and diplomats during bilateral meetings or multilateral summits (Twiplomacy, 2020). After the coronavirus had spread globally, world leaders and diplomats were also isolated, some of whom either had family members infected with COVID-19, or were infected themselves. The pandemic forced them to work from their homes and for specific communications or important meetings they used digital platforms. This virus disfavored political diplomacy, but it greatly favored digital diplomacy, thus making 2020 the year which in the literature of diplomacy will be known as the year of the brilliance of digital diplomacy. Before the outbreak of the coronavirus pandemic, it seemed totally impossible that political diplomacy would be replaced by digital diplomacy. A large number of diplomats and experts of diplomatic law thought that such a thing would never happen, regardless of the extraordinary growth of the role of digital diplomacy.

States were forced to impose travel restrictions. Closing airports, suspending all incoming and outgoing flights and nationwide lockdowns were just some of the measures countries were adopting in an effort to contain the pandemic. The world leaders were very aware that such a lockdown would have long term consequences. The COVID-19 has damaged in the same way the economies of all states, whether large, medium or small. Many people have lost their jobs or seen their incomes get reduced due to the pandemic. Thus, the International Monetary Fund described the global economic crisis caused by the coronavirus pandemic as the worst since the Great Depression<sup>8</sup> of the 1930s (International Monetary Fund, 2020). Health systems around the world were challenged by increasing demand for care of people with COVID-19, while the provision of routine health services became more and more difficult (World Health Organization, 2020). Then, the temporary closure of educational institutions as an attempt to contain the spread of the coronavirus, as well as the imposition of online teaching, had a negative impact on the field of education around the world, from which students of all educational levels suffered (UNES-

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8 The Great Depression is known as a severe worldwide economic depression that occurred during the 1930s, beginning in the U.S. after a major drop in stock prices on September 4, 1929, and making worldwide headlines with the stock market crash of October 29 1929, otherwise known as Black Tuesday. This was the longest, deepest and most widespread depression of the 20th century. Between 1929 and 1932, global GDP declined by about 15%. In fact, in many other countries of the world, the negative effects of the Great Depression continued until the beginning of the Second World War.

CO, 2020). This century is characterized by challenges and problems of various natures, and in certain situations states are powerless to choose them themselves. But the difficulties of the pandemic continued to grow and states were even more powerless to solve them on their own, so multilateral cooperation was imposed on them. As a result, such situations have influenced the increase of the role of international organizations, which now challenge the undisputed position of states as the primary subjects of international relations. The COVID-19 pandemic is the biggest crisis of this century so far and it is more than understandable that multilateral cooperation, whether through conferences, summits, councils, or meetings, became more than necessary during this pandemic.

The coronavirus pandemic had a dramatic impact on the role of digital diplomacy because diplomatic distancing measures had brought leaders and diplomats very close to each other, in which case this had in a way disfavored “national distancing”. Then, the pandemic has had a profoundly transformative impact on how world leaders use digital platforms. In addition to engaging with their followers on social media, especially on Twitter, Facebook and Instagram, leaders during their work used a lot of digital platforms like Google Meet, Skype and Zoom. Most diplomatic activities moved online with leaders facing each other off via their respective computer screens. Bilateral and multilateral meetings took place via telephone or video conferencing applications, and their traditional pictures were replaced by a mosaic of screens with leaders sitting in front of their respective flags. Even Pope Francis joined a Skype interview on his laptop. The setup for online summit was more professional with each leader seated in front of a large flat screen. The year 2020 was a very special year for the UN because it was celebrating its 75th anniversary. The 75th session of the UN General Assembly in 2020 was expected to bring a large number of leaders to UN headquarters to celebrate, but due to the circumstances caused by the pandemic, it went viral for the first time (The Economic Times, 2020). Also, the 46th summit of G7 was cancelled, the 15th summit of G20 went virtually and the 36th ASEAN<sup>9</sup> Summit was held via teleconference (Twiplomacy, 2020). The third phase of the Brexit negotiations was a typical example of hold-

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9 The Association of Southeast Asian Nations was established in 1967 by Indonesia, Malaysia, Philippines, Singapore, and Thailand, and now has 10 member states since Brunei Darussalam, Myanmar, Vietnam, Laos PDR, and Cambodia have joined. ASEAN in the first instance, was a political and security organization and offered a different model for regional integration. While now the acceleration of economic development within the region is ASEAN's primary aim.

ing bilateral meetings via video conferencing between the parties of the UK and the EU (European Council, n.d.). The leaders of the latter together with the member states also held all the meetings virtually (European Council, 2020).

World leaders and diplomats used social media to communicate and explain lockdown rules, but also many of them shared guidance on strict hygiene protocols and observing social distancing rules, as an effort to prevent infections. The main hashtags used by world leaders and diplomats on their institutional and private accounts on social media during the pandemic were: #StayHome; #StayAlert; and #Save-Lives (Twiplomacy, 2020). Social media users were looking for guidance and leadership from their leaders online. Millions were flocking to social media for answers, advice and support, in which case the pages of governments and world leaders have literally exploded (Twiplomacy, 2020). But, the unfolding of the COVID-19 pandemic has demonstrated how the spread of misinformation, amplified on social media and other digital platforms, was proved to be as much a threat to global public health as the virus itself. Technology advancements and social media create opportunities to keep people safe, informed and connected. However, the same tools also enable and amplify the infodemic that continues to undermine the global response and jeopardizes measures to control the pandemic (World Health Organization, 2021). Since along with the virus, disinformation was also spreading rapidly, social media decided to surface relevant and trusted sources on the platforms. Social media had created special coronavirus search prompts to direct users to trusted and authoritative sources about the novel coronavirus. Almost all the accounts of world leaders, governments and international organizations on social media, almost all of them have been verified. But social media also decided to actively verify hundreds of health experts, including health ministers around the world as well as the entire WHO senior management (Twiplomacy, 2020).

Resident embassies are the normal means of conducting diplomacy between any two states (Berridge, 2015, p.119). From a supranational perspective, diplomats face a difficult dilemma: whether they should represent only the interests of their governments or whether they should also consider the impact the representation of these interests may have on the international order (Bjola, Kornprobst, 2013, p.163). Therefore, being a diplomat is considered one of the most difficult

professions, and sending the right people for diplomats is a process of several stages. In the early 2010s, methods of diplomatic recruitment, promotion and training failed to fully acknowledge the needs of the twenty-first-century diplomat. The use of social media for diplomatic purposes was generally neglected, while diplomatic training placed excessive focus on vocational training at the expense of academic education. Meanwhile, sending credentials in virtual ways was not practiced before. But, was this another newness that the coronavirus pandemic brought to the practice of diplomacy? In fact, the VCDR of 1961 does not specify how countries have to be represented. They are usually represented in another country by an embassy or other types of diplomatic missions. But, there are many other representation options available. One such is the diplomatic representation through digital platforms, which can be considered legal. Due to the pandemic in 2020 there were cases when state leaders received copies of credentials from a number of ambassadors-designate via video conference. The Foreign Minister of Bahrain, Abdullatif bin Rashid Al-Zayani, received copies of credentials from a number of ambassadors-designate via video conference (Twiplomacy, 2020).

### **THE FUTURE OF DIPLOMACY AFTER THE COVID-19 PANDEMIC**

Online meetings have long been seen as a poor substitute for face-to-face ones. However, with the COVID-19 pandemic and the responses from governments around the world, this view has changed. During the COVID-19 pandemic, diplomacy shifted online to conferencing platforms such as Zoom or Google Meet. But online meetings are not as new as one might think. The first online participation session in multilateral diplomacy was held by the International Telecommunication Union in 1963. Since then, the availability of the internet in conference rooms has made remote participation a reality for more inclusive and open international negotiations. However, online meetings come with many pros and cons. They also increase inclusion by allowing participation without being physically present, which is often conditioned by travel and other expenses. While, among the major cons of online meetings is the lack of physical contact, which is important for building trust and empathy that are essential for dealing with, in particular, controversial and political issues. After the pandemic, in addition to traditional physical and remote meetings, there will be the emergence of “hybrid (blended)” meetings that will combine in situ and online participation (Diplo Blog, n.d.). Therefore, it should be em-

phasized that the accelerated transition towards online meetings and diplomacy requires three major changes:

- Online platforms need to be improved to offer the stability and security required in diplomacy;
- The social face-to-face dynamics need to be adapted to new online dynamics;
- Many of the centuries-old rules of protocol need to be revisited (Diplo Blog, n.d.).

This means that after the pandemic, political diplomacy will return, but the increased importance of digital diplomacy, in which the coronavirus has a great contribution, will not decrease.

In the near future, there will be ten trends that will impact digital diplomacy across three main areas:

1) Digital geopolitics and geoeconomics:

- 1) Digital redistribution of economic and political power will accelerate. The power of tech companies goes way beyond the economy. This power extends also into politics, where tech companies are able to influence elections as well as other aspects of society such as health, culture, and sport;
- 2) The push for digital sovereignty will intensify. It is based on the need for governments to have legal jurisdiction over digital activities on their territory, and to reduce negative spillovers from integrated digital networks. Full sovereignty will be much more difficult to achieve in the digital realm due to the networked nature of the internet and the power of tech companies;
- 3) Digital interdependence will require delicate trade-offs and tough decisions. It relies on cooperation between a wide variety of actors. Today, digital interdependence depends more and more on cooperation among countries themselves and tech companies. However, managing and optimising digital interdependence will be one of the major challenges in times ahead.

2) New Topics on the Diplomatic Agenda:

- 1) Digital is becoming mainstream in international negotiations. As prefixes digital/cyber/e/tech are dropped, technology's impact increases in shaping traditional policy issues. MFAs and international organisations need to adjust fast to this transition by, among others, adapting their internal organisations, introducing the digital foreign policy, and preparing diplomats to become boundary spanners between technological and traditional

- policy. Mainstreaming of digital technologies can be followed under three main areas of global diplomacy: peace and security, economy and development, human rights and humanitarian assistance;
- 2) The maturing global cybersecurity negotiations will help speed up digital peace and security;
  - 3) Economy and development in the future will be shaped around digital trade negotiations and initiatives to regulate the enormous power of tech companies via antitrust, fiscal, data, and other instruments;
  - 4) An increased focus on values in digital governance will elevate the importance of human rights online;
  - 5) 'Open' is likely to become the digital governance keyword in the future.
- 3) New Tools for Diplomatic Activities:
- 1) Hybrid meetings are becoming 'the new normal' in diplomacy. These meetings are where some participants gather in situ and others interact online. In order to ensure equal participation as key pillar of multilateral diplomacy, the future of hybrid meetings will depend on addressing new set of issues and questions in the future;
  - 2) In 2022, diplomats will use AI<sup>10</sup> and data technologies more for negotiations, policy planning, consular affairs, and engaging with the public (Kurbalija, 2022).

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<sup>10</sup> Artificial intelligence is the simulation of human intelligence processes by machines, especially computer systems. Specific applications of AI include expert systems, natural language processing, speech recognition and machine vision.

## CONCLUSION

The outbreak of the coronavirus pandemic brought many changes in the international arena. Although the alarming numbers of those infected with COVID-19 belong to the past, the consequences of the pandemic are still present and will be seen also in the future. That states do not have the power to solve many problems by themselves, something that has been proven even before the coronavirus pandemic. Now with the countless difficulties from the latter, multilateral cooperation is indisputable. Meetings of heads of state, prime ministers, foreign ministers and diplomats, whether bilateral or multilateral, are characterized by specific ceremonies with strict protocol rules. In the post-pandemic period, there will probably be no obstacles to the traditional realization of diplomatic activities, but on the other hand, the role of digital diplomacy will not be minimized. In addition to meetings with physical presence, the online option of participating in them will be open, thanks to digital platforms such as Zoom, Google Meet and Skype. Precisely this option makes a kind of equalization between political diplomacy and digital diplomacy. Then, other digital platforms are being added to the trio of the most used social media, which includes Twitter, Facebook and Instagram. The great role of social media, which at the same time is the basis of digital diplomacy, increases the importance of the latter even more. The literature of the field of diplomacy will highlight the year 2020 as the year of digital diplomacy, but also the future will prove that not only during the COVID-19 pandemic digital diplomacy has triumphed over political diplomacy.

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# Strategic and Developmental View of Private Protection in the Republic of Slovenia with Emphasis on Private Security

Tomaz Čas and Žiga Božjak<sup>1</sup>

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## ABSTRACT

The contribution presents a strategic and developmental view of private protection, which encompasses private security, security consulting, detective work and citizen self-protection. It defines the interests, security risks and sources of threats to companies and citizens of the Republic of Slovenia and their property, or interests, security risks and sources, which threaten people and property that are not guaranteed by the state. At the same time, the strategic and developmental view of private protection also covers policies, measures and mechanisms that ensure private security, security consulting, detective work and citizen self-protection in the Republic of Slovenia. The paper mainly highlights the strategic, developmental, and constitutive elements of the development of private protection in the Republic of Slovenia and defines the general framework for ensuring the safety of citizens and their property as well as the property of companies and other organizations and suggests systemic, organizational and educational solutions in the field of providing security that is not provided by the state.

**KEYWORDS:** private protection, private security, detective work, security consulting, citizen self-defence, education

## POVZETEK

Prispevek predstavlja strateški in razvojni pogled na zasebno varstvo, ki obsega zasebno varovanje, varnostno svetovanje, detektivsko dejavnost in državljansko samovarovanje ter opredeljuje interese, varnostna tveganja in vire ogrožanja gospodarskih družb ter državljanov in državljanov Republike Slovenije ter njihovega premoženja oziroma interese, varnostna tveganja in vire, ki ogrožajo ljudi ter premoženje, ki ga ne zagotavlja država. Hkrati pa strateški in razvojni pogled na zasebno varstvo zajema tudi usmeritve, ukrepe in mehanizme, ki zagotavljajo zasebno varovanje, varnostno svetovanje, detektivsko dejavnost in državljansko samovarovanje v Republiki Sloveniji. Tako so v prispevku izpostavljeni predvsem strateški, razvojni in konstitutivni elementi razvoja zasebnega varstva v Republiki Sloveniji ter opredeljujejo splošne okvire zagotavljanja varnosti državljanom ter njihovega premoženja in premoženja gospodarskih družb, drugih organizacij ter nakazujejo sistemsko-organizacijske in izobraževalne rešitve na področju zagotavljanja varnosti, ki ga ne zagotavlja država.

