



Weekly Briefing

Croatia political briefing:
The Appointment of the New Director of VSOA and Politicization of
the National Security Sector
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The Appointment of the New Director of VSOA and Politicization of the National Security Sector

Summary

After almost a year-long conflict between the two heads of the executive over the new director of the Croatian Military Security and Intelligence Agency (VSOA), a new person was appointed to this position. The whole process was burdened by mutual accusations such as who wants to control the national security sector and have prevalence in decision-making. The former director was apparently involved in financial embezzlement, but it is still unknown to what extent, while the acting director only had limited powers. Eventually, Ivan Turkalj was appointed to the position by the consent of both President Zoran Milanović and Prime Minister Andrej Plenković.

Introduction

This article will discuss the appointment of the new director of the Croatian Military Security and Intelligence Agency (*Vojno sigurnosno obavještajna agencija*, VSOA), Ivan Turkalj, who succeeded Ivica Kinder whose mandate ended on 10 July 2023. In between Turkalj and Kinder, Brigadier Ante Kujundžić was an acting director of VSOA for a month due to the inability of the President of State and the Government to reach an agreement on a long-term successor of Kinder. During his one-month term, Kujundžić was not in a position to submit written proposals on data collection and had limited powers. His main responsibility, though, was to coordinate the work of the agency and to sign agreements within the jurisdiction of VSOA until a new person was agreed upon and appointed by the joint decision of President Zoran Milanović and Prime Minister Andrej Plenković.

Unfortunately, the process that could have been finished in a matter of a few weeks, or a couple of months, revealed many issues in the Croatian national security system, most of all, in those areas where the mutual consent of both heads of the executive is needed. Likewise, the professional animosity between President Milanović and then-Minister of Defense Mario Banožić brought complications with the former wanting to use the opportunity of the new director of VSOA appointment to discuss the appointments of other high-ranking military

officers. The latter confronted Milanović, insisting that the only matter of discussion should be the appointment of the new director, while accusing the President of blocking the process. Eventually, Milanović and Plenković resolved the differences and came to the conclusion that Ivan Turkalj would be the suitable choice for the new director of VSOA.

An Overview of the Croatian Security and Intelligence System

Before we tackle further into the very topic of this article, a few words shall be said about the security and intelligence system of Croatia in general. It consists of two agencies, VSOA and the Security and Intelligence Agency (*Sigurnosno-obavještajna agencija*, SOA). Both were created in 2006 when the Law on Security and Intelligence System (*Zakon o sigurnosno-obavještajnom sustavu*) was adopted. Before that, in the period between 2002 and 2006, there were three security services, whose work was regulated by the Law on Security Services of the Republic of Croatia (*Zakon o sigurnosnim službama Republike Hrvatske*). These services were: Intelligence Agency (*Obavještajna agencija*, OA), Counterintelligence Agency (*Protuobavještajna agencija*, POA), and Military Security Agency (*Vojna sigurnosno agencija*, VSA). Today, SOA “collects and analyzes data with the aim of detecting and preventing actions by individuals or groups that are directed against the existence, independence, unity, and sovereignty of the Republic of Croatia, violent overthrow of the structure of state authority, endangerment of human rights and fundamental freedoms...”¹. Like in the case of VSOA, the director of SOA is appointed by a joint decision of the President and the Prime Minister on a four-year term. The current director of SOA is Daniel Markić who is currently serving his second term (May 2016 – May 2020; May 2020 – ongoing).

On the other hand, one could argue that VSOA provides somewhat more specific security and intelligence services, as well as targets specific domains within the national security branch. The agency “collects, analyzes, processes, and evaluates data on the armies and defense systems of other countries, on external pressures that may impact defense security, and on foreign activities directed at jeopardizing the defense security of the country [...] it is an organizational unit of the Ministry of Defense responsible for planning and implementing support to the Ministry of Defense and the Armed Forces”². The former directors of VSOA include Gordan

¹ Republika Hrvatska Sigurnosno-obavještajna agencija. Što je SOA? <https://www.soa.hr/hr/o-nama/sto-je-soa/>.

