

## NATIONAL SECURITY SYSTEM IN LITHUANIA: CASE STUDY ACCORDING TO INSTITUTIONAL FRAGMENTATION THEORY

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### Abstract

When analyzing services as institutions in the context of public sector organizations as a whole, we need to consider various aspects, for example the environment in which both collaboration and competition can prevail. All of these aspects are important in examining the interrelationships and regulatory links between organizations. Relationship between institutions has become one of the central themes of public governance, which has impact for overcoming with challenges facing public sectors as socio-demographic, economic and technological changes occur.

**Purpose** – to analyze national security system of Lithuania according to three ideal types (synergistic, cooperative and conflictive) of institutional fragmentation.

**Design/methodology/approach.** Institutional fragmentation can be analyzed through the number of institutions and the prism of their legal regulation (Zelli, 2011). In the scientific literature fragmentation is divided into three types - synergistic, cooperative and conflictive (Biermann et al, 2009). Synergistic fragmentation is characterized by an equal participation of all institutes, providing the general operating principles, separating the regulation of activities, but essentially integrating all institutional structures. Collaborative or cooperative fragmentation is characterized by poorly integrated institutions and decision-making procedures, where the relationship between these different norms and principles is often ambiguous or when not all institutions are involved in core activities. In the context of conflictive institutional fragmentation, institutions have different decision-making procedures, operating principles, norms and rules are even contradictory (Biermann et al, 2009).

The case study method was chosen, which allows to thoroughly analyze the situation in the real context and to describe and explain the phenomenon under study. This method generally adopt a neutral, distanced and factual tone with the purpose of explaining results to peers so that they can be re-applied, tested and, ideally, reproduced (Lapoule and Lynch, 2018). In the case study the key element is undoubtedly the case which also has a number of characteristic features (Sherzod et al., 2020). In this research national security system as a specific case was chosen.

**Finding.** Currently in Lithuania we have very fragmented national security model. In order to deal with this situation, it would be advisable to unify the general provisions of the statutory civil service and to regulate them in a single legal act. The analysis shows that the reforms following the restoration of independence did not set clear goals for the national security system.

**Research limitations/implications.** This research provides a case study based on national security services regulation.

**Practical implications.** The strict separation between the statutory and military services, which attributes the civil defense service to the system of statutory services, suggests that Lithuania has an overly fragmented, even conflicted model of regulating relations between national security services. National security system documents to improve this system are disadvantageous, as this policy aspect, which covers the responsibilities of many ministries and even individual branches of government, does not clearly distinguish national security activities from the functions of other institutions. The

absence of such a demarcation means that we cannot adequately assess the adequacy of national security capabilities to challenges or potential adverse scenarios.

**Originality/Value.** National security system is considered as the activity of individual services without examining the whole and separating the statutory from the military services. This case study looks at these services together as a whole of the national security system.

**Keywords:** *national security, institutional fragmentation, synergistic, cooperative and conflictive fragmentation*

**Research type:** case study.

## Introduction

The analysis of the national security system is a hot topic, as each citizen is more or less concerned with the national security of the state in which he or she lives or with whom he or she relates. Nowadays national security is facing with various international processes, globalization, unprecedented human, financial flows, trade and information, causing, in addition to the huge benefits and the emergence and development of numerous threats conventional or asymmetric at the national and international legal order and to peace, stability and universal human rights (Barcan, 2011). According to the theory of institutionalism, in the process of ensuring national security, interacting institutions rescue each other on the basis of rules, best practices, and the social environment, and encourage individuals to act and reduce inter-institutional exclusion. However, not only interoperability, cooperation and integration, but also aspects of competition and institutional fragmentation for national security need to be considered when examining interconnections and regulatory links.

Relationship between institutions has become one of the central themes of public governance, which has impact for overcoming with challenges facing public sectors as socio-demographic, economic and technological changes occur. When analyzing services as institutions in the context of national security system as a whole, we need to consider various aspects, for example the environment in which both collaboration and competition can prevail. All of these aspects are important in examining the interrelationships, subordination and regulatory links between organizations. However national security system of Lithuania is complex and fragmented at multiple levels (Bileišis and Ungurytė-Ragauskienė, 2019).