**KLJUČNE BESEDE:** zasebno varstvo, zasebno varovanje, detektivska dejavnost, varnostno svetovanje, državljansko samovarovanje, izobraževanje

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## INTRODUCTION

The Resolution on the National Security Strategy of the Republic of Slovenia, which was adopted in 2019, is a fundamental development-oriented document in the field of national security. Therefore, the resolution defines the national interests and national security goals of the Republic of Slovenia, the sources of security threats and the country's security risks, analyses the security environment, determines the starting points of the policy of the Republic of Slovenia's response to individual security threats and risks, and determines the broadest systemic and organizational solutions for the comprehensive functioning of the state in ensuring national security. This framework, especially internal security, includes the activities of private security entities, or the self-protection activities of the citizens of the Republic of Slovenia, as well as the activities of private security, security consulting and detective work.

The purpose of the paper is to consider private security entities from a strategic and developmental point of view, and to indicate systemic and organizational solutions in providing security to companies, state authorities and organizations, municipalities, associations and other organizations and citizens, that are not granted security services by the state. At the same time, the article specifically highlights the system of education, induction courses and advanced training of security personnel. Special emphasis is placed on the needs of users of private security services and their interests, danger assessments, threats and business security risks, and security policy as a component of the vision and business policies of companies or users of private security services, which is extremely important for the development of private security.

To ensure effective and high-quality internal security that is not provided by the state, it is crucial to prioritize both the strategy and development policy of private protection.

Based on the above, the analytical framework of the study is based on the following thematic strands: the development of private security in Slovenia; the concept of security; users of private security services; national and private security policies; private protection entities and, lastly, education, induction courses and advanced training. The purpose of the contribution, from a strategic and developmental point of

view of private protection in the Republic of Slovenia, is also to present Slovenian experiences that can be useful for the Western Balkan countries that will join the EU.

## **DEVELOPMENT OF PRIVATE PROTECTION IN THE REPUBLIC OF SLOVENIA**

The development of private security or private protection<sup>2</sup> in the Republic of Slovenia can be traced back to 1989, when, on the basis of the Companies Act, the first private security companies began to establish themselves and when individuals began to carry out detective work. Until this year, apart from the police, only the company Security dealt with property security, which was organized on the basis of the Act on Combined Work as 'SOZD SECURITY LJUBLJANA'<sup>3</sup> and had 13 TOZDs<sup>4</sup> in Ljubljana and in various places around Slovenia (Security Moste, Security Vič, Security Kranj, Security Mengeš, Security Maribor, Security Koper, etc.). Until 1994, private security in the Republic of Slovenia was not regulated by any special laws. Private security companies were established based on the Companies Act, and certain rights and duties or "authorizations" of security guards were determined by the Act on General People's Defence and Social Self-Defence (Sotlar, Čas, 2011, p. 228). The field of private security and detective activity was regulated by special legislation in 1994 with the adoption of the Act on Private Security and on the Mandatory Organization of Security Services and the Private Detective Services Act (1994).

After the adoption of the Act on Private Security and on the Mandatory Organization of Security Services, the number of private security companies increased rapidly. Thus, according to unofficial data, we can conclude that, at the end of 1995, there were over 150 listed private security companies, and at the end of 1996, 224 private security companies were registered in the Chamber of the Republic Slovenia for Private Security. According to the Bulletin of the Chamber No. 8 from August 1997, 249 private security companies and other organizations or companies, which, in addition to their core activity, also engaged in private security, became members of the Chamber. Similarly, in the detective sector, while many individu-

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2 Private protection is a broader concept than private security, since the term includes (private) detective work, which began to develop simultaneously with private security, and, in recent years, security consulting and citizen self-protection (Strategy in the field of private protection, Ministry of the Interior, 2010).

3 SOZD - composite organization of united works.

4 TOZD - the fundamental organization of united work.

als initially became licensed, but significantly fewer detectives were actively working (Čas, 2006, p. 50). Since 1998, there has been no further increase in the number of private security companies, but rather a decrease in their number and an increase in mergers of existing companies. There are currently 158 private security companies (Division for Private Security and Municipal Warden Services, January 23, 2023).

At the same time, certain processes and attempts have been initiated to adapt the normative regulation of private security and detective activities to the newly-created conditions and needs in this field. At the same time, the Ministry of the Interior tried to solve some of the problems stemming from the organization of private security companies, especially the control over their operation, by means of by-laws. This process was completed at the end of 2002, with the adoption of amendments to the Private Detective Services Act and at the end of 2003 with the adoption of the new Act on Private Security. Changes to the latter mainly concerned: the introduction of six types of licenses, the introduction of national vocational qualifications (NVQs), the introduction of measures, other means and duties instead of the rights and duties of security guards, the withdrawal of public authority from the Chamber of the Republic of Slovenia for Private Security to issue and revoke licenses, the determination of the right to use firearms and others (Sotlar, Čas, 2011, p. 230).

The aforementioned law was amended in 2007 with the Act on Amendments to the Private Security Act which stripped the Chamber of the Republic of Slovenia for Private Security of all rights relating to the exercise of public powers (induction courses and advanced training of security personnel), abolished mandatory membership in the Chamber, and provided other innovations relating to licenses, including revoking licences, and tightened certain other conditions relating to the performance of private security services. After these changes and additions to the law, the Regulation on the Mandatory Organization of the Security Service was adopted as well, which was amended and supplemented twice in a very short period of time. The current Regulation on the Mandatory Organization of Security entered into force on November 10, 2012. That same year, amendments were made to the Private Security Act, and the latest amendments were made on June 1, 2009.

The current Private Security Act, which was adopted in 2011, introduced the following innovations:

- the Ministry of the Interior's remit in the field of private security continues to expand;
- there is too much standardization in the field of private security;
- The Chamber is given back some powers, although membership is not compulsory;
- the number of measures and other means of security guards has increased;
- the conditions for the use of individual measures by security guards are also expanded;
- detailed and comprehensive provisions on the service card of security personnel;
- special weight is given to the training and development of security personnel;
- In-house security<sup>5</sup> and others have been introduced (Sotlar, Čas, 2011, p.230).

In 1989, the first detectives in Slovenia started working (albeit without a license), since, similarly to the private security field, there was no relevant law directly regulating this field. They helped themselves with the Companies Act. The first Private Detective Services Act was enforced on June 25, 1994. The Chamber of Detectives was established as well, but it was not until April 1996 that the first 26 detectives were granted licenses (Škrabar, Trivunovič, Požru, 2011). The Private Detective Services Act (1994) regulated the field of detective work, defined the detectives' rights, obligations, and duties and provided frameworks for what the client can expect. It also enacted the Detective Chamber of the Republic of Slovenia (DeZRS). Since then, development has been relatively rapid, followed by attempts by the state to legislate the industry. With legislative changes in 2002, 2005, 2007, 2010 and, last but not least, with the new Private Detective Services Act (2011), the state did not significantly intervene in the industry, at least not as much compared to the private security sector. Legal changes between 2002 and 2010 brought a clearer role of the Detective Chamber of the Republic of Slovenia, especially in the field of granting and revoking licenses, the range of detectives' entitlements was expanded with the possibility of obtaining information on abuses regarding the right to be absent from work due to illness and injury, abuses regarding the right to be

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5 In-house security is a non-profit-making activity and therefore not subject to licensing. Security guards, however, are subject to the same conditions, measures and duties as those employed by private security companies.

reimbursed for the cost of transportation to and from work and other disciplinary violations and offenders. The issue regarding foreign detectives' activities on the territory of the Republic of Slovenia was regulated (Dvojmoč, Sotlar, 2018, p. 364; Dvojmoč, 2017).

## **PRIVATE SECURITY SERVICES USERS**

Users of private security services are commercial and other companies, as well as state authorities and organizations, municipalities, associations, and, last but not least, individuals (Čas, 2006, p. 54). It is interesting that the Private Security Act specifically talks about the place and role of the Ministry of the Interior, providers of professional development and training, as well as companies and self-employed individuals who can perform private security tasks. However, the law does not say anything about users of private security services.

Notwithstanding the above, it can be said that the role of users of private security services is very important, as they independently and, according to a set of criteria, choose a business company or an individual entrepreneur who has the appropriate private security license (private security company) to protect their property or provide other services. The client or the user of private security services wants and expects the highest possible level of service, which presupposes a certain level of professionalism on the part of the providers. However, when it comes to private security, things are not as simple. Three decades ago, Criscuoli (Criscuoli, 1988, Dvojmoč, Sotlar, 2018) pointed out that despite the importance of private security in modern times, the profession of security guards (including detectives, author's note) is still not recognized as a complex and demanding profession. This profession involves performing the so-called "dirty work", which requires an additional effort from employees in building their self-image, and the best help is (self)belief that the work of a security guard is important and necessary (Hansen Löfstrand, Loftus, Loader, 2016, Dvojmoč, Sotlar, 2018).

## **THE NATIONAL SECURITY POLICY AND THE NATIONAL SECURITY SYSTEM**

### ***THE NATIONAL SECURITY POLICY***

The National Security Policy of the Republic of Slovenia is a balanced set of the vision, strategies, programmes, plans, and activities for a

planned response to all kinds of crises and sources of threats and risks to national security, and thus for the implementation of its national security objectives aimed at protecting Slovenia's national interests. The National Security Policy of the Republic of Slovenia consists primarily of its foreign policy, defence policy, internal security policy, migration policy, and the policy on protection against natural and other disasters (Čas, 2019a; Resolution on National Security Strategy of the Republic of Slovenia, 2019).

The fundamental purpose of the implementation of the national security policy of the Republic of Slovenia in the future will be to ensure the highest possible level of human security, the resilience of the state and society, the appropriate social development and welfare of Slovenian society; to preserve the national identity of the Slovenian nation; and to fulfil the international obligations of the Republic of Slovenia, and thus contribute to peacekeeping and strengthening the security and stability in the immediate and broader international community. Contemporary threats and risks dictate the formulation and use of Slovenia's integrated approach to response and crisis management, including, where appropriate, active international action and engagement (Resolution on National Security Strategy of the Republic of Slovenia, 2019).

The Internal Security Policy is based on respect for constitutional principles, the regulations and principles of international law, and the adopted commitments of the Republic of Slovenia within the international community. The policy is directed towards safeguarding and protecting the constitutional order and the institutions of the democratic political system; towards ensuring the uninterrupted functioning of the authorities throughout the entire territory of the Republic of Slovenia; towards ensuring respect for human rights and fundamental freedoms; and towards the fight against crime and the protection of public order. The Republic of Slovenia used to devote special attention towards border protection within the Schengen area, and is developing new forms of cooperation with neighbouring and other countries in the region to ensure internal security within the European Union, with a particular focus on migration policy (ibid.).

The policy of ensuring internal security is based on respect for the constitutional principles, regulations, and principles of international law, as well as the accepted obligations of the Republic of Slovenia in the

international community. It is aimed at safeguarding and protecting the constitutional order and the institutions of the democratic political system, ensuring the smooth operation of the government system throughout the territory of the Republic of Slovenia, respecting human rights and fundamental freedoms, fighting crime and protecting public order. The Republic of Slovenia pays special attention to new forms of cooperation in ensuring internal security within the framework of the European Union, with neighbouring countries and with other countries in the region, with a particular focus on migration policy (*ibid.*). Security is therefore becoming more and more actualized and studied, also as an issue of economic security, social relations, the environment, the human as an individual and aspects arising therefrom (Jazbec, 2002, p. 19).

### **NATIONAL SECURITY ASSURANCE SYSTEM**

In the field of modern security, an integrated response involving all relevant entities, including private security, is essential to respond effectively and efficiently to threats and risks to national security. Resilience and responsiveness to modern threats requires a full range of capabilities as well as inter-institutional and inter-departmental coordination at the national level and cooperation with the private sector. Successfully tackling future security threats at all levels requires a general increase in security culture in the Republic of Slovenia and preventive security awareness.

To ensure national security, the Republic of Slovenia has established a national security system based on the political, legal, economic, social-health, information, infrastructural, scientific-technological, educational, and other foundations, and capabilities of the country. An important national security foundation is also the achieved level of security culture in society.

The extremely dynamic and rapid changes in the modern security environment (energy, health and other crises) and the complexity and intertwining of security threats and risks in it also require a comprehensive organizational connection of individual departmental policies, important from the point of view of ensuring national security, into a coherent whole and organizational flexibility and adaptability of the national security system and its subsystems (Resolution on National Security Strategy of the Republic of Slovenia, 2019).

## **THE ORGANIZATION OF THE NATIONAL SECURITY SYSTEM AND THE INTERNAL SECURITY SUBSYSTEMS**

Ensuring the national security of the Republic of Slovenia is based on the functioning of the defence system, the internal security system, and the system of protection against natural and other disasters as sub-systems of the National Security System (Čas, 2019a). It also includes activities relating to foreign policy, economy, information and other activities that directly affect the national security.

The internal security system is made up of institutional actors responsible for security tasks. In addition to repressive authorities, this system also includes judicial and other state authorities and institutions that contribute to internal stability and security by executing their tasks. Internal security is ensured through the activities of public security institutions, the police, the state prosecutor's office, inspection and surveillance bodies, intelligence and security services, other state authorities and organizations that have public authorizations (ibid.).

Private security companies and other private law organizations and local self-government authorities play an important role in this, based on their cooperation in the Republic of Slovenia and internationally. In managing public security matters, cooperation is also established with organizations, associations, and citizens' initiatives, the local community and within the framework of public-private partnership (Resolution on National Security Strategy of the Republic of Slovenia, 2019).

## **THE PRIVATE SECURITY POLICY AND THE PRIVATE PROTECTION ASSURANCE SYSTEM**

### ***PRIVATE SECURITY POLICY***

Security policy is based on the respect for human rights and freedoms (Grizold, 1992) in the protection of people and property, and the protection and preservation of national identity, which, however important, is not only in the protection of the high national goals of the country, but also in the protection of all that is important for a life worth living. Adequate security policy in a company or in the case of a user of security services also affects the professional attitude towards security and professional security, which is essentially the result of the creative security behaviour of owners, operators, management, experts, and other employees (Vršec, 2003). Within the framework of the private

security policy and through private security entities and their powers, attempts are made to control the security environment in various areas of human work and life and the economy. This is achieved primarily people and property protection that is not provided by the state through its authorities and institutions (Čas, 2019b).