² Republika Hrvatska Ministarstvo obrane. O Vojnoj sigurnosno-obavještajnoj agenciji <https://www.morh.hr/o-vojnoj-sigurnosno-obavjestajnoj-agenciji/>.

Čačić (2006 – 2008), Darko Grdić (2008 – 2012), Zdravko Klanac (2012 – 2015), Ivica Kinder (2015 – 2023), and an acting director Ante Kujundžić (July 2023 – August 2023). President Milanović, who can initiate the process of the agency's director dismissal from office, lost confidence in Kinder in September 2022 after the Office of the National Security Council (*Ured Vijeća na nacionalnu sigurnost*, UVNS) found irregularities in the functioning of the agency. The inspection report disclosed that military agents who were on a mission in Poland, Lebanon, and Lithuania participated in financial embezzlement worth approximately 267.000,00 EUR. This was the basis for Kinder's removal, even though the Prime Minister agreed with Kinder that he would stay in office until his successor is found.

Misconduct of VSOA Agents and Personnel

Only this October, the Disciplinary Court of VSOA sentenced five employees who took part in the scandal. According to the findings, they were falsifying their expenses while on missions in the above-mentioned countries and were misusing the amounts they were provided. As reported by the Croatian media, the agents would be given a certain amount of money, but they would spend only half of it, while the other half would use it for their private purposes and would not have the receipt. Apparently, several high-ranking persons in VSOA knew about this, including an assistant of Kinder's who covered their actions and would justify the money as it was spent for the purpose of the mission. To what extent Kinder was included in it is still unknown, but the reports suggest that he was aware of the misconduct of the agency's employees. Nacional, a Croatian weekly news magazine, reported that “one employee was punished with two years of non-advancement in the service, two were sentenced to a ten percent salary reduction for a period of three months, and the fifth employee was only punished with a warning [...] five defendants were not even ordered to return the money and all continue to work at VSOA”³. Understandably, the public and the media were appalled by such small and even negligible punishments, if the sentence of the Disciplinary Court could be called punishment.

The whole process had political implications, with the President urging that Kinder needs to leave the position as the agency's director as soon as possible since he bears the biggest responsibility, while the Prime Minister and Minister of Defense Banožić argued that President

³ Nacional.hr. 2023. Disciplinski sud VSOA-e izrekao kazne za nenamjensko trošenje dnevnica <https://www.nacional.hr/disciplinski-sud-vsoa-e-izrekao-kazne-za-nenamjensko-trosenje-dnevnica/>.

Milanović is only trying to use the opportunity to discuss the appointments of other people in the agency. Eventually, Kinder unwillingly remained in office until the end of July 2023 due to the Prime Minister not wanting to make hasty decisions under pressure.

Unfortunately, the misconduct of military agents and the sentence of the Disciplinary Court once again showed how fragile and subjective the intelligence system in Croatia can be. Those whom ordinary citizens believe should protect them against any domestic or foreign threat end up acting in their own interest and for their own benefit. And those who should ensure that the system is legal and transparent, justify, and one could even say legitimize, misconduct by not punishing employees who have been proved of wrongdoings. However, it is not only the public and media who critically observe such mild consequences for professional misconduct of VSOA employees. What message is sent to other public servants? By following the same principle, would they be allowed to use the state money for their private interest without hardly any accountability? In a country where the level of political apathy is already high, such misconduct and reaction of the court only serve as an encouragement to others to follow the same approach.