Fragmentation can be analyzed through various aspects. In the scientific literature institutional fragmentation is divided mostly into three types - synergistic, cooperative and conflictive (Biermann et al, 2009). Synergistic fragmentation means an equal participation of all institutes, providing the general operating principles, separating the regulation of activities, but essentially integrating all institutional structures. When the relationship between institutions is integrated but with different norms and principles is often ambiguous or when not all institutions are involved in core activities it is the second type - collaborative or cooperative fragmentation. In the context of third conflictive type institutions have different decision-making procedures, operating principles, norms and rules are even contradictory or conflicted.

National security system is considered as the activity of individual services without examining the whole and separating the statutory from the military services. This case study looks at these services together as a whole including external and internal security policies. Case study aims to analyze national security system of Lithuania according to three ideal types (synergistic, cooperative and conflictive) of institutional fragmentation and was made according to three aspects allowing at least a theoretical evaluation of fragmentation – (a)

institutional fragmentation or subordination; (b) norms acts or legal basis; and (c) status of civil servants. It should be noted that the study is based on theoretical assumptions only, for more accurate data, a more in-depth analysis of the legislation or a survey of security personnel should be carried out.

### **Institutional fragmentation theory**

When examining the theory of institutional fragmentation, the concept can be divided into two equivalent terms, which are often used as separate words in scientific literature – institutional or the theory of institutionalism and fragmentation. Some authors conceptualize fragmentation in a broader socio-cultural sense as the opposite of globalization and the terms „universal“, „non-fragmented“, using this concept then talking about “decentralization” or “multiplicity”, „division of labor” and so on (Biermann et al, 2009). Mostly this term is used in the legal language. Fragmentation is characterized by the emergence of specialized and relatively autonomous rules or rule complexes, legal institutions and spheres of legal practice (Scott, 2011). One may stick to a parsimonious or formal framing that defines the shape of fragmentation according to the number of institutions and the legal coherence among them (Zelli, 2015). It is indisputable that all institutions are fragmented to some degree. Fragmentation emphasizes the isolation and disconnect between regimes and institutions (Scott, 2011). Many theories claims that all institutions consist of distinct parts that are hardly ever fully interlinked and integrated (Biermann et al, 2009).

Institutional fragmentation theory has become quite extensive over the past 15-20 years (Zelli, 2015). Institutional fragmentation and policy co-ordination gaps have been reported as a result of the implementation of the New Public Management (NPM) reforms (Nakrošis, 2011). NPM particularly touched public sector institutions and agencies by using methods from the private sector. Reforms which were meant to promote privatization and managerialism had an impact on fragmentation (Citroni et al, 2019). This concept raised ideas of decentralization and autonomy of the institutions in the public sector. By the way, almost 600 agencies were counted in Lithuania a few years ago (Nakrošis and Budraitis, 2012). However, NPM was criticized because of these basic ideas that led to fragmentation between institutions so other theoretical assumptions for effective functioning were sought. Merging agencies and consolidating agencies would help to reduce institutional fragmentation and improve policy coordination (Nakrošis, 2011).

As it was mentioned before, all institutions are fragmented, but the question is if it is measured. In the scientific literature degree of fragmentation can be assessed on various criteria. Studies of institutional fragmentation are moving to the stage of exploring the causes, consequences, management and degree across issues (Oh and Matsuoka, 2017). Fragmentation may vary considerably across issue areas, spanning a continuum from domains with relatively low levels of fragmentation to highly intricate institutional complexes (Zelli, 2015). The relative degree of complexity and fragmentation in organizational field may be expressed in the numbers of similar organizations and regulatory overlap between them (Holzscheiter, 2017). Scholarly focus is laid on the conflictual or synergistic nature of linkages among institutions or regimes and appropriate coordination management (Oh and Matsuoka, 2017). It means that institutional fragmentation can be the cause of synergies between institutions as well as the cause of too much gap and incompatibility.

Based on some specific criteria mentioned before, Frank Biermann, Philipp Pattberg, Harro van Asselt and Fariborz Zelli (2009) proposed to differentiate between three types of fragmentation:

- synergistic fragmentation;

- cooperative fragmentation;
- conflictive fragmentation.

These authors suggested three ideal types of institutional fragmentation according to three aspects (Table 1): degree of institutional integration and degree of overlaps between decision-making systems; existence and degree of norm conflicts; type of actor constellations.