Thus, the Strategy in the Field of Private Security (2010) includes the following goals that aim to ensure a high level of security and quality of life for all residents:

- the development of private security activities as a regulated economic industry with consistent respect for legality, human rights and freedoms, and the principles of the rule of law;
- systemic regulation of private protection;
- quality education, inductive courses, and advanced training for detectives and security personnel;
- effective supervision of private security providers;
- achieving synergistic effects in the field of security through deeper partnerships between public and private security mechanisms.

### ***PRIVATE PROTECTION ASSURANCE SYSTEM***

Private security in the Republic of Slovenia is provided by private security entities whose organization and activity are based on political, legal, economic, material, educational and other capacities available for this purpose that can be provided by the state, users of private security services and, above all, entities that provide private security (Čas, 2005). Private protection entities in the Republic of Slovenia are:

- private security companies;
- security consulting companies;
- detective companies and detectives;
- various forms of citizen self-defence.

The legal and political basis for ensuring private security for private security entities is provided by the constitution, laws, and other regulations, as well as the Resolution on the National Security Strategy of the Republic of Slovenia (2019) and the Strategy in the Field of Private Security (2010). They are adopted by the legislative and executive authorities, standards, international agreements and generally applicable principles of international law. The activity of private security must also be coordinated with sectoral policies in the field of national secu-

rity of the Republic of Slovenia, especially with the policy of ensuring internal security (Strategy in the Field of Private Security, 2010).

The economic foundation for private security entities is provided by classifying the provision of private security as an economic activity (Čas, 2017), which is limited by the state only to the extent that it is necessary to take into account the public interest associated with the provision of security. The importance is put on the level of economic development, their material capacity and efficiency and their safety culture and safety policy in relation to the protection of their assets.

The educational foundations for private security actors are the educational, moral and other elements that ensure the readiness and competence of private security entities and the competence of people, authorities, organizations and others to ensure their own and collective or private security, as well as internal security. The level of security policy and security culture achieved in a society is also an important foundation for ensuring private security, as security policy and culture influence the effectiveness of private security actors and their development (ibid.).

## **PRIVATE PROTECTION ENTITIES**

Private protection entities include private security companies, security consulting companies, detectives and detective companies, as well as civil self-defence. Private protection is an activity that is logically economic, but is, in its foundation, focused on security and prevention. As such, it is a companion to the police activity of the state, which can complement it, but is also available for purchase to all those (individuals, groups, companies, etc.) for whom the security framework provided by the state (or local authority) is not sufficient, yet they want or need additional protection and help, which is mostly of a preventive nature (Dvojmoč, Sotlar, 2018).

## **PRIVATE SECURITY COMPANIES**

Private security is the protection of people and property in a protected area, a certain facility or space against illegal acts, damage or destruction by security personnel and technical security systems, which is carried out as specified by this law (Article 1, paragraph 2 of the Private Security Act). Private security is an economic activity aimed

at protecting people and property, and its regulation is done with the public interest in mind. It is regulated by the Republic of Slovenia with the aim of protecting public order, public safety, the protection of clients, third parties and security personnel who directly perform the activity (Article 2, paragraph 2 of the Private Security Act). Private security is performed, offered, or advised on within the scope of its competence as a gainful activity for clients based on a contractual obligation by a company or an individual entrepreneur who has a registered activity, a valid license and meets the conditions for providing private security in accordance with this law (Article 1, paragraph 2 of the Private Security Act).

The state cannot prohibit private security, as the activity is permissible for everyone within the framework of generally applicable constitutional and legal provisions, as well as within the framework of one's protection of their own property. At the same time, the principle that safety is both a commodity and a product that appears on the market and is subject to economic principles or the rules of supply and demand must be respected. In principle, this means that every company or organization can organize its own security (Čas, 2019a, p.15).

The state can only extend rights in the field of private security in the sense of professionalizing it. The state can grant more rights to those professional security personnel and to those that want to protect themselves within the framework of their company, because they are professionally involved in the field of security, which is of particular importance not only from the point of view of the state, but also from the point of view of those who invest their knowledge, personnel and resources in this sector.

Security (including private security, author's note) plays an important role in protecting critical infrastructure (Prezelj, 2009), as its quality and comprehensive protection is in the public interest. For this reason, the state provides comprehensive assistance to the owners or managers of facilities and processes of critical infrastructure and to those entities that participate in their protection and security (Resolution on National Security Strategy of the Republic of Slovenia, 2019).

It is also necessary to mention one's own as well as in-house security. Every company, government body, municipality, association and other organization can take care of its own security or the protection of its

organization and property. This can be carried out »amateurishly« if the protection is carried out beyond the regulations governing the field of private security, or professionally with security guards and security personnel, if it is organized as in-house security in accordance with the regulations governing private security. Just as with civil self-defence, only the generally applicable rules on the proportionality of the means used in relation to the protection of one's life or property may be applied to non-professional self-protection. This includes the general right to prevent entry into companies, buildings or other areas, as well as the right to use extreme force (Čas, 1995) if one is protecting their own property or life. Those that protect people and property in this manner are not security guards and do not have the right to use measures and other means used by security guards.

The professional organization of private security is regulated by numerous sectoral laws and by-laws, with the fundamental law being the Private Security Act. Private security is the protection of people and property, which is performed as a profitable economic activity by commercial companies and individual entrepreneurs (hereinafter: private security companies) who have a license to perform private security activities in accordance with the regulations governing private security and regulations, which regulate commercial companies (Čas, 2006). It is an activity that can be engaged in according to the principles of supply and demand, since security is a commodity or a product that is sold on the market of security services. It is important how and in what way this activity can be engaged in (Čas, 2019a). Therefore, in modern societies, the field of private security is regulated by the state. A business company (private security company) must be licenced to carry out this activity professionally for its users. Regardless of the above, the in-house security provider can organize in-house security as a non-profit activity for its own needs in accordance with the provisions of the Private Security Act and employ security guards who meet the conditions in accordance with the aforementioned law. Private security therefore takes place in the form of contractual or in-house security. However, the forms or types of performing private security activities may change, and it is necessary to obtain a license from the authority in charge for each of them, which must be in accordance with regional legislation.

Private security as an activity can be performed in the forms listed below (with the corresponding number of licenses issued on January

1, 2023), and private security companies can obtain licenses for the following forms of private security:

- protection of people and property (96);
- protection of persons (29);
- transportation and protection of currency and monetary valuables (38);
- protection at public gatherings (73);
- protection at events in catering establishments (52);
- operation at a security control centre or SCC (12);
- design of technical security systems (33);
- implementation of technical security systems (108).

The listed activities, which are defined in terms of basic services provided in the private security sector, are comparable to foreign legislation and in fact represent the basic forms of private security in the Republic of Slovenia. It can also be said that these types of licenses can be obtained by private security companies to carry out private security activities (Division for Private Security and Municipal Warden Services, January 23, 2023).

Businesses that organize the protection of people and property in their area by themselves (in-house security) can employ qualified security personnel. For in-house security, the company does not need to obtain a license or fulfil specific conditions, but they do need to register at the Ministry for Internal Affairs, which notes the company in the public register. (Čas, 2019b, Čas, 2017). The registration is a simple process, and the public register provides an overview of companies that employ qualified security personnel.

A company that has organized in-house security for its own needs and provided a form of private security outside its home area of operation (such as transporting and protecting currency and monetary valuables) must obtain an appropriate license under the same conditions as license holders under contractual obligation. Regardless of the type of security (contractual or in-house), all security personnel are subject to the same entry criteria, qualifications, rights, means and duties.

### **SECURITY ADVISORY SERVICES**

The needs for security in companies and other organizations are not only reflected in the traditional forms of security, which are carried

out by private security companies. Private security services should be understood more broadly in terms of preventive consulting, planning of various measures, preparation of security assessments, preparation of security strategies, inclusion in internal control, protection of business secrets and the like. However, certain private security services can also be considered as an integral part of risk management instruments in the business processes of companies and other organizations. All these and other security services can also be provided by security advisory services. Security advisory services can be an integral part of risk management instruments in companies and other organizations, especially if we consider the “philosophy” of situational prevention (Meško, 1997, p. 251).

In addition to the tasks listed above, security consulting services or security consultants can perform other tasks and tasks that are important from a security perspective for the users of private security services or for companies and other organizations (Čas, 2007b). This can include the development of a security strategy, security assessment, preparation of criteria for the selection of the best provider for the provision of private security or private security services for the user, organizing basic and advanced training for security guards, companies or other organizations that have organized their own security, etc.

Security consultancy may be carried out by companies, institutions and organisations, as well as by individual entrepreneurs (security advisory services) and professionals in the field of private security activities who have registered this activity as part of their business activity or professional work.

According to the Strategy in the field of private security (2010), private security entities and detectives with a license to carry out the activity can provide security consulting. It can also be used by companies, research centres, individual entrepreneurs, and experts in the field of internal security activities, if it is not a matter of performing a specific form of private security or detective work. It is not necessary to obtain a special license to carry out this type of activity, but it is carried out based on general regulations. No license is required for the activity in question. For the creation of security assessments, security strategies and security plans, which are laid down in connection with the mandatory organization of a security service, special conditions should be prescribed both for security advisory services as well as for private

security companies and others engaged in the business of security consultancy.

### ***DETECTIVE COMPANIES AND DETECTIVES***

Acting as a detective or working for a detective company is considered performing detective work. The detective may collect and provide information only based on a written contract with a client. Detective work includes collecting, processing, forwarding data and information, as well as consulting in the field of crime prevention, which is performed for the client's needs by a licenced detective who meets the conditions in accordance with Private Detective Services Act. Detective activity is a regulated economic activity intended for clients of detective services, which is regulated by the Republic of Slovenia to protect public order, public and personal safety and dignity of clients, third parties and the detectives directly performing the activity.

Detective activity may be carried out by a legal or natural person who, as a business entity, has a detective activity registered in the Business Register of Slovenia, is employed as a detective and insured against liability for damage. There are currently 95 detectives in the Republic of Slovenia (Detective Chamber of the Republic of Slovenia, January 23, 2023).

The requirements for obtaining a detective license must be set by the law, and detectives must have at least a university degree. The Strategy in the field of private security (2010) defines detective activity as a free profession performed by detectives with a license to collect and transmit information and perform other security advisory tasks to protect people, their property, and interests.

### ***CITIZEN SELF-DEFENCE***

Private protection also includes citizen self-protection, which is a voluntary activity of individuals, groups, or interest associations for greater security than provided by the state through its bodies (Strategy in the Field of Private Security, 2010). In this context, citizen self-defence allows everything that is permitted within the general rights granted to citizens by the laws, regulations and the Constitution of the Republic of Slovenia. The only aim of citizen self-protection is ensuring greater security, despite the fact that this area is not specifically regulated by

the law (Pečar, 1998, p. 10). Citizen self-protection has never been and never will be as regulated as protection provided by the state (Frlež, 2010, p. 13).

Citizen self-defence involves various forms of preventive action (Čas, Frlež, 2009), which is supported by the state and led by the police all over the world as the public and organized citizens want to use said method to ensure more effective police that would perform their tasks even better. This can be achieved through raising awareness regarding the importance of preventive action and the role of various institutionalized and connecting factors in the fight against deviance and other forms of criminal and harmful behaviour (Pečar, 1992).

Citizens, individuals, interest groups and other such associations established to ensure security have no special rights and no measures or powers to provide this additional private security. However, within their general rights and duties as citizens, individuals and even in groups may use only those means which are permissible under the Constitution of the Republic of Slovenia, the Criminal Code of the Republic of Slovenia, the Criminal Procedure Act and other regulations, in order to deter a simultaneous unlawful attack or to avert an undisclosed threat to themselves or to others, or to protect their property, when they are protecting themselves, third parties and their own property. These include, in particular, the general right to prevent entry into one's premises, their home and other areas, as well as the right to use force and extreme force (Čas, 2010, p. 41).

#### **EDUCATION, INDUCTION COURSE AND ADVANCED TRAINING OF SECURITY PERSONNEL AND DETECTIVES**

Human resources are one of the core assets of the European Union in the fight for economic competitiveness in the global world. Human resources can be refined through education (also through training and further education, author's note). These are two of the assumptions based on which EU members have been strategically framing priorities and goals in the field of cooperation, education and training for the past thirty years (Taštanoska, 2022). The education, induction course and advanced training of security personnel and detectives are regulated very differently in some countries of the European Union (Dvojmoč et al., 2020), but especially in the countries of Southeast Europe and the Balkans. At the same time, it can be established that they

are also quite similar. Special schools for security guards or security personnel are present only exceptionally. In the Republic of Slovenia, a program for secondary vocational education began in 2008, and a post-secondary program for a security engineer followed soon after. The analysis of private protection and training of security personnel in Europe and South-Eastern Europe (Čas, 2010b; Varen svet, n.d.) shows that different forms of training or education are organized or planned for security personnel, which results in the difference of the duration of individual forms of training. In most cases, the providers of advanced training and education are similar institutions, while the Ministry of the Interior or the police, which also regulates and supervises private security and detective activities, has a more or less a strong hand over the advanced training of security personnel and detectives almost everywhere.

The professionalization of private security even raises a question whether it makes sense to call private security companies “private policing”. Such a name would, in itself, create a new working area for these companies. Additionally, these companies would be accountable not only to the clients, but to the local community as well (Čas, 1999). In our opinion, the very emergence of thought and the professional debates on this topic show the place and role that private security already has and may continue to have in the future.

## **EDUCATION, INDUCTION TRAINING AND ADVANCED TRAINING IN THE REPUBLIC OF SLOVENIA**

Educational programs in the field of private security include secondary professional education and vocational-technical education Security Technician and the post-secondary program Security (Centre of the Republic of Slovenia for Vocational Education, n.d.; Sotlar, Dvojmoč, 2018). The Security Technician secondary-school program provides candidates with the SQF<sup>6</sup> level V and was prepared based on the professional standards for a security guard, a security supervisor, and a Security Control Centre (SCC) operator. Upon completion of the post-secondary school program, candidates obtain the title of security engineer and the SQF level VI. It was prepared based on the professional standard of security manager and bodyguard (Savski, Grilc, Jarc, Mele, 2012).