The Issue of Politicization of the National Security Sector

During this period of uncertainty, before the new director was appointed, another question that was discussed in the public was to what extent the national security of the country was in danger. This was a legitimate issue to be raised from several perspectives. Firstly, without a director or a person responsible for making decisions VSOA cannot function properly. VSOA is, by its structure and responsibilities, established vertically rather than horizontally and key decision making powers lie with its head. Secondly, a temporary VSOA director did not have full powers to make decisions, issue commands, or sign agreements that are necessary for the agency to function. Therefore, in the interim period, the agency could not fully provide the intelligence service taking into account that much of its work is based on information-sharing activities and cooperation with other countries for which the approval of the director is necessary. Thirdly, the process of selection and nomination of a new director was burdened by mutual political accusations between the Prime Minister and the President. In other words, the Croatian national security fell as a victim of animosity between two key political figures who by law must co-decide and cooperate in the process of appointing VSOA directors. Taking into

account all these elements, it can be concluded that the national security system of Croatia was for a significant period of time in jeopardy.

However, what is even more worrying is the fact that there were very few voices in media and public in general who discussed this issue from the perspective of national security, apart from experts in the field who were called to briefly comment on the situation in the evening news. The dominant narrative was a political one with both political actors and the media pushing the conflict between the President, on the one hand, and the Prime Minister and Minister of Defense, on the other hand. Thus, media coverage of the VSOA director appointment contributed to the public perception of the conflict between two key political figures while disregarded the element how this conflict affects the country's national security.

Unfortunately, in such an environment the voices of experts who can provide reasonable comments and underline the gravity of the situation, as well as give suggestions to those in the executive, appear to be unwanted. They remain sidelined, only providing opinions either in expert articles posted on national security portals, such as *Obzor*, or as mentioned earlier in the evening news on national television. While acknowledging that every issue can, and to some extent, has to be perceived through the political narrative, it appears that the goal of this is not to find a solution, but to gain political points. In the next few sections more will be said about how the situation was eventually resolved, and the new director of VSOA appointed.

The Agreement on a New Director of VSOA

On 1 February 2023 Minister of Defense Mario Banožić suggested Mijo Validžić, brigadier general and a person of his trust, but to the Croatian public relatively unknown figure, as a candidate for the new director; however, President Zoran Milanović did not want to approve this motion. This situation lasted for five months until early July when Prime Minister Plenković announced that Ante Kujundžić would perform the role of the agency's acting director until the agreement is not reached. Milanović went a step further and decided to address the Croatian public. He said: "...Instead of respecting the constitutional procedure for appointing the director of VSOA and contrary to established democratic practices, the government has prepared an unconstitutional solution according to which the temporary head

of the Agency would be appointed and dismissed by the Minister of Defense"⁴. Milanović continued that this was the plan of the ruling party to gain control over the security and intelligence system: "I want to be clear - this is a political coup by Andrej Plenković against the constitutional order and democracy, which brings Croatia back to the time when intelligence services were under the direct control of the ruling party. The HDZ government wants to regain party control over VSOA..."⁵.

The ruling party, of course, denied such accusations, claiming that the President was the one who did not respect the constitution and blocked the appointment of the new director when he refused to give his opinion on the Ministry of Defense nominated candidate Mijo Validžić, causing a five-month delay in the work of the agency. However, the public did not have to wait for too long until the situation was finally resolved. During early August, on the occasion of Victory and Homeland Thanksgiving Day and the Day of Croatian Defenders, President Milanović and Prime Minister Plenković had an opportunity to talk in person, and apparently the two held a meeting where they discussed their opposing opinions on the matter. After the Victory Day the news leaked that the new director of VSOA will become Brigadier General Ivan Turkalj. The details of the meeting remain unknown, but the Office of the President issued a statement in which it said that, apart from appointing Turkalj as the new director, the two heads of the executive agreed upon other military officers in the Croatian Armed Forces, as well as on the process of proposing military representatives of the Republic of Croatia to the European Union (EU) and NATO. Milanović's initial demand was, thus, accepted by the Government which marked an end to a year-long deadlock in the functioning of VSOA.