**Table 1. Typology of Fragmentation**

	<b>Synergistic</b>	<b>Cooperative</b>	<b>Conflictive</b>
<b>Institutional integration</b>	One core institution, with other institutions being closely integrated	Core institutions with other institutions that are loosely integrated	Different, largely unrelated institutions
<b>Norm conflicts</b>	Core norms of institutions are integrated	Core norms are not conflicted	Core norms conflict
<b>Actor constellations</b>	All relevant actors support the same institutions	Some actors remain outside main institutions, but maintain cooperation	Major actors support different institutions

Source: Biermann, *et al.*, 2009

The first type is ideal type when separated or fragmented institutions can achieve synergy results. Situation of synergistic fragmentation is when the core institution includes (almost) all countries and provides for effective and detailed general principles that regulate the policies in distinct yet substantially integrated institutional arrangements (Biermann et al, 2009). This type of institutional fragmentation mark the issue area, refers to a global governance architecture in which almost all countries participate in the core institution in an issue area (Zelli, 2015) and where this institution provides for effective and detailed general principles that regulate the policies in distinct yet substantially integrated institutional arrangements (Biermann et al, 2009). According to this type of fragmentation every principles, norms, and rules including decision-making processes requires ratification by every separate institution. Such a regulative system enables synergies between fragmented institutions to be achieved.

The second type of institutional fragmentation is probably the most likely when we are talking about different institutions. The situation of cooperative fragmentation is when an issue area is marked by different institutions and decision-making procedures that are loosely integrated, when the relationship between norms and principles of different institutions is ambiguous (Biermann et al, 2009). This type of fragmentation when not all major countries participate in the core institution (Zelli, 2015).

The term fragmentation tends to have a negative connotation and is best illustrated by its third type. The situation of conflictive fragmentation is when an issue area is marked by different institutions that are hardly connected or have different, unrelated decision-making procedures, have conflicting sets of principles (Biermann et al, 2009). Conflictive fragmentation occurs when the institutions in a given architecture are hardly connected or have very different decision-making procedures, when the principles, norms and rules are conflicting and when the memberships of the institutions overlap in such a way that different actor coalitions accept or advance these conflicts (Zelli, 2015). Such fragmentation paves the way to an unclear definition of responsibilities and the marked decentralization of decision-

making implies poor integration and an inefficient scale of service delivery (Citroni et al, 2019).

Given that the authors' analysis focuses on global governance, their comparative aspects have been adapted to the case study of the national security system of Lithuania. Case study of the national security system will be made according to three aspects:

- Institutional fragmentation or subordination;
- Norms acts or legal basis;
- Status of civil servants.

National security system is considered as the activity of individual services without examining the whole and separating the statutory from the military services. Study requires an overarching dynamic model to integrate the different actors' moves and their effects (Paté-Cornell, 2012). This case study looks at these services together as a whole including external and internal security policies.

### **National security system in Lithuania: NATO and EU impact**

National security policy can be pursued both domestically and overseas or external and internal security policies and become a central goal of these policies. That is why it is important to investigate the role of the state and improving governance to counter internal and external destructive security factors (Petrov, 2015). Article 135 of the Constitution of the Republic of Lithuania (*Official Gazette*, 1992, No. 33-1014) states that the Republic of Lithuania, in implementing its foreign policy, shall be guided by the generally recognized principles and norms of international law, seeking to ensure the security and independence of the country. The Lithuanian National Security Strategy (Strategy) stipulates that Lithuania's national security is part of the indivisible security policy of the North Atlantic Treaty Organization (NATO) and the European Union (EU) (*Official Gazette*, 2002, No. 56-2233). According to Strategy the threat to the security of one NATO or EU Member State is also a threat to Lithuania's national security. The Strategy states that Lithuania bases its national security policy on the values that unite the above international organizations, implements it independently, in cooperation with other states and through international organizations.

The Law on the Fundamentals of National Security of the Republic of Lithuania stipulates that the national security system of Lithuania shall consist of the basic provisions, principles and methods approved for this purpose by the State and its citizens, the means of membership of the European and Transatlantic Union, laws and other legal acts principles of activity and ways of interaction with each other (*Official Gazette*, 1997, No. 2-16). Sixteen years ago, by signing the North Atlantic Treaty (*Official Gazette*, 2004, No. 40-1299) and becoming a full member of NATO, Lithuania affirmed its desire for peaceful co-existence with all nations and all governments, committed to stability and prosperity in the North Atlantic its efforts in the interests of collective defense and the preservation of peace and security. In the Government Program of the Republic of Lithuania (*TAR*, 2016, No. 28737), NATO was identified as vital to Lithuania as the most important and effective collective defense system for ensuring national security, effective deterrence of potential aggression, and Lithuania's essential interest in strengthening transatlantic to contribute fully to the strengthening of European-US relations.