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6 Slovenian Qualifications Framework

The advanced training includes specialized training programmes (security of events in catering establishments, the protection and transport of currency and monetary valuables, and the use of pepper spray ...), which complement the basic induction course programmes (Božjak, Sotlar, 2022). It also includes periodical and in-house advanced training programs. Periodic advanced training is carried out once every five years, and in-house training<sup>7</sup> is conducted once a year.

Induction courses include programs for obtaining national professional qualifications (NPQ) for security watchmen (81 hours), security guards (102 hours), security supervisors (34), security bodyguards (130 hours), operators of security control centres (42 hours), security technicians (60 hours), authorized security systems engineers (46 hours) and security managers (90 hours).

### **SECONDARY SCHOOL VOCATIONAL PROGRAM: SECURITY TECHNICIAN**

The vocational program for security technicians lasts four years and ends with a vocational secondary-school diploma, which includes a mandatory written and oral part in the Slovene language and private security. The elective part consists of a written and oral exam in a foreign language or mathematics and presentation of a product or service made by the student. This is usually a written product in the form of a term paper, which must be thematically related to the private security business. A candidate who meets the conditions for enrolment in the security technician program must have a primary school education, a lower vocational education or an equivalent education according to the previous regulations (Centre of the Republic of Slovenia for Vocational Education, n.d.).

Secondary school professional education is divided into general education subjects and professional modules. The former entails the Slovene and two foreign languages, Mathematics, Art, History, Geography, Psychology, Physics, Chemistry and Physical Education. The following subjects are included in the professional module:

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<sup>7</sup> Similarly to in-house security, in-house training is a type of advanced training programme that is carried out within the company that employs the security personnel.

**Table 1: Professional module of the secondary education program - security technician**

Program units	Mandatory/elective	Total hours
Protection of people and property	Mandatory	340
Technical protection	Mandatory	204
Security and health at work	Mandatory	102
Fire protection	Mandatory	136
Supervision of security services	Mandatory	102
Operation of the SCC and interventions	Mandatory	170
Crimes and criminology	Mandatory	136
Security of public gatherings	Mandatory	102
Transportation of currency and monetary valuables	Mandatory	102
Security in logistics	Elective	68
Protection of information systems	Elective	68

**Source:** *Centre of the RS for Vocational Education, n.d.*

The educational program assumes that the students will be humane and responsible people who will act confidently after completing their education. They will be able to implement preventive measures and various procedures of different forms of private security and choose the most effective form of security or protection. At the same time, education is an extension of their previously attained knowledge. The student will develop lifelong competences, interactions in society and personal growth (Centre of RS for Vocational Education, n.d.).

### **SECURITY ENGINEER UNIVERSITY (POST-SECONDARY) SCHOOL PROGRAM**

The post-secondary school programme for a Security Engineer lasts two years and is evaluated with 120 credit points according to the ECTS system. The programme ends when the student completes all requirements, namely: all mandatory modules, two elective modules, an elective subject, and a thesis. Each year consists of 34 weeks of educational work. 24 of which consist of lectures, seminars and laboratory exercises, and the remaining 10 focus on practical training with employers. The requirements for prospective students of this program are a secondary-school diploma, or an appropriate education according to the previous regulations. Anyone that has passed a master craftsman's, supervisor or management exam, has three years of work experience, and has passed a test comprised of general education subjects to the

extent specified for the vocational secondary-school diploma can also apply to the programme (Centre of the RS for Vocational Education, n.d.).

**Table 2: Post-secondary education program - security engineer**

A subject or other component	Mandatory/ elective	Year	Number of contact hours			
			L	LE	SE	Total hours
BUSINESS COMMUNICATION	mandatory	1				
Economics and entrepreneurship		1	36	36		72
Business communication and management		1	36	36		72
Computing and informatics in security		1	24	24	24	72
Professional communication in a foreign language		1	36	36		72
Information and communication systems		1	24	20	16	60
Practical education - communication		1				
PROTECTION AND REGULATIONS	mandatory	1				
Safety and health at work		1	48	12	12	72
Law and state regulation		1	48	12		60
Protection of human rights and fundamental freedoms through ethics and integrity		1	48	12		60
Introduction to private security		1	48	12		60
Criminal law and criminology		1	48	24		72
Practical education - security		1				
SECURITY AND ORGANIZATION	mandatory	2				
Administrative law		2	36	24		60
Measures of security personnel		2	42	24		66
Organization of transport, interventions, and public gatherings		2	40	36		76
Practical education - organization		2				
PROTECTION OF PERSONS AND PROPERTY	elective	2				
Planning of personal protection		2	32	26		58
Personal protection tactics		2	32	12		44
Specialist driving		2	14		16	30
Arming and shooting		2	14		16	30
Practical training - personal protection		2				
SECURITY MANAGEMENT	elective	2				
Private security management and procedures and control methods		2	48	12		60
Security planning		2	32	26		58
Cooperation with other security entities		2	32	12		44

Practical education - management		2				
SECURITY TECHNICAL SYSTEMS	elective	2				
Technical means in asset protection systems		2	44	26	12	82
Protection of information systems		2	40	24	16	80
Practical training - security systems		2				
Elective subject	elective	2				
Graduation thesis						

**Source:** *Centre of the RS for Vocational Education, n.d.*

The curriculum consists of six modules and their associated subjects as well as an elective subject. Three of the modules are compulsory, and the students choose another two elective modules and one elective subject. Table 2 states the modules, courses and their corresponding numbers of contact hours divided between lectures (L), laboratory exercises (LE) and seminar exercises (SE) (Centre of the Republic of Slovenia for Vocational Education, n.d.).

### **OBTAINING THE NVQ FOR SECURITY GUARDS AND SECURITY MANAGERS**

The process of training and obtaining the National vocational qualification (NVQ) certificate for all security personnel is carried out in the manner described below. To obtain a certificate for a specific type of work, private security personnel candidates must meet basic and special conditions. The article puts emphasis on obtaining NVQ certificates for a security guard and security manager, as they are the two key “professions” in private security. At the same time, they are suitable for comparing secondary and post-secondary school programs (Božjak and Sotlar, 2022).

In order to obtain the NVQ for a security guard, the candidate must submit a medical certificate stating that he or she is physically capable working as a security guard. The certificate is issued by a doctor specializing in occupational and sports medicine. The candidate must also submit an elementary-school diploma and a participatory certificate in training (Catalogue of Standards of Professional Knowledge and Skills for Security Guards, 2017).

For a security manager, the candidate must submit also submit a medical certificate stating that the candidate is physically capable working as a security manager. The candidate must also provide a diploma

proving that he or she finished a type of a higher education, as well as a participatory certificate in training and a certificate of relevant work experience<sup>8</sup> (Catalogue of Standards of Professional Knowledge and Skills for Security Manager, 2018).

According to the Decree on the Determination of the Professional Training Programme for Security Guards (2017) and the Decree on the Determination of the Professional Training Program for Security Managers (2019), the candidate must attend their induction courses if they wish to obtain the NVQ for a security guard or a security manager, which is prescribed by the Ministry of the Interior. Candidates must successfully pass a written, practical, and oral exam. This is done in front of a commission determined by the National Examinations Centre (RIC). The candidate has to attend at least 80% of the scheduled hours for each content component if they wish to attain their NVQ (Regulations on the Implementation of Professional Training and Development of Security Personnel, 2012).

The professional training program for a security guard is implemented in the scope of 102 forty-five-minute lessons. The program is divided into 11 substantive sections, for which the number of hours of theoretical and practical work is also foreseen (table 3) (Decree on Determining the Professional Training Program for Security Guards, 2017).

Table 3: Training program for NPQ security guard

CONTENT	NUMBER OF HOURS		TOTAL HOURS
	THEORY	PRACTICAL WORK	
<b>Normative regulation of private security</b>	7 hours	/	<b>7 hours</b>
<b>Protection of people and property</b>	3 hours	/	<b>6 hours</b>
The work of a security guard in the reception area and the protection of facilities			
Security of sales points	3 hours	/	

8 The required work experience is determined by the Private Security Act. To be a security manager, a candidate must have at least three years of work experience in the field of security. Experience in the field of security is considered experience gained through the direct performance of duties of security personnel who have the right to use the measures of a security guard, and experience gained through the direct performance of duties of authorized officials, of state authorities, and local community authorities who have the right to use powers and coercive means (police officer, municipal police officer, judicial police officer, military police officer). But they can also have a university degree and at least 5 years of work experience in a managerial or leadership positions (Private Security Act, 2011).

Measures and other means and duties of security guards			<b>38 hours</b>
Human rights and fundamental freedoms	2 hours	/	
Use of measures and other means of the security guard	8 hours	5 hours	
Duties of a security guard	2 hours	/	
The practical process of implementing measures and other means		21 hours	
Criminal conduct and fundamentals of criminology	4 hours	2 hours	<b>6 hours</b>
Action according to the security plan and in case of emergencies	4 hours	/	<b>4 hours</b>
Security of public gatherings	4 hours	2 hours	<b>6 hours</b>
Implementing an intervention	3 hours	2 hours	<b>5 hours</b>
Technical security systems	4 hours	/	<b>4 hours</b>
Safety and health at work and fire protection	2 hours	/	<b>7 hours</b>
Security and health at work	2 hours	3 hours	
Fire protection			
First aid	3 u hours	2 hours	<b>5 hours</b>
Communication			<b>14 hours</b>
Communication and conflict management	6 hours	6 hours	
Basics of business communication (messaging) in Slovenian language	1 hour	1 hour	

**Source:** Decree on determining the professional training program for security guards, 2017

The professional training program for a security manager is implemented in the scope of 90 forty-five-minute lessons. The program is divided into 8 substantive sections, for which the number of hours of theoretical and practical work is also foreseen (table 4) (Decree on Determining the Professional Training Program for Security Managers, 2019).

Table 4: Training program for NPQ security manager

CONTENT	NUMBER OF HOURS		TOTAL HOURS
	THEORY	PRACTICAL WORK	
<b>Normative regulation of private security</b>	12 hours	/	<b>12 hours</b>
<b>Security analysis and planning</b>	4 hours	/	<b>4 hours</b>

<b>Organizing, leading, and directing the work of security personnel</b>	8 hours	/	<b>8 hours</b>
<b>Planning and implementation of internal control</b>			
Providing conditions for performing internal control on in the field of private security	2 hours	/	<b>12 hours</b>
Internal control planning	1 hour	/	
Implementation of internal control	6 hours	/	
Internal control documentation	2 hours	/	
Measuring, analysing and improving internal processes monitoring and reporting	1 hour	/	
<b>Measures and other means and duties of security guards</b>			
Human rights and fundamental freedoms	3 hours	/	<b>36</b>
Use of measures and other means of the security guard	15 hours	/	
The practical procedure of implementing measures and other means of the security guard	/	18 hours	
<b>Criminal conduct and fundamentals of criminology</b>	8	/	<b>8</b>
<b>Technical security systems</b>	4	/	<b>4</b>
<b>Communication</b>	6	/	<b>6</b>

**Source:** Decree on Determining the Professional Training Program for Security Managers, 2019.

The goal of both professional training programmes is that candidates acquire the knowledge, skills and competences specified by the catalogue of professional knowledge and skills for security officers and

security managers and the professional standards for the NVQ security officer and security manager (Decree on the determination of the professional training program for the security manager, 2019; Decree on Determining the Professional Training Program for Security Guards, 2017).

## **PROFESSIONAL TRAINING AND DEVELOPMENT OF DETECTIVES**

Professional induction courses and advanced training according to the regulations mean:

- induction courses and advanced training for a detective candidate,
- periodic training for all detectives (Regulations on the Implementation of the Private Detective Service Act, 2011).

Through their induction course and advanced training, detective candidates acquire the necessary professional knowledge and skills that prepares them for the detective exam. The professional training program for detective candidates is comprised of 80 hours, 60 of which focus on theoretical knowledge, and 20 hours are dedicated to practical training. It includes the following program components:

- legal regulation of detective activity;
- performing detective work;
- criminology;
- criminal acts, misdemeanours and other legal regulations;
- basic features of the judicial system, public administration and administrative procedures;
- ethics, human rights, and communication skills (ibid.).

## CONCLUSION

The contribution and analysis of private security entities and users of private security services from a strategic and development point of view suggested systemic and organizational solutions for private security entities in providing private security or security that is not provided by the state. At the same time, the analysis showed the needs of users of private security services and their interests, and indicated assessments of dangers, threats and business security risks, and drew attention to the necessary security policy to ensure private security and users of private security services, as the current legislation does not take the issue into account.

We also pointed out that for high-quality, professional, and efficient performance of tasks in the field of private protection, professionally trained staff is needed. Only individuals who have adequate theoretical and practical training can perform their tasks in the field of private protection legally, professionally, successfully and qualitatively. Clients of private protection services are also aware of this, as they expect highly professional protection of their property and security in the protected area. That is why we allocated almost a third of the contribution to the education, induction courses and advanced training programmes of security personnel and detectives.

The article emphasizes the appropriate integration of private security into the national security system, understanding the needs of private security companies and their clients, and above all, the importance of education, induction courses, and advanced training of security personnel and detectives. Therefore, we can confirm that both the strategy and development policy for ensuring security not provided by the state are crucial for providing high-quality and effective internal security through private protection.

The aim of the article is also informing South-Eastern European and Balkan countries of the requirements stated by the European Union, as they are set in relation of ensuring European and national security upon joining the European Union and other international integrations.

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# Development of the Current African Peace and Security Architecture

Joseph Vungo<sup>1</sup>

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## ABSTRACT

The African continent has for many decades been the epitome of conflicts. They are associated with many factors including arbitrary artificial borders created by the colonial powers, governance deficiency, dictatorial political leadership, resource competition, and mismanagement of ethnic diversity. Attendant results have been continental insecurity, instability, and economic stagnation. To respond to the security trajectory challenges, the African Union (AU) developed the African Peace and Security Architecture (APSA) in 2002. This article mirrors the activities of the APSA and highlights some of AU's past and current peace missions and support activities. It commences by identifying the reasons behind the establishment of APSA which included the inaction by the then Organization of the African Union (OAU) in the internal affairs of its member states and also the failure of the United Nations and the international community to prevent and act on the Rwanda Genocide in 1994. Moreover, the article points to some challenges encountered, and opportunities for possible reforms to enhance peace, security, and stability within the continent.

