

Introduction

Partnership Action Plan on Defence Institution Building: Concept and Implementation¹

“We have launched today a Partnership Action Plan on Defence Institution Building. We encourage Partners to make full use of this new instrument to build democratically responsible defence institutions.”

Istanbul Summit Communiqué, 28 June 2004

At their meeting in Istanbul, Allied Heads of State and Government launched the Partnership Action Plan on Defence Institution Building (PAP-DIB). EAPC Heads of State and Government also endorsed this initiative. PAP-DIB reflects Allies’ and Partners’ common views on modern and democratically responsible defence institutions. It provides an EAPC definition of defence reform and a framework for common reflection and exchange of experience on related problems. It is to help interested Partners to reform and restructure their defence institutions to meet their needs and international commitments.

PAP-DIB is not an alternative to existing bilateral programmes of co-operation on reform, like the Individual Partnership Action Plan (IPAP). On the contrary, it is designed to complement and support these programmes by facilitating EAPC-wide exchange of knowledge and by promoting multilateral co-operation on issues of common concern.

PAP-DIB concept paper defined common objectives for Partnership work in this area and recommended that Allies and Partners exchange relevant experience, foster resource efficiency, and tailor and focus their bilateral defence and security assistance programmes in a manner that helps meeting PAP-DIB objectives. It also recommended that Allies and Partners explore opportunities to co-operate with other international organisations and institutions which share commitment to

¹ This paper was presented at the first day of the Training Course.

democratic transformation and security co-operation in the Euro-Atlantic area, in particular the EU and OSCE.

Although PAP-DIB is developed within the EAPC framework and is open to all Partners, in line with NATO's special focus on Caucasus and Central Asia, it may have particular relevance for Partners in those regions, as well as for Moldova.

What are the objectives?

Develop arrangements for democratic control of defence activities

Arrangements for the democratic control of defence activities have to be equally applied to the constitutional, legal, and administrative framework regarding the division of authority and inter-relations between the executive, legislative and judicial powers in the state. This implies having clear-cut roles in defence and security policy making for President, Government, Parliament and the Judicial Power, as well as established mechanisms and procedures of interaction in decision-making, defined in the Constitution and detailed in the legal and administrative documents.

Effective and efficient government systems have in place checks and balances between the executive and legislative powers, particularly in formulating and implementing defence and foreign policy (mobilisation and war, measures to counter military aggression, participation in multinational exercises and operations, stationing and transiting the national territory by foreign troops, defence and security budget and legislation).

Promote civilian participation in developing defence and security policy

Civilian participation in developing defence and security policy requires:

1. transparency and involvement of civil society in defence and security policy making
2. civilians working in defence institutions, including in leading positions.

3. Transparency with regard to how defence resources are planned and managed by the defence institutions is crucial for building a trustworthy image of the defence forces in the public opinion. To insure appropriate transparency in this area there is a need for strong interfaces between defence forces and civil society, i.e. public information structures and mechanisms to provide free flow of information regarding military activities to the media. There is also a need to educate civil society representatives (journalists, academic commentators, NGO's) in defence and security matters.
4. Good governance of security and defence requires civilian ministers and deputy ministers, as well as military and civilian experts working jointly in the MODs and other defence agencies. Defence institutions should develop appropriate recruiting, training and retaining (career development, promotion and appropriate pay) policies and programmes for civilians working in the defence and security sector.

Effective legislative and judicial oversight of the defence sector

The Parliament exercises oversight of the defence sector by:

- Initiating, amending and passing laws that define and regulate the defence institutions and their powers.
- Adopting the corresponding budgetary appropriations.
- Approval/rejection of defence and security documents, as well as of peace missions and deployments abroad.
- Participating in decision making on defence procurement and personnel management.
- Holding accountable the executive by: questioning the members of the government, or establishing special commissions to investigate into complaints by the public.

A key issue for effective Parliamentary control of the defence sector is ensuring that Parliamentarians and their staffs do have appropriate defence related knowledge. Their training and education in defence matters should be a top priority.

The judiciary both monitors the defence sector and prosecutes the wrong-doings of servicemen through civil and criminal proceedings whenever necessary.

Judicial oversight means that:

- Constitutional Court evaluates the constitutionality of the president or cabinet as commander in chief. It also interprets the constitutionality of laws.
- judicial branch of government judges lawfulness of military personnel behaviour, including of those operating abroad and of foreign troops stationed on the national territory. It also trials violations of laws on corruption, including those related to defence procurement.

Develop arrangements and procedures for matching capabilities with security risks, defence requirements and available resources.

This would entail:

- a comprehensive analysis of a country's security needs as an essential first step in determining its defence requirements.
- the Executive and the Legislature develop and approve a security strategy. A public information campaign should also be considered.
- developing further supporting doctrines, the most obvious of which would be a Military Strategy which could be combined or separate from others dealing with interior forces, border and coast guards.
- for the armed forces, defence requirements based on the security concept would determine their tasks, from which the size of the forces and equipment requirements could be established.
- developing an implementation plan to determine how to transform the force structure. During this process, it will be necessary to check constantly against available funds to ensure that emerging ideas are affordable.

Optimise management of defence ministries and other agencies responsible for defence matters

With regard to this objective, the major aspects are oversight and coordination.

From the defence perspective, most important relationships are those between the Ministries of Defence, Finance and Foreign Affairs. Very close co-ordination is required to ensure that defence programmes will be properly funded and that foreign policy goals are addressed. Appropriate strategic and working level committees should be established to co-ordinate work and promote understanding.

With regard to co-ordination with other agencies with responsibilities in the security area, the demarcation of roles and responsibilities must be clear, often enshrined in legislation but also supported by agreements and understandings at ministerial level and below.

National procedures should be elaborated to deal with crisis management at the strategic level. This will entail considerable co-operation across most ministries and will require a senior level committee to oversee the work. To deal with major crises it will be necessary to establish an executive supervising body, probably led by the Prime Minister or President.

Ensure compliance with internationally accepted norms and practices established in the defence sector

At NATO, we include among internationally accepted norms and practices established in the defence sector those provided by:

- the PfP Framework Document and the EAPC Basic Document
- OSCE Code of Conduct on Politico-Military Aspects of Security, and other relevant OSCE documents
- arms control agreements and treaties (like CFE, Ottawa Convention, etc.)
- international arrangements on non proliferation, export control, WMD and their means of delivery
- international humanitarian law

Under this objective Partners might aim to:

- develop structures and procedures to enforce existing commitments
- train personnel having to implement those commitments
- enhance release of public information on how the country complies with these commitments

Effective and transparent personnel structures and practices

Well thought out personnel policies and sound practices are essential features of an efficient fighting force.

Starting with recruitment and selection policies, the armed forces must have a clear idea of the numbers and standard of individual it wishes to induct and the required standards and procedures should be widely advertised.

Unlike other organisations, the armed forces do not import senior people from outside their own structures. The leadership (officers and senior NCOs) have to