Upon accession to the EU, Lithuania's national security became inseparable from the European Security and Defense Policy, which is an integral part of the EU Common Foreign and Security Policy (CSDP). CSDP promote the interests, objectives, and strategic political-military national cohesion and to ensure coordination of sartorial strategies in defense and defense diplomacy (Barcan, 2011). In recent years, the EU has embarked on ambitious

security and defense initiatives and on-going cooperation including closer and more effective cooperation with NATO. 1990 counted as a revolution for Lithuania, EU accession and NATO membership were adaptations (Bileišis and Ungurytė-Ragauskienė, 2019). Lithuania's membership in NATO and the EU aims to ensure stability and security in the region and throughout Europe. The NATO and EU membership commitments contribute to security policy by reducing external threats, preventing terrorism, maintaining peace and resolving conflicts. Lithuania's membership in NATO and the EU is inseparable from the country's security policy and is one of the means of ensuring national security. Lithuania's national security is strengthened by NATO and EU membership, which acts as a deterrent and is a guarantee of Lithuania's security. However, in order to ensure national security, membership of these organizations is not sufficient, it is necessary to improve the public administration of the country and to pay special attention to the role of national security institutions.

The role of citizens in ensuring national security is very important in Lithuania. In the Encyclopedic Military Dictionary (Čiočys et al, 2008), it is stated that the purpose of national security policy are not only the state, but the citizens as well, striving to develop and consolidating democracy, to secure the nation and state. But another group or category of security actors with a primary responsibility for national security plays a key role.

### **Fragmented national security system in Lithuania: case study**

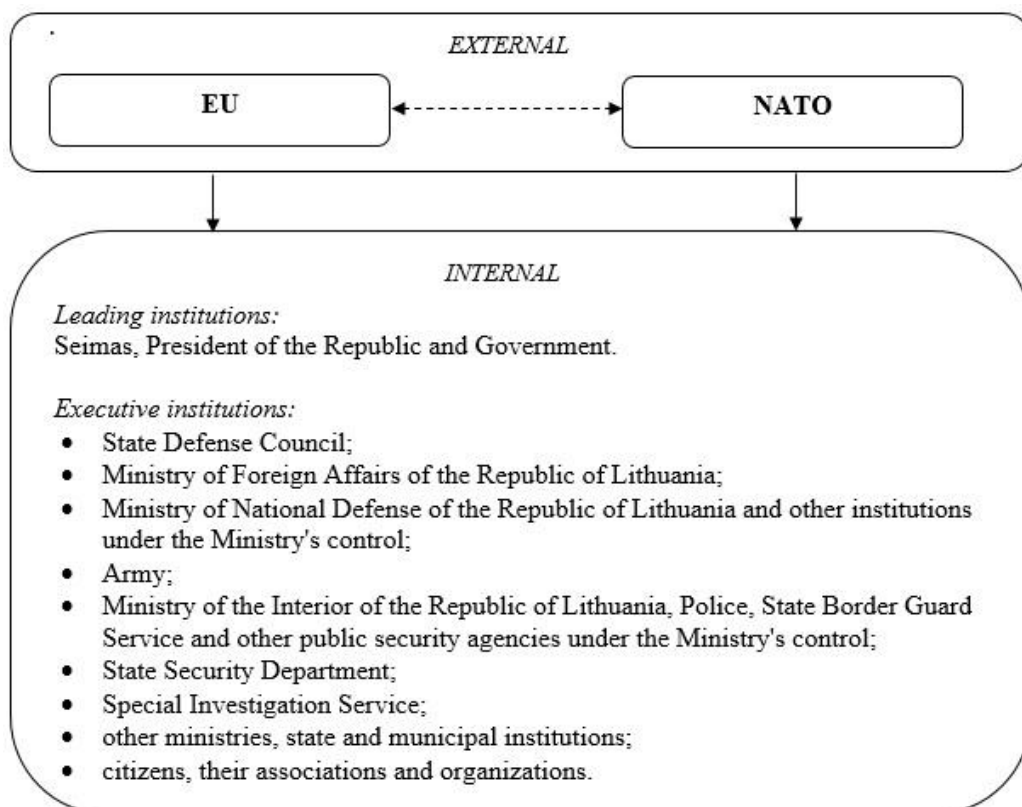
The case study method was chosen, which allows to thoroughly analyze the situation in the real context and to describe and explain the phenomenon under study. This method generally adopt a neutral, distanced and factual tone with the purpose of explaining results to peers so that they can be re-applied, tested and, ideally, reproduced (Lapoule and Lynch, 2018). In the case-study the key element is undoubtedly the case which also has a number of characteristic features (Ramankulov et al, 2020). Case involves discussion and joint search for solutions to urgent problems related to specific activities and also has an interdisciplinary nature, since it is an information complex, which includes a range of related conditions from economic to socio-political ones (Ramankulov et al, 2020). The case study is quite widely used in organizational performance studies. The main strength of this method is that after designing and writing a case study, authors may choose to examine and interpret their work with regard to existing and new theories (Lapoule and Lynch, 2018). In this research national security system as a case was chosen according to synergistic, cooperative and conflictive institutional fragmentation types.