**KEYWORDS:** conflicts, genocide, governance, peace, security, stability

## POVZETEK

Afriška celina je bila dolga desetletja žarišče sporov. Povezani so bili s številnimi dejavniki, vključno s samovoljnimi umetnimi mejami, ki so jih ustvarile kolonialne sile, pomanjkljivim upravljanjem, diktatorskim političnim vodstvom, tekmovanjem za vire in slabim upravljanjem etnične raznolikosti. Spremljajoče posledice so bile celinska negotovost, nestabilnost in gospodarska stagnacija. Da bi se odzvala na izzive varnostne poti, je Afriška unija (AU) leta 2002 razvila Afriško arhitekturo miru in varnosti (APSA). Ta članek odraža dejavnosti APSA in poudarja nekatere pretekle in trenutne mirovne misije in podporne dejavnosti AU. Začne se z opredelitvijo razlogov za ustanovitev APSA, ki so vključevali nedejavnost takratne Organizacije Afriške unije (OAU) v notranjih zadevah njenih držav članic ter tudi neuspeh Združenih narodov in mednarodne skupnosti, da bi preprečili in ukrepali o genocidu v Ruandi leta 1994. Poleg tega članek opozarja na nekatere izzive in priložnosti za možne reforme za krepitev miru, varnosti in stabilnosti na celini.

**KLJUČNE BESEDE:** spori, genocid, vladanje, mir, varnost, stabilnost

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## INTRODUCTION

The re-constitution of the Organization of the African Unity<sup>2</sup> (OAU) into the African Union (<sup>3</sup>AU) in 2000 was driven by various factors (Leila, 2012). First, the genuine desire for multilateralism after completing the liberation of Africa from colonialism through the OAU Pan-African agenda (Berhe, 2016). Second, the deliberate and strategic objective is to spur economic development and reinforce good governance. Third, the need to promote peace, security, and stability within the African continent.<sup>4</sup>

During the period from the 1990s to the early 2000s, Africa faced multiple crises, from the Rwanda genocide to the Democratic Republic of Congo (DRC) crises, the statelessness of Somalia, to the war and crises in Liberia and Sierra Leone<sup>5</sup>. However, the need to promote peace and security became even more imperative following the inaction and failure of the OAU, the United Nations, and the international community to prevent and act on the Rwanda Genocide in 1994<sup>6</sup>. Essentially, the African continent was not only marginalized and neglected but also seen through a security lens and outrightly treated as a humanitarian case, by the international community.

The prevailing situation made the Member States of the African Union greatly concerned with the enormous impediment caused by the conflicts to the socio-economic development of the continent. As such, African countries were necessitated to take primary responsibility for peace, security, stability, and related activities in the continent as a prerequisite for the implementation of the African development and integration agenda. That resolve is underpinned in the Constitutive Act through the principles of common defense, peaceful resolution of conflicts, prohibition of the use of force, peaceful coexistence of Member States, and their right to live in peace and security.

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2 The OAU Charter that established the Organization of African Unity was signed by 32 Heads of State and Government in Addis Ababa on 25 May 1963 with the aim to defend the sovereignty, territorial integrity, and independence of the African States, and to also eradicate all forms of colonialism and white minority rule in Africa.

3 The African Union Constitutive Act that transformed OAU into AU was adopted by the Heads of State and Government in Lome, Togo, on 11 July 2000 with the aim to promote unity and solidarity of African states, spur economic development, and promote international cooperation.

4 Article 3 of the Constitutive Act of the African Union 2000 provides for the promotion of peace, security, and stability in Africa.

5 Some other countries that experienced conflicts included Eritrea and Ethiopia.

6 During the Rwanda Genocide, over one million Tutsis and Hutus were brutally killed.

Additionally, it should be reckoned that a remarkable aspect of the Constitutive Act bestows upon the AU the right and mandate of intervening in any of the Member States to restore peace and security, especially in situations of war crimes, crimes against humanity, and crimes of genocide. This mandate was borne out of the principle of non-indifference, espoused under Article 4(h) of the Constitutive Act. The principle that was formulated by the International Panel of Eminent Personalities established by the African Union to investigate the Rwandan genocide, besides codifying the responsibility for collective African action in the gravest circumstances, also calls for a commitment to an African solution for African conflicts.

### **CHARACTERISTICS OF AFRICAN PEACE AND SECURITY ARCHITECTURE (APSA)**

Strategically and to respond to the continent's peace and security trajectory challenges, the AU developed the African Peace and Security Architecture (APSA) framework in 2002. The framework is built around objectives, structures, and a decision-making process relating to the prevention, management, and resolution of crises and conflicts, peacebuilding, and post-conflict reconstruction and development in the continent. The overarching objective of the APSA framework is therefore the legitimization and coordination of the maintenance of peace and security within the continent in collaboration with the Regional Economic Communities (RECs) as well as the Regional Mechanism (RMs) in line with the Constitutive Act of the AU (Yeyew, 2019).

The APSA is formed of five pillars, (Sophie, 2019) namely: the Africa Union Peace and Security Council <sup>7</sup>(AU PSC), the Continental Early Warning System (CEWS), the Panel of the Wise (PoW), African Standby Force (ASF), and the African Peace, all of which are expounded herein below.

#### **THE AFRICAN UNION PEACE AND SECURITY COUNCIL**

The AU Peace and Security Council (AU-PSC), is the “standing decision-making organ of the AU for the prevention, management, and resolution of conflicts<sup>8</sup>” As such, the Peace and Security Council is the

7 The African Union Peace and Security was established under Article 3 of the Protocol Establishing Peace and Security Council that was adopted on 9 July 2002.

8 The African Union Peace and Security Council was established with the main mandate to prevent, manage and resolve conflicts.

supreme organ of the APSA that legitimizes and coordinates all actions of the other structures within the architecture (Moolakkattu (2010)).

The Peace and Security Council was established by the Protocol Relating to the Establishment of the Peace and Security Council which was adopted on 9<sup>th</sup> July 2002 in Durban, South Africa, and subsequently entered into force in December 2003. The overall basis of AU-PSC draws from Article 5 of the Constitutive Act of the African Union. The Council became fully operational in 2004. Although AU-PSC draws its operational authority from Chapter VIII of the UN Charter, on a complimentary basis, it is nevertheless legally junior to the UNSC.

In terms of composition, the Peace and Security Council is comprised of fifteen Members of which ten are elected for a term of two years while the other five are elected for a term of three years. The differential composition is calculated at ensuring the continuity of the Peace and Security Council. The election of the above members is undertaken by the AU Executive Council and later approved by the AU Assembly while taking into account equitable regional representation and rotation.

As indicated under Articles 3 and 6 of the Constitutive Act, the mandates of the Peace and Security Council include the Promotion of peace, security, and stability in Africa, anticipation and prevention of conflicts, promotion and implementation of peace-building and post-conflict reconstruction activities, coordination and harmonization of continental efforts to curb international terrorism; developing a common defense policy for the AU and promoting and encouraging democratic practices, good governance, and the rule of law.

The fulfillment of the Peace and Security Council mandates is aimed at ensuring that peace and security are marinated within the AU to guarantee the protection and preservation of life and property, the well-being of the African people, and the attainment of sustainable development. In that regard, key activities of the Council comprise instituting sanctions against a member state, implementing the AU's common defense policy, performing peacemaking and building functions, authorizing and overseeing peace support missions, recommending to the Assembly interventions for situations of war crimes, genocide and crimes against humanity, facilitating humanitarian action, and imposing sanctions for unconstitutional changes of government.

In order to discharge its work effectively, the AU- PSC is under Article 8(5) of its Protocol authorized to establish subsidiary bodies and seek military, legal, and other forms of expertise as may be necessary. To that effect, the Council has in place the Committee of Experts (CoE) established under Article 8(5), and the Military Staff Committee (MSC) established under Article 13(8). The Committee of Experts is composed of 15 designated experts each representing a PSC member State and two Peace and Security Department expert officers. Its main work is to assist in elaborating draft decisions of the PSC.

### ***THE CONTINENTAL EARLY WARNING SYSTEM***

The Continental Early Warning System (CEWS) component of APSA has the mandate for the anticipation and prevention of conflicts or situations that would threaten peace and security on the continent and the timely provision of information regarding evolving violent conflicts (Cilliers, 2005). This mandate is enshrined in Article 12 of the Protocol relating to the Establishment of the AU Peace and Security Council. Essentially, the Early Warning System is required to develop an early warning module premised on well-defined and acceptable political, economic, social, and humanitarian indicators from which the developments in conflicts are to be analyzed.

On the basis of the early warning information, the AU Commission Chairperson can advise the Peace and Security Council on the potential conflicts and likely infringement of peace and security within the continent to take viable steps. In terms of the structure and operations, CEWS is made up of “the Situation Room” and the observation and monitoring units of the various RECS. The Situation Room is located at the Conflict Management Directorate of the AU.

One of the drawbacks to the effectiveness of CEWS is that quite often the information generated by the system is not acted upon as a result of self-denial by the concerned member states, under the guise of state sovereignty.

### ***THE PANEL OF THE WISE***

The Panel of the Wise (POW) was established pursuant to the provision of Article 11 of the Protocol Relating to the Establishment of the Peace and Security Council. The Panel is tasked with the responsibility

of offering advisory functions to Peace and Security, as also mediation and preventive diplomacy role to the Council alongside the AU Commission Chairperson.

Importantly, the Panel membership comprises five persons who are highly respected African personalities of high integrity and independence with notable contributions to Africa in the realm of peace and security, and development. The members are appointed by the AU Assembly subject to the recommendations of the AU Commission Chairperson. The term of office of the members of the Panel lasts for a period of three years.

The Members of the Panel work on their own initiative or upon request by the AU PSC or Chairperson of the AU Commission. Important to note, the AU Assembly during the 2010 July summit in Kampala Uganda approved the establishment of a team of “Friends of the Panel of the Wise” to offer additional support to the Panel (Gomes and Ngandu, 2014). Therein, it is envisaged that the Friends of the Panel of the Wise is to be constituted, among others, of outgoing members of the Panel of the Wise. As such, the Friends offer support to the incoming members of the Panel in various peace and security-related activities within the APSA framework. The Panel of the Wise is credited for successfully intervening in the Kenyan post-election violence in 2008.

### ***THE AFRICAN STANDBY FORCE***

The African Standby Force (ASF) is a standby multidisciplinary contingent made of the military, police, and civilian personnel who are ready for rapid deployment when required. The Force was established pursuant to Article 13 of the Protocol to enable the AU-PSC to deploy timely peace support missions and interventions. It would be impossible to implement the Peace and Security Council’s activities in so far as the suppression of conflicts on the continent is concerned without the deployment of peace support missions and intervention (Dersso, 2010). Under the framework, the AU Member States are therefore required to establish in their countries standby contingents to participate in peace support missions.

In order to enhance support to the Force, the AU-PSC in line with its authority under Article 8(5), established the Military Staff Committee under Article 13(8). The Committee’s mandate is to offer advice and

assistance to the Council on all matters pertaining to military and security requirements with the overarching aim of promoting peace and stability on the continent. The Military Staff Committee is comprised of Senior Military Officers of the Members of the AU- PSC.

The chain of command of operations performed by the African Standby Force is such that the AU Commission Chairperson is to appoint a Special Representative and a Force Commander whose roles and functions with respect to the operations are well outlined. The Force Commander is expected to report to the Special Representative who in turn is required to report to the AU Commission Chairperson and to the AU-PSC periodically or as may be necessary.

The functions and roles of the African Standby Force as enumerated under Article 13(3) of the Protocol include; observing and monitoring missions, intervening in a Member State in grave breaches of peace and security, conflict prevention through deployment, peace-building including post-conflict disarmament and provision of humanitarian assistance. Presently, some of the established African Standby Force contingents are the Economic Community of Central African States (ECCAS) Standby Force; the Economic Community of West African States (ECOWAS) Standby Force; the Eastern African Standby Force (EASF); the Southern African Development Community (SADC) Standby Force; and the North African Regional Capability (NARC) Standby Force.

The SADC Standby Force that was deployed as part of the SADC Prevention Mission in the Kingdom of Lesotho on 2 December 2017 was instrumental in restoring peace and stability in Kingdom.

### ***THE AFRICAN PEACE FUND***

The rationale behind the establishment of the African Peace Fund within APSA was to provide a predictable and sustainable financial resource base that could be used to support African Union-led peace missions and operations in the continent (Kuwali, 2018). Article 21 of the PSC Protocol envisages that the Peace Fund is to be comprised of financial appropriations from the AU regular budget, voluntary contributions from Member States, private contributions including from foreign sources as may be prescribed by the AU Commission Chairperson keeping in line with the objective and principles of the Union. The AU

Peace Fund under the APSA framework is overseen by a High Representative appointed by the Chairperson of the AU Commission in line with the AU Assembly decision 605(XXVII) of July 2016.

The preceding discussion under this section of the article postulates that the APSA framework is comprised of various organs and institutions, the overall goal of which is to ensure the maintenance of peace and security on the continent. Against the preceding backdrop, the subsequent sections of the article provide an elaborate analysis of some of the notable operations of the AU within the APSA framework to assess its effectiveness or otherwise. This will be critical in examining and discussing the challenges facing the AU APSA framework and finding out some of the opportunities that can be harnessed by the AU to enhance peace and security within the African region.

### **SELECTED PEACE MISSION OPERATIONS OF THE APSA**

Over the two decades, the AU through the APSA structure and institutions has intervened in situations of breach of peace and security within its member states, (Rafiu, 2014). In this section, the Article discusses some notable peace operations and activities of APSA since its establishment in 2002.

#### ***AFRICAN UNION MISSION FOR SOMALIA (AMISOM)***

The African Union Mission for Somalia (AMISOM) is one of the most remarkable AU interventions. Internal wars, conflicts, and humanitarian crises in Somalia, date back to the collapse of Said Barre's regime in 1991. The regime's collapse adversely destroyed the entire country's governance and administrative structures and capability. The capability vacuum gave room for the emergence of terrorist organizations such as the Al-Shabaab that has up to date not only continued to shape Somalia's independence and its peace and security but also the peace and security in the wider Horn of Africa region (Ligawa, Okoth, and Matanga, 2017).