National Security Sector Amid Rising Global Conflicts

What will be the repercussions of such a delay in the work of the agency which is supposed to spearhead the security and intelligence system that relates to military activities is hard to tell. However, after the recent comments given by Ukrainian President Volodymyr Zelenskyy that the Balkans might become a new area of distraction, with Russia pushing to start a new conflict between the countries in the region, one could argue that the proper

⁴ Dnevnik.hr. 2023. Milanović: "Odlučio sam upozoriti na ozbiljnu prijetnju. To je politički udar Andreja Plenkovića na ustavni poredak i demokraciju" <https://dnevnik.hr/vijesti/hrvatska/predsjednik-zoran-milanovic-o-rjesavanju-kadrovske-krize-u-vsoa-i---790501.html>.

⁵ Dnevnik.hr. 2023. Milanović: "Odlučio sam upozoriti na ozbiljnu prijetnju. To je politički udar Andreja Plenkovića na ustavni poredak i demokraciju" <https://dnevnik.hr/vijesti/hrvatska/predsjednik-zoran-milanovic-o-rjesavanju-kadrovske-krize-u-vsoa-i---790501.html>.

functioning of the military security and intelligence agency is now needed more than ever. Of course, all these comments have to be taken with a pinch of salt since Prime Minister Plenković said that he did not speak with Zelenskyy and that he is unsure what the Ukrainian President was exactly referring to, but the fact is that without an agency which will collect data and collaborate with other actors in the national security system, the defense of Croatia is at stake. Nevertheless, now that the new director is appointed and has the power to make decisions, the expectations are that the agency will perform its duty in accordance with its obligations. With the conflict between Israel and Hamas escalating every day, and the new wave of migrants expected to take place in the near future, all security services need to be on stand-by and ready to act in case of urgency.

But what has not been resolved is the remaining issue of financial malversation in which the VSOA agents and personnel were involved. Regardless of the decision of the Disciplinary Court, which is embarrassingly unjust taking into consideration the money which was, in lack of a better word, stolen from the country, the fact is that those guilty of this crime will continue to perform their duties, only to a lesser extent. Once again, the system has shown that not everyone is equal before the law and that not everyone will bear the consequences of their actions. In a situation where the majority of citizens would suffer heavy punishments for misbehavior such as the one described in this article, VSOA agents and personnel were not fired nor were they asked to return the money. When something like this happens in the organization which is expected to be structured according to a strict hierarchy, where written evidence of all actions should exist, as well as procedures to follow, one could ask what happens in less organized public bodies. Unfortunately, this all will be forgotten in a matter of no time and the business will continue as usual. Likewise, there are no indicators that the situation will change for the better and that public servants and service will raise the level of their accountability.

Conclusion

This article presented the circumstances surrounding the appointment of the new director of VSOA, Brigadier General Ivan Turkalj. After a deadlock that lasted almost a year, with the agency functioning without the proper leadership, Turkalj was appointed only in August this year. However, the complete process was heavily politicized by perpetual conflicts between the President, on the one hand, and the Prime Minister and Minister of Defense, on the other hand,

with both sides apparently forgetting that the new director has to be appointed by a joint decision of Milanović and Plenković. In the meantime, it was discovered that the agents and personnel of VSOA participated in financial embezzlement in which they were using the state money for their private purposes during missions abroad. When this was discovered, more than 15 people were inspected, but only 5 were charged by the Disciplinary Court. The penalties, however, were almost insignificant with everyone of the five keeping their jobs.

Amid a War in Ukraine and the recent conflict between Israel and Hamas, the national security alert is at a high level. Unfortunately, by looking at the processes that have taken place in VSOA, citizens can rightfully be worried about what kind of protection they will get from those who are in charge of safety issues. We are often reminded that Croatia is among the safest countries in Europe, and the citizens might genuinely feel safe, but nevertheless, it is apparent that the system has been corrupted from the inside and that questions about responsibility have not been answered. One can only hope that with the new director of VSOA things will get better, but taking into account the politicization of the national security sector the new conflicts should never be removed from the table.