As it was mentioned before national security policy can be pursued both domestically and overseas or external and internal security policies and become a central goal. National security is ensured through their own efforts and through cooperation with allies and partners, in accordance with national programs, EU security strategy and NATO strategic concepts (Barcan, 2011). The basic law providing for a domestic or internal security policy is Law on the Fundamentals of National Security of the Republic of Lithuania (*Official Gazette*, 1997, No. 2-16). This law defines state national executive institutions which are:

- State Defense Council;
- Ministry of Foreign Affairs of the Republic of Lithuania;
- the Ministry of National Defense of the Republic of Lithuania and other subordinated institutions;
- the army;
- Ministry of the Interior of the Republic of Lithuania (police, state border guard service and others) and other public security agencies under the Ministry's control;

- State Security Department;
- Special Investigation Service;
- Other ministries of the Republic of Lithuania and state and municipal authorities within their competence;
- Citizens, their associations and organizations.

Lithuanian national security is a comprehensive activity that is be pursued through both internal and external policies (see Figure 1), which operate within the framework of individual, interlocking, security institutions. Lithuanian defense policy is described as an integral part of national security policy aimed at developing (shaping) an international security environment favorable to Lithuania.



**Source:** Law on the Fundamentals of National Security of the Republic of Lithuania, Official Gazette. 08-01-1997, No. 2-16

**Figure 1. National security system of Lithuania**

The National Defense Council of the Republic of Lithuania (hereinafter - National Defense Council) is a state institution which discusses and coordinates the most important issues of state defense, including the activities of state institutions on the most important issues of ensuring and defending state security. The Council includes the President of the Republic - the chief of state armed forces, the Prime Minister, the Speaker of the Seimas, the Minister of National Defense and the Commander of the Armed Forces (Law on the State Defense Council of the Republic of Lithuania, *Official Gazette*, 1997, No. 41-992). The State Security Department is directly subordinate to the State Defense Council. The main act is Law of the Republic of Lithuania on Reconnaissance (*Official Gazette*, 2000, No. 64-1931).

One of the executive institution is an army. The main law is Law of the Republic of Lithuania on Organization of the National Defense System and Military Service (*Official Gazette*, 1997, No. 2-16). Army is a military service as well as some military servants form

Ministry of National defense. It is important to note that this act also regulates the work of some officials of the Ministry of National Defense and it is difficult to distinguish between the regulation of military, statutory and civil service.

National security also provided by three ministries – Ministry of Foreign affairs, Ministry of National defense and Ministry of the Interior (and other ministries, state and municipal institutions, citizens, their associations and organizations). With such an abundance of institutions, it is difficult to name all the legal acts regulating their activities.

Another one executive institution is Special investigation service of the Republic of Lithuania. The main act is Special Investigation Service Act (*Official Gazette*, 2000, No. 41-1162). The State Security Department and Special investigation service is the statutory service as well as some services from Ministry of Interior of the Republic of Lithuania (police, state border guard service and so on).