In response to the crisis in Somalia, the AU through PSC intervened by establishing AMISOM on 19 January 2007 (PSC/PR/Comm (LXIX)). The need for the Mission was also supported by the United Nations Security Council (UNSC) in its resolution 1744 (2007). The Mission's mandate was to restore peace and security in the region by *inter alia*

neutralizing the capability of the Al-Shabaab operations. Notably, over the years, the mandate of AMISOM continued to mutate to cover supporting dialogue and reconciliation, protection of the Federal institutions, infrastructure, and civilian population, assisting in the implementation of the National Security and Stabilization Plan, and also providing humanitarian assistance.

The first deployment of troops took place in 2007 with the support of foreign organizations such as the EU and with the support of the UN. In the inception days, AMISOM was mainly composed of staff from Uganda and Burundi following the withdrawal of the Ethiopian troops. Later, other countries including Djibouti, Sierra Leone, Kenya, and Nigeria formed part of AMISOM<sup>9</sup> (Williams, 2018).

The application of APSA in Somalia through AMISOM contributed greatly towards the degrading of Al-Shabaab as well as to the stabilization and restoration of peace and security in the country. The successes of Mission operations on the ground have been attributed to the autonomy with which the Force Commander Operates particularly with the minimal micro-management from the AU Headquarters in Addis Ababa (Freear, and De Coning, 2013). In spite of the success, it is however important to note that AMISOM in its operations suffered from a lack of force multipliers and insufficient modern and specialized security equipment to suppress decisively the insurgents and rebels in the region. Instead, heavy reliance was placed on the UN and EU, amongst other international organizations to offer financial and machinery support to the Mission.

As part of the exit process from Somalia and in order to safeguard the gains by AMISOM, from December 2021, the Mission got transformed into African Union Transition Mission in Somalia<sup>10</sup> (ATMIS). The transformation resulted from a tripartite agreement between the African Union, the United Nations, and the Federal Government of Somalia. ATMIS is going to operate until 2024 and hand over all responsibilities to Somali Security Forces.

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9 Ethiopia, Uganda, Burundi, Kenya, Djibouti, Rwanda, and Sierra Leone were the six countries.

10 The African Union Transition Mission in Somalia (ATMIS) become operational on 1 April 2022 and comprises of 18,000 troops, 1000 Police, and 70 Civilians.

## ***AFRICAN UNION MISSION IN SUDAN (AMIS)***

The other key AU peace and security operation under the APSA framework was the African Mission in Sudan (AMIS) related to the Darfur crisis. Leading up to the cessation of South Sudan from Sudan, conflicts between ethnic minority rebels and the Sudanese Government erupted in the Darfur region in 2003. According to the United Nations, more than 300,000 people were killed, thousands injured and more than two million people displaced.

To address the situation, the AU-PSC through (PSC/PR/Comm(X)) established AMIS in May 2004 with the mandate to monitor the implementation of the N'djamena 2004 Humanitarian Ceasefire Agreement between the Parties to the conflict in Sudan that had been signed early 2004. The Mission had two hundred military personnel mainly from Rwanda. (Mensah, 2006). At the same time, the UN General Assembly passed Resolution 1564 that sought to reinforce the operations of the AU in Darfur and also imposed certain reducible minimums for the Sudanese government which *inter alia* touched on sanctions on the country's oil industry.<sup>11</sup> Additional troops sourced from Nigeria were also deployed to AMIS alongside significant additional budgetary allocation to quell conflict in the region.

In spite of the additional measures, efforts to reach reconciliatory agreements between the government and the rebel groups such as the Justice and Equality Movement (JEM) and the Sudanese Liberation Army (SLA) were not fruitful. The AU operations experienced inadequate human capacity and financial resources. This prompted the UNSC to establish the United Nations Mission in Sudan (UNMIS) in 2005<sup>12</sup> to address the escalating Darfur crisis.

Towards 2007, the UNSC was keen to take over the peacekeeping mission in Sudan from AMIS. When the mandate of AMIS lapsed in 2006, attempts for the UN to take over failed due to opposition by the Sudanese government that sought to extend AMIS operations till mid-2007<sup>13</sup> Later, the UN Security Council took over operations from AMIS

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11 UN Security Council, Security Council Resolution 1564 (2004) on Darfur, Sudan, was passed on 18 September 2004, S/RES/1564 (2004).

12 UN Security Council, Security Council Resolution 1590 (2005) on the establishment of the UN Mission in Sudan (UNMIS), was passed on 24 March 2005, S/RES/1590 (2005).

13 The move by the Sudanese Government frustrated the UN Security Council, Resolution 1706(2006) on Reports of the Secretary-General on Sudan, which was passed on 31 August 2006.

in 2007 pursuant to Resolution 1769 which merged AMIS into UN-AMID on the 31<sup>st</sup> of December 2007. Through UNAMID, more than 20,000 troops were deployed to intervene in Darfur where they achieved considerable success. Further, following the UNSC Resolution 2148 of 2014, UNAMID's mandate became more streamlined and focused on *inter alia* civilian protection, facilitation of mediation between the government and the rebel groups, and enhanced facilitation of humanitarian assistance.<sup>14</sup>

In December 2020, the UNSC unanimously passed Resolution 2559 which saw the termination of the mandate of the AU-UN Hybrid Operation in Darfur (UNAMID).<sup>15</sup> Accordingly, UNAMID transitioned into the current United Nations Integrated Transition Assistance Mission in Sudan (UNITAMS).

### ***AFRICAN UNION MISSION IN BURUNDI (AMIB)***

Hot on the heels of the formal inauguration, the AU faced its first peace and security intervention in Burundi (Boshoff, 2004). In the period towards the end of 2002, Burundi was the epicenter of an intensive civil war fueled by the heated political temperatures in the country. The Hutu rebel movement, alongside the National Council for the Defense of Democracy - Forces for Defense of Democracy (CNDD-FDD) under the command of Pierre Nkurunziza sought to compel the Transitional Government to make various concessions including but not limited to the inclusion of the FDD in the government. This saw the eruption of the civil war characterized by humanitarian crises in early 2003 between the national army and CNDD-FDD rebel groups. Even though ceasefire agreements were signed between various rebel groups and the government, the crisis heightened thus necessitating external intervention.

In cross-accusations, the FDD called upon the international community, particularly the AU to intervene in the restoration of peace and security in the region. In the initial stages, AU appointed observers, and later, on 2 April 2003, the AU under its central organ of the Mechanism for Conflict Prevention, Management, and Resolution approved the deployment of the African Mission in Burundi (AMIB) (Boshoff,

<sup>14</sup> UN Security Council, Security Council Resolution 2148 (2014) on the review of the African Union-United Nations Hybrid Operation in Darfur (UNAMID)], was passed on 3 April 2014.

<sup>15</sup> UN Security Council, Security Council Resolution 2559 (2020) on the termination of the mandate of the AU/UN Hybrid Operation in Darfur (UNAMID) was passed on 31 December 2020.

2003). The main mandate of the Mission was to monitor the implementation of the ceasefire agreement for an initial period of one year. Other tasks included the facilitation of the activities of the Joint Ceasefire Commission (JCC), as well as the provision of technical assistance for disarmament and demobilization processes. AMIB was initially constituted of troops from South Africa, Ethiopia, and Mozambique.

One of the key activities undertaken by AMIB was the Disarmament, Demobilization, and Reintegration (DDR) measures (Badmus, 2017). The program was carried out in partnership with the World Bank's Multi-Country Demobilization and Reintegration Programme (MDRP). The Bank also in December 2004, supported the establishment of the National Commission on Demobilization, Reinsertion, and Reintegration (NCDRR) at a cost of US dollars 33 million. AMIB could not complete the implementation of the DDR as its mandate was nonetheless assumed by the United Nations Operation in Burundi (ONUB) on 1 June 2004 owing to limited capacity and resource constraints.

The deployment of AMIB is credited as having contributed to an environment conducive to the attainment of peace and security in Burundi and the region (Boshoff, Very, and Rautenbach, 2010). AMIB also aided the Joint Ceasefire Commission in fulfilling its mandate of ensuring an agreement is reached between the variously conflicting groups. However, just like the other AU-led missions, AMIB's efficiency was to some extent derailed by a serious lack of critical equipment and inadequate financial capacity.

The preceding three peace missions are some of the many interventions undertaken by the AU in the past<sup>16</sup>. Other notable AU-led support missions and operations were African Union Mission for Support to Elections in Comoros (AMISEC) in 2006; African Union Electoral and Security Assistance Mission to Comoros (MAES) in 2007; African Union Led International Support Mission for Mali (AFISMA) from 2013 – 2014 before transforming to MINUSMA, Economic Community for Central Africa States (ECCAS) – AU backed Multinational Force in Central African Republic (FOMAC) IN 2014; and the African Union-led International Support Mission in Central African Republic (MISCA) in 2013 before transforming into MINUSCA in September 2014.

Currently, there are other ongoing peace activities by the AU or under

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16 Others interventions by the AU -PSC has been in the Gambia, Guinea and Comoros.

the auspices of Regional Economic Communities (RECs). They include the African Transition Mission in Somalia (ATMIS), and also AU-backed operations in the Democratic Republic of Congo by the East African Community Forces.

## **CHALLENGES TO AND OPPORTUNITIES FOR EFFECTIVE IMPLEMENTATION OF THE AU-APSA FRAMEWORK**

### **CHALLENGES**

The implementation of the APSA framework has scored impressive peace and security dividends in the continent. Nevertheless, there is a myriad of challenges apparent in the framework operational process. The challenges revolve around security and governance issues to co-operation problems within and beyond the continental APSA stakeholders. The challenges include:

#### **1. Insufficient internal funding and over-reliance on foreign donors**

One of the striking factors that determine the effective implementation of APSA is funding. Generally, there is insufficient internal funding from the AU Member States and corresponding over-reliance on donor funding for AU peace activities. Notably, only 25% of the total peace operations come from the AU Member States with the rest coming from foreign donors in form of cash and support equipment. Moreover, 2% of the contribution by Member States comes from the “big five” countries namely; South Africa, Nigeria, Algeria, Egypt, and Angola. As such, most of the AU-led peace-keeping missions have heavily relied on foreign funding from the EU and the UN on a select basis and are mostly limited to equipment (Engel, 2018).

Illustratively, the funding of AMISOM and AMIB was mainly from foreign donors and trust funds. AMISOM drew support from the UN Trust Fund for AMISOM, the UN Trust Fund for Somali Security Forces, and the European Union. Although the UN has the overall responsibility for the maintenance of international peace and security, it nevertheless resisted funding AMISOM through the window of assessed contributions. Currently, the EU support for AU peace activities accounts for over 30% with a budget of Euro 17.5m for the years 1921-1927.

In the case of AMIB in Burundi, the contingent troops that had been

deployed by the AU in 2003 to monitor the enforcement of the cease-fire agreements heavily depended on funding from the United States of America and the UK to carry out their activities once deployed in the mission area. The significant reliance on foreign donors rendered AMIB unsustainable. Additionally, due to a lack of adequate funding and human resources, the RECs' early warning systems are unable to cover their vast regions and many security issues that require reporting (Debial, 2009).

This over-reliance by the AU on foreign donors in implementing APSA not only triggers questions as to the adequacy of the Union's resource capacity but also invokes delicate political considerations). It erodes the Union's political independence to deal with peace and security maintenance in the African continent (Vines, 2013). Further, besides determining the overall effectiveness of the AU-led peace operations, it also portrays the absence of coherent ownership and efforts by the AU toward implementing the APSA framework.

As a measure to secure a predictable and sustainable financial resource base to implement peace and security agenda, the APSA framework will need to ensure an effective governance regime of the African Peace Fund (APF) that was established under Article 21 of the PSC Protocol.

## **2. Inadequate human resource capacity**

Inadequate human resources capacities both at the AU Commission and Regional Economic Communities (RECs) level have hindered the full and effective implementation of the APSA. To a large extent, within APSA there is allegedly low pay, poor working standards, inadequate necessary infrastructure, lack of requisite skills, and competencies that would be required of persons performing such high-stake jobs. One of the major deficits in the implementation of APSA is that the AU and RECs have not been able to recruit, train and retain adequate skilled personnel who can implement their mandate in the existing peace and security structure<sup>17</sup> (Vines, 2013).

In view of such conditions, the level of retention of skilled personnel within the APSA structure is very low. Moreover, most personnel of the AU and RECs don't prefer working for the organizations as they would get better opportunities in the private sector or even in the gen-

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<sup>17</sup> Alex Vines was in 2013 commenting on the review of ten years of achievements of African peace and security architecture.

eral UN framework. At times also, the human resource is unable to effectively cope with the workload that continues to stream in large volumes amidst cases of breach of peace and security in various regions of the continent. Illustratively, both the African Mission in Burundi (AMIB) and African Mission in Sudan (AMIS) were subsumed into the UN peace and security operations that were subsequently established to take over from the AU missions. In all the situations, the AU missions suffered a lack of the necessary infrastructure and human resources that were necessary for the implementation of the DDR measures that had been targeted (Boshoff, Very, and Rautenbach, 2010). Generally, inadequate human resources are a problem rooted in the inadequacy of financial resources.

### **3. Lack of strong capacity and cooperation mechanisms of au - psc**

The AU-PSC as the first responder to African crisis situations is not adequately equipped with the right instruments and mechanisms to meet its expectations. This problem cuts across the other interrelated pillars of the Centre for Early Warning System (CEWS), African Standby Force (ASF), and the African Peace Fund. For instance, the membership of the Member States to the AU-PSC is based on regional representation and on a rotational basis and not the capacity of each individual member state. As such quite often there are member states of the AU-PSC who do not have the capacity to be represented in the meetings and committees such as the Military Staff Committee. To address the situation, the African states need to take the appointment of their permanent representatives to AU-PSC seriously in order to improve the quality of debate and upscale the implementation of the Council decisions.

### **4. Lack of good governance and low respect for human rights**

Besides the aspects of low capacity and underfunding, the other seemingly persistent factor hampering the effective implementation of the AU-APSA framework is the poor governance and low respect for human rights in most countries in the continent. In many of the AU member states, the human rights guarantees are theoretical and remain to be aspirational within communities (Annan, 2014). In some countries, wanton cases of breach of peace and lack of insecurity under the watch of the AU have been orchestrated by blatant disregard for people's human rights. This has partly been the case of crimes against humanity in some parts of the continent as perpetrators take the law into their own hands.

The disregard for human rights is notwithstanding the fact that most of the AU Member States are and have for a long time been signatories of key international and regional treaties. For instance, the ratification rate of the International Covenant for Civil and Political Rights (ICCPR) by African States is very high compared to other regions. This has been alongside other area-specific treaties such as the CEDAW, the ICESCR, the CRPD, and CRC, amongst others. Within the African region, there are human rights treaty instruments including the African Charter on Human and Peoples' Rights (Banjul Charter)<sup>18</sup>, the Maputo Protocol, and the African Charter on the Rights and Welfare of the Child, whose ratification rates by the AU member states has not attained universality.

The foregoing suffices to imply that the implementation of human rights instruments in the African continent remains a challenge, and the same is to be blamed *inter alia* on impunity that has a bearing on implementing APSA. Further, the above trend would attribute to the “dysfunctional” nature of the key institutions such as the African Commission, and the African Court of Justice, which are tasked to enforce human rights guarantees in the region.

On the governance spectrum, though the African continent tends to portray a considerable emulation of democratic values and principles, generally however, there is a significant measure of poor governance. In many countries, there is a transparency and accountability deficit in governance, low levels of public participation in public affairs, poor electoral management, exclusion and marginalization of the minority, and disregard for the rule of law.

The cumulative effect of the foregoing is that they trigger public resentment and quite often give rise to political instability and conflicts as well as the desire for communities to pursue self-determination of course without due regard to the principles of territorial sovereignty and peaceful settlement of disputes as enshrined in both the UN Charter and the Banjul Charter. Indeed, some of the key threats to peace and security that the AU has had to deal with such as the situations in Somalia and Sudan were triggered by poor governance.

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<sup>18</sup> The African Charter on Human and Peoples Rights “Banjul Charter” was adopted on 27 June 1981 and entered into force on 21 October 1986. The Charter is to promote, protect and preserve in the continent of Africa the values associated with human rights.

If this state of affairs is to be reformed, there is definitely a need to improve the state of practice of good governance amongst the AU Member States. Perhaps the enjoyment of their benefits in the AU membership should be predicated on the practice of good governance.

##### **5. Lack of cooperation and information flow within AU**

The AU APSA adversely suffers the effects of impaired internal cooperation among the institutions constituting the peace architecture and also unharmonized communication and connectivity strategy for the collection, sharing, and distribution of information among stakeholders. This is also compounded by a lack of necessary tools for data collection and analysis. In terms of internal cooperation, there is for instance no clear synergy between the Panel of the Wise and other APSA Components. Likewise, there is no elaborate communication strategy for a smooth, secure, and timely flow of critical information from RECs to the AU Situation and between CEWS and Member States. Surprisingly, this problem which has been prevalent since the era of the OAU continues to hinder effective peace and security management in the continent.

To strengthen the relations between CEWs at the AU and early warning systems at RECs, there is a need for a clear collaborative framework. Systems for linking information from RECs to the CEWS at the AU Headquarters are also necessary for the effective management of peace and security issues.

##### ***OPPORTUNITIES FOR EFFECTIVE IMPLEMENTATION OF APSA***

In spite of the notable operational challenges towards the implementation of APSA, there still exist plausible opportunities to be tapped by the AU to enhance attaining the peace and security agenda within the continent.

To boast cooperation mechanism, there is a need for the AU-PSC to strengthen appropriate consultative, operational, and legal relationships with UNSC, European Union Peace and Security Committee, and AU- RECs, as well as strengthen linkage with the A3 Members<sup>19</sup> of the UNSC to reflect the position of the AU-PSC positions within the RECs and in the UNSC resolutions.

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<sup>19</sup> There are three African Countries that are non-permanent members of the UNSC at any particular time.

The RECs are strongly committed not only to regional economic development but also to the maintenance of peace, security, and stability within their jurisdictional regions<sup>20</sup> (Asgedom, 2019). Moreover, some RECs such as the Common Market for East and Southern Africa (COMESA), the East African Community (EAC), the Intergovernmental Authority on Development (IGAD), the ECOWAS and SADC have more operational frameworks and institutions with more commitment towards the fulfillment of their objectives as would be compared with the AU. They also have in place active security structures based on the Africa Standby Forces, acting alongside other regional brigades such as the East Africa Brigade (EASBRIG).

Additionally, the AU Member States are more participatory within their RECs as compared to those within the AU. Therefore, the AU should take advantage of the wealth in cooperation within the RECs as well as their operational architecture in so far as the maintenance of peace and security is concerned in the continent. In so doing, however, the AU should be alive to the regional incoherence that may pose significant challenges to a smooth realization of APSA's agenda. Thus, the AU should strategically analyze the internal dynamics of the RECs, examine the strengths, weaknesses, and opportunities thereof, and integrate the same without eroding their distinctiveness and uniqueness from which they draw their efficiency.

On the issue of support to peace operations and activities, the AU needs to reduce the over-dependence on foreign aid by enhancing the funding of the African Peace Fund through adequate resource mobilization. It should be appreciated that the African continent boasts numerous natural resources, which when efficiently exploited and managed can draw revenues enough to fund the Union's peace and security-keeping agendas. Perhaps each of the AU Member States should commit to making a minimum contribution of its annual revenues towards the African Peace Fund. This arrangement could work effectively if underpinned by the concept of the common but differentiated responsibility, wherein the more able Member States remit more contributions compared to the low economically ranked countries from the continent.

Similarly, and in order to ensure more robust results, the Panel of the Wise needs to be expanded to include mediation support mechanisms.

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20 The Regional Economic Communities (RECs) are EAC, IGAD, ECOWAS, SADC, and ECCAS.

Those mechanisms could also comprise developing norms to guide mediation and political processes within given changing conflicts and mediation dynamics. With respect CEWs, it needs to be enhanced with appropriate conflict analysis capacity as well as connecting to peace missions for the development and use of its conflict analysis and early warning products.

## CONCLUSION

The article has illustrated the activities of the AU under the APSA framework. Notably, the APSA framework is comprised of various bodies and institutions undertaking various tasks critical in ensuring the maintenance of peace and security in the African continent region. Since its inception in 2002, and in pursuance of its Constitutive mandates, the AU has been able to substantially deliver on its mandate through leading major peace operations missions as well as other smaller monitoring and electoral support and security operations, both directly or indirectly.

Key missions comprise of inter-alia the African Mission on Somalia (AMISOM) from 2007 to December 2021, African Mission in Burundi (AMIB) from 2003 – 2004, African Mission for Support to Elections in Comoros (AMISEC) in 2006, African Led International Support Mission for Mali (AFISMA) from 2013 - 2014, Multinational Force in Central African Republic (FOMAC), and African Mission in Sudan, Darfur (AMIS) 2004 -2007. Contrasted with its predecessor the OAU, the AU has recorded significant positive strides as manifested in quelling conflicts and restoring peace and security in the region.

However, the successes of the APSA notwithstanding, there are concerns that the AU has failed not only in suppressing threats to peace and security but also in effectively resolving conflicts that continue to bedevil the continent. The undesired trend is blamed on various factors, including a lack of adequate cooperation mechanisms with RECs, gaps in the existing policy and institutional framework coupled with the ineffective implementation of the existing peace and security architecture.

The overdependence by the African Union on foreign aid in the implementation of the APSA signals that the AU is unable to strike “African” solutions towards African peace and security challenges. Further, the realization of the objectives of the AU APSA has been significantly undermined by the low respect for human rights and democratic governance, which factors have been breeding grounds for breaches of peace and stability in the region.

In terms of resources, the APSA, as it is, does not have the adequate human resource capable of effecting its mandate. AU Commission has

fewer staff as would be compared to other organizations such as the EU. Moreover, the lack of full cooperation and information asymmetry within the structure and between the Member States has rendered the enforcement of the existing policy framework difficult. Financially, since its establishment to the present day, the AU APSA framework has heavily relied on external aid and reinforcement from donors and other international organizations. This implies the Union cannot independently and effectively operate in the maintenance of peace and security within the continent.

Moving forward, the article has identified certain opportunities that should be utilized by the AU to enhance the efficiency of the APSA framework. Notably, there is a need for capacity building and mobilization of adequate funds, respect for human rights, and the emulation of democratic governance in the region to stem the root causes of conflicts and other peace-threatening situations for long-term purposes. Moreover, the AU should endeavor to enhance national ownership of APSA, and cooperation with RECs, particularly by taking advantage of their high level of coherence.

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**On the Side of Humanity**

Ajša Hafizović-Hadžimešić

*Amella Bashoviq*

**Diplomacy: Theory and Practice**

Geoff R. Berridge

*Milan Jazbec*



## Amella Bashović

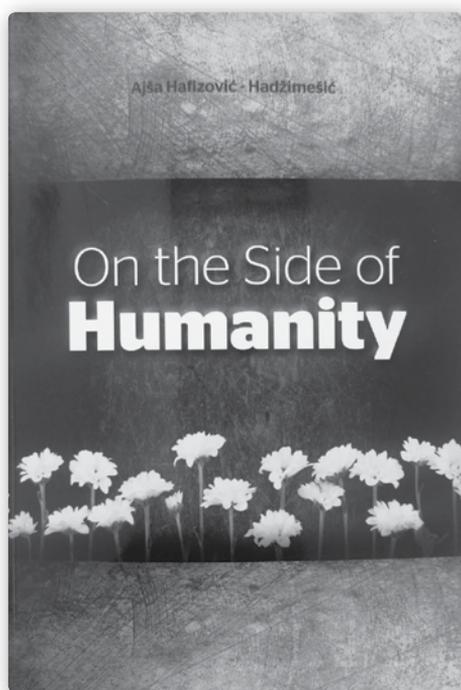
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### Ajša Hafizović-Hadžimešić ON THE SIDE OF HUMANITY

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390 pages, ISBN 978-9926-8091-8-8

**S**rebrenica massacre is a genocidal killing which occurred in July 1995 where 8 372 Bosniak males were killed by Bosnian Serb Army of Republika Srpska under the command of Ratko Mladić. Srebrenica Genocide Memorial Center, known as Srebrenica - Potočari Memorial and Cemetery is the memorial-cemetery complex set up to honor the victims of the genocide, which currently counts 6 504 graves out of 8 372 craved names. However, Serbia and its officials still deny in various forms that Serbian Military forces committed genocide.

United Nations Security Council adopted resolution 827, which passed on May 25, 1993, to establish The International Criminal Tribunal (ICTY) for the former Yugoslavia whose main objective is “to try those individuals most responsible for appalling acts such as murder, torture, rape, enslavement, destruction of property and other crimes listed in the Tribunal’s Statute”. ICTY is the first established international criminal court, after Nuremberg and Tokyo, which enormously contributed to interna-



tional criminal law and left behind a rich legacy.

Many people curiously followed ICTY investigations, trials and convictions but only few of them knew what exactly ICTY team did. In order to prove that, remarkable book titled “On the side of humanity” of indefat-

igable and dedicated journalist Ajša Hafizović-Hadžimešić exposed a seriousness and tireless work of ICTY team and also raised a set of complex feelings, emotions, and responsibility towards humanity.

Reading this book, one can on one side only empathetically think of words such as genocide, mass murders, ethnic hatred, sexual violence and rape, justice, human rights, impunity, Tribunal, evidences, victims, witnesses, indictments and convictions. On the other side, the author with her brilliant idea documented, through her interviews, outstanding and serious work of ICTY professionals and others who supported ICTY in achieving justice. The author explained how Bosnia and Herzegovina's contribution to ICTY's achievements and international criminal law is considered of significant importance. She shared work of ICTY team, the tireless work the Association "Mothers of the Srebrenica and Žepa Enclaves" whose main goal is to advocate for justice for victims of the Srebrenica massacre and the support of other people advocating against genocide; she diligently shared remarkable wisdom and genuine messages of each interviewee.

Largest part of book's narrative is ICTY team, composed of judges, prosecutors and investigators. Other interviewees are Amir Amić, ICTY Bosniak Liaison Officer, Munira Subašić from the Association "Mothers of the Srebrenica and Žepa Enclaves", Dunja Mijatović, CoE High Commis-

sioner for Human Rights, Adama Dien, former UN Special Adviser on the Prevention of Genocide, Tanja Fajon and Igor Šoltes, Slovenian members of European Parliament, Waqar Azmi, British Charity "Remembering Srebrenica" and Jasmila Žbanić, a famous Bosnian film director, screenwriter and producer best known for her film "Quo vadis, Aida?"

It is astonishing how the book reveals ICTY's tireless work which from 1993 to 2017 resulted in 10 800 trial days and heard 4 650 witnesses, having in its archive 3 million pages of transcripts, 2 petabytes of digital data and 30 000hrs of unique audiovisual recordings. Another astonishing fact documented is that the Office of the Prosecutor alone left behind approximately 10 million pages of documents, 14 thousand audio tapes, 10 thousand vides, 4 thousand electronic discs and 14 thousand cases. Such unprecedented amount of work!

The book mentions ICTY's decisions, as the first international criminal court to convict rape as a form of torture and sexual enslavement as a crime against humanity, which surely made a turning point in international criminal law, especially when it comes to sexual violence and gender-based violence. UN Security Council based on the Tribunal's ruling adopted 4 important Resolutions as UN SC Resolutions 1325 (2000) on Women, Peace and Security; UN SC Resolutions 1820 (2008) eliminated gender-based violence in armed conflicts; UN SC Resolutions

1888 (2009) combats sexual violence against women and children in conflict and UN SC Resolutions 1889 (2009) address obstacles to women's participation in peace processes and peacebuilding.

Another important fact about ICTY documented in the book, is that the ICTY model is used as basis for the International Tribunal for Rwanda and Special Court for Sierra Leone, ad hoc legal mechanisms such as Kosovo Specialist Prosecutor's Officer and the African Union Hybrid Court for crimes in South Sudan and out-of-court accountability mechanism which was established for Syria aiming is to investigate and gather evidence of violations of international humanitarian law and human rights.

Herewith are extracted from the book few remarkable wisdom and genuine messages of distinguished ICTY team members.

Carmel Agnus, President of ICTY/IRMCT, stated that the "role of the humble victims and witnesses is of fundamental importance. Bravery of the victims despite immense suffering combined with a determination to move on with their lives and comes carry a greatest significance than the evidence itself. Inspiration to expose the truth and participate in justice process, encourage societies to confront reality. Victims demonstrated extraordinary strength, resilience and courage".

Richard J. Goldstone's, Chief Prosecutor of ICTY/ICTR, message is that

"Srebrenica will be remembered by history and will be a call to future generation not to allow a repetition of that evil".

Serge Brammertz, Chief Prosecutor of ICTY/IRMCT, stated that "perpetrators were among the most powerful actors in their societies and had a responsibility to protect people. To see how powerful abused their authority to destroy, would and kill is definitely repugnant. The most important moments in 10 years were meeting victims and witnesses".

Theodor Meron, President of ICTY/IRMCT, stated that "Law cannot stop all conflict or all brutality but hold accountable persons committing it. Establishment of international criminal tribunals expresses utter repudiation of the act itself and to say in essence "never again"".

Mark Harmon's, senior trial Attorney at the ICTY, message is that "the world will be safer place because of your strength and efforts".

Kenneth Scott's, senior Trial Attorney at ICTY, powerful message is that the "real and durable peace cannot be achieved unless justice is done and seen to be done. The continuing challenge for international criminal justice is a deep culture of impunity and irresponsibility in terms of human cost".

Amir Ahmić, an outstanding Bosniak Liaison officer with ICTY/IRMCT, emphasized the important role which the Islamic Community had in the great victory for Bosnian society.

Two distinctive females whose significant role was presented in the book

and was significant in ICTY in regards of the sexual and gender-based violence, are surely Patricia Viseur Sellers, Legal Advisor for Gender, Acting Head of the Legal Advisory section and Prosecutor at ICTY, and Michelle Jarvis, ICTY/IRMCT Deputy Prosecutor. Patricia Sellers's challenging responsibility was to devise policies, strategies and operation guidelines, which would redress war crimes and crimes against humanity. She helped in prosecuting cases of crimes of sexual violence against both female and male survivors/victims, having charged 70 individuals where most of charged were found guilty of sexual violence. Prof. Sellers stated that the ability to secure a conviction for the most powerful perpetrators, who have caused widespread damage to their population, is an exciting and evolving aspect of international criminal law. Michelle Jarvis also proved that sexual violence can be prosecuted as war crime, a crime against humanity and genocide. Her commitment to prosecution of conflict-related sexual violence was presented in her book "Prosecuting Conflict related sexual violence at the ICTY", co-edited with ICTY Chief Prosecutor Brammertz.

Remarkable and tireless work in advocating for justice for victims, presented in the book, are Munira Subašić, President of Association "Mothers of the Srebrenica and Žepa Enclaves, and Kada Hotić, Vice President. Munira Subašić, a heroine of a century, lost her husband, son and 50 close relatives in Srebrenica. She made

sure that through her activism the victims' voices are heard throughout the world. Initial objective of Mothers of the Srebrenica and Žepa Enclaves was to find the truth about missing persons in July 1995 and of all those who went missing from 1992 to 1995 in Srebrenica, Žepa, Sokolac, Han Pijesak, Rogatica, Vlasenica, Bratunac, Zvornik, Višegrad and Foča. In course of time, objectives expanded from participating in exhumations, identification and collective funerals, testifying at ICTY and BiH courts to assisting with in solving issues if members' children, alerting local and international communities to survivors' issues as well as the problem of genocide denial. Ms. Hotić lost her son, husband, two brothers and 52 close relatives.

Several most important commitments of Ms. Subašić and Ms. Hotić are diligently presented in the book, proving that for many years of tirelessly continuing to advocate against genocide, fight for victims' and witnesses' rights, makes sure that atrocities committed in Bosnia are not forgotten while aiming to globally preserve universal human values.

"On side of the humanity" is extraordinary book whose title sends a very powerful message to readers and it seriously documents tireless and enormous work of ICTY. Many issues and lessons can be drawn from the book, which screams very powerful message of truth, end of impunity, justice and human rights. This book should certainly be promoted to the legal practitioners in the region as well as to the whole world.

Milan Jazbec

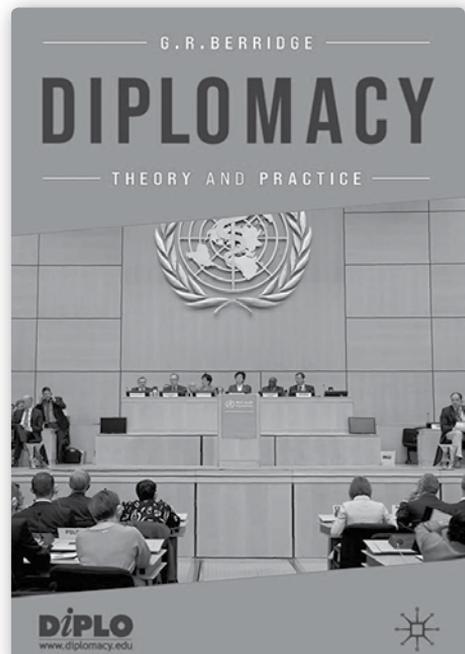
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**Geoff R. Berridge**  
**DIPLOMACY: THEORY AND PRACTICE**

Palgrave-Macmillan and Diplo, London and Geneva, 2022, sixth edition,  
302 pages, ISBN 987-3-030-85930-5

The end of the Cold War, along with the consequent eruption of globalization, provided i.a., circumstances for the emergence of diplomatic studies as a separate, independent academic discipline focusing only on diplomacy. After a bit more than two millennia, when Thucydides in his *History of the Peloponnesian War* for the first time dwelled on diplomacy, this break-even point was reached. In the meantime, diplomacy was a research field of political sciences (Machiavelli), international law (Grotius), followed by a series of works by practitioners (Satow and Nicholson as monumental classics) and academics as well. Names like Watson, Anderson, Barston, Sen, Mahalgaes to name but few were paving the way during the previous century towards a clear intersection between science of international relations and political sciences, where in that narrow point diplomatic studies started to emerge.

It was Geoff R. Berridge, Professor Emeritus of Politics and International Relations at the University of Leicester, who in 1995 with his ground-



breaking volume *Diplomacy: Theory and Practice* initiated that process. Almost three decades later, already the sixth edition (2022) of this book was published by Palgrave-Macmillan, this time in cooperation with *Diplo*. Here one should add that it is exactly *Diplo* (where the respected author is a senior fellow) that with its theoret-

ical production (like Language and Diplomacy, 2001; Intercultural Communication and Diplomacy, 2004, Multistakeholder Diplomacy, 2006; Persuasion, 2013) and practical expertise (numerous on-line innovative courses on diplomacy) marks these break-even trends towards fixing of the diplomatic studies. Within this context one should at least add two more outstanding works, cementing the new academic discipline, namely *The Essence of Diplomacy* (2005) by Christen Jönsson and Martin Hall and *The 21<sup>st</sup> Century Ambassador: Plenipotentiary to Chief Executive* (2008) by Kishan Rana (the latter, also as this reviewer, a senior Diplo fellow).

As this reviewer put it in his paper *The Evolution of Diplomacy and Social Sciences*<sup>1</sup>, the structural complexity of the international community at the turn of the millennium as well as its radical difference in comparison with any previous period provided circumstances for a new view on diplomacy, this “the most important institution of our society of states” (Berridge, 2015, p.1 and 2022: xxvii). The quoted author offered basic parameters for this new stream of thought.

His text (1995/2002/2005/2010/2015/2022)<sup>2</sup> on diplomacy pointed out, along with the so far typical views on diplomacy and its understanding

(diplomatic relations, mission, consular affairs, international organizations, legal background, protocol), rephrased topics like Diplomatic Momentum, and Mediation as well as their different understanding.<sup>3</sup> This is being cemented also later on: Diplomatic Momentum, Embassies (The normal embassy, The fortress embassy, The mini-embassy, The multilateral embassy – a highly unconventional and innovative categorization), Public Diplomacy (Rebranding propaganda, The importance of public diplomacy, The role of the foreign ministry, The role of the embassy), and Diplomacy without Diplomatic Relations.<sup>4</sup> This illustrates the main shift towards diplomatic studies: from mainly practitioners’ handbooks to (innovative) theorizing diplomacy. Here, one should quote Sharp’s in-depth and particular theorizing and dwelling, like “quite what diplomacy is remains mystery” (2009, p.1)<sup>5</sup>.

The core structure of the sixth edition of the Berridge’s *Diplomacy* remains the same: dwelling on the Foreign Ministry as the introductory warming up, followed by three parts, namely The Art of Negotiation (see Diplomatic Momentum, and Packaging Agreements), Diplomacy with Diplomatic Relations (see Telecommunications), and Diplomacy Without Diplomatic Relations (see Embassy Substitutes).

1 Journal of Law and Politics, Vol. 2, Issue 2, June 2021, pp. 1-17.

2 Six expanded and updated editions in almost three decades, including online updating, in particular for recent developments (<http://grberridge.diplomacy.edu/>).

3 Content of the third edition, 2005: viii-ix.

4 Content of the fifth edition, 2015: vii-ix.

5 Sharp, Paul. 2009. *Diplomatic Theory of International Relations*. Cambridge University Press.

Altogether, his view on diplomacy is refreshed, if not renewed already back then: “Diplomacy is an essential political activity” (2005, p.1), he claims. Henceforth, “[I]ts chief purpose is to enable states to secure the objectives of their foreign policies without resort to force, propaganda, or law” (ibid.). Next: “Diplomacy is not merely what professional diplomatic agents do” (ibid.), it is more: “It is also carried through many different channels besides the traditional resident mission” (ibid.).<sup>6</sup> While Berridge is expressing throughout his writing negotiation as the most important function of diplomacy and firm optimism in the future of diplomacy, two points have to be explicitly noted. Firstly, “the communication revolution has made the resident mission both more responsive and more able to make inputs into policy-making at home” (ibid., p.215), and secondly, diplomacy “can produce advantages obtainable from the cooperative pursuit of common interests and prevent violence from being employed to settle remaining arguments over the conflicting ones” (ibid., p.217).

In the sum-up of the updated volume, he clearly states that the embassy “support[s] if not lead[s] in the execution of the key functions of diplomacy” (2022, p.277) as well as praises the role of consular posts and honorary consuls. He “signifies further recognition of the value of continuous contact between states

– a cardinal principle” (ibid., p.278). Further on, “intelligent application of new technology and new devices to support tried and tested methods” (ibid.). And, finally: “Only professional diplomacy can continuously foster the pursuit of interests held in common and settle remaining arguments over interests that conflict.” (ibid., p.279).

All these marks a specific importance of this volume that is not merely a book on diplomacy, it is a project, through which the respected author is developing his structural and eloquent view on diplomacy from various points of view – and is doing this through a time continuing approach. But it is not only this project that is of a continuous nature, it is also this author’s sustained production of books on diplomacy, like *Diplomatic Theory from Machiavelli to Kissinger* (et al., 2001), *A Dictionary of Diplomacy* (with Alan James, 2003) and *Diplomatic Classics* (2004) as well as *The Diplomacy of Ancient Greece* (2018) and *Diplomacy and Secret Service* (2019), both at *Diplo* in a *Short Introductions* series. It goes all the way towards his latest book in the pipeline *Outposts of Diplomacy: A History of the Embassy*.<sup>7</sup>

The early initiating character of this volume for diplomatic studies has been illustratively proven throughout three decades and complemented with a number of supporting ones. Approximately a century af-

<sup>6</sup> Neuhold qualifies it as “demonopolization of foreign ministries” (1992). Comp. also Rana (2008,p.9).

<sup>7</sup> <https://grberridge.diplomacy.edu/publications/>

ter Satow and Nicholson we arrived to another author, whose works on diplomacy have been continuously produced and reprinted. And it goes for diplomatic studies as it goes for any other scientific field: original and constant production makes its foundation. Additionally, it is also important that works of other authors, however not in such numbers, have been adding to this discipline.

The above presented, though in a rather limited space of a book review, serves more as only initial understanding of the influence that the discussed author has had on the emergence of the diplomatic studies. This process has been supported and enriched with many additional works, some of them directly inspired by the here elaborated ideas and views, some of them being their logical and substantial, direct or indirect and complementary follow up. What is important for the reviewed volume is that it forms – together with its five predecessors – an evolutionary stream of thought pointing out the diplomatic profession in its vibrant and flexible, ever adaptable nature. During this almost three decades there is more than one edition for each generation what enables each of them to have a comprehensive view on the way this vocation was developing and was going along with the stream of a changing historical situation.

And as for this reviewer, it was only when having an opportunity to thoroughly study the third edition, what

happened at the Paris CDG Airport on an April day of 2008, while waiting for half a dozen hours for the connection flight, that he fully realized the outstanding quality of the volume. That belief was additionally deepened and strengthened, when the reviewer had a rare opportunity and privilege to be in a certain point included in the drafting of the fifth edition. The point of bringing out these facts is obvious and simple: *Diplomacy – Theory and Practice* has to be studied, contemplated and thought over as well as being implemented in daily practice across diplomatic meridians. Only then its value comes on the surface with its full richness.

Part of the latter is a continuously innovative view upon what is this traditional profession, which is able to permanently adapt to new circumstances, to reach out to new topics, combining old methods with new approaches in fulfilling an ancient mission: observing and reporting, while constantly developing and deepening friendly relations with the receiving authority. Permanent diplomatic, i.e., personal presence on the spot is what makes diplomacy an indispensable tool of international conduct, be it either in times of the Italian city states or in the digitalized world of the maturing 21<sup>st</sup> century.

The reviewed monograph and its author vibrate this importance and mission. Diplomacy, although already well in its new period and phase, remains to be – for what we can foresee and imagine – everlast.

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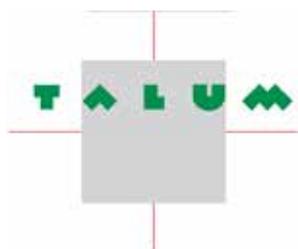




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