Thus, from the point of view of internal national security policy, it can be stated that probably national security system is between cooperative and conflictive institutional fragmentation status (see Table 2).

**Table 2. National security system of Lithuania according to institutional fragmentation**

	<i>Synergistic</i>	<i>Cooperative</i>	<i>Conflictive</i>
<b>Institutional integration/ subordination</b>			Different, largely unrelated institutions
<b>Norms acts or legal basis</b>	Core norms of institutions are integrated	Core norms are not conflicted	Core norms conflict
<b>Status of civil servants</b>		Some actors remain outside main institutions, but maintain cooperation	Major actors support different institutions

Analyzing through institutional fragmentation or subordination aspect, in Lithuania national security system there is not any one core institution or a person to whom all executive security services would be accountable. National security system in Lithuania could be characterized as different with largely unrelated institutions. This lead to claim that from this point of view it is signs of conflictive institutional fragmentation.

From the second aspect - norms acts or legal basis - fragmentation varies from synergetic to conflictive. Core norms of institutions are integrated in Constitution and the Strategy. But only by general provisions which do not provide for the specific functioning of individual institutions. All institutions have separated legal acts. Of course, this place would require a deeper analysis of the legislation to determine whether such a plethora of legislation can be cooperative or conflictive.

From the third – status of civil servant aspect appears both, cooperative and conflictive institutional fragmentation. It is because of different status of the servants. In the national security system of Lithuania the main part is statutory servants. Two other parts are civilian servants and servants from military service. Such differentiation cannot guarantee that all relevant actors would support the same institutions.



This analysis does not reveal any shortcomings of the Lithuanian national security system, however, it did not reveal any advantages. It is only clear that every state needs to transform the national security structure to achieve a modern package, professionalized, adequately equipped, deployable, interoperable, with a capacity for self maintenance (Barcan, 2011). At this moment national security system of Lithuania is very fragmented, sometimes even conflicted (according to subordination, legal basis and status of the national security system servants).

There is not and there can be no single answer, or a single “all affairs” ministry or a few small separate departments, agencies, foundations, centers, offices, inspectorates and services. However, it is common ground that the current abundance of institutions does not allow for effective action, for example in crisis situations, as there are no longer common interfaces and objectives between institutions. The scenarios that have not been experienced before are considered too improbable to be of concern and are combinations of rare events (Paté-Cornell, 2012). The current regulation of the national security system needs to be reconsidered, as the current raises issues of uncertainty. Each state security system relies on not only response and adaptation, but above all, the ability to anticipate and act proactively. Every state seeks to profoundly transform security institutions (Barcan, 2011) and Lithuania must not be the exception. In today's complex, rapidly changing and dynamic world, a deep understanding of major trends of evolution of national security is needed. Lithuania is a part of EU and NATO and must become an active part of security assurance process is a prerequisite for progress and prosperity. And for that, we first have to start with ourselves - improving the internal system of national security to common system's synergy.

## Conclusions

Lithuanian national security policy is formed in two directions: taking into account national interests and internal threats and participating in international organizations, which are important at the international security level. Membership in NATO and the EU is an essential condition for the realization of Lithuania's national security aspirations. However, the system of Lithuanian citizens and their organizations, supreme state institutions, national security and executive and other institutions are equally important.

Currently in Lithuania we have very fragmented national security model. The strict separation between the civilian, statutory and military services, which attributes the civil defense service to the system of statutory services, suggests that Lithuania has an overly fragmented, even conflicted model of regulating relations between national security services. National security system documents to improve this system are disadvantageous, as this policy aspect, which covers the responsibilities of many ministries and even individual branches of government, does not clearly distinguish national security activities from the functions of other institutions. The absence of such a demarcation means that we cannot adequately assess the adequacy of national security capabilities to challenges or potential adverse scenarios.

The main problems up of the Lithuanian national security system can be considered to be too many institutions and bodies, conflicting institutional fragmentation and lack of cooperation between different institutions. In order to deal with this situation, it would be advisable to unify the general provisions and to regulate them in a single legal act. Mergers, consolidation and collaborative governance of certain institutions could be helpful in addressing these issues. Continuous and complex efforts by national security institutions are needed. The interaction of military and civil services capabilities and close cooperation

between the Lithuanian Armed Forces and other state institutions is a key factor in ensuring national security in Lithuania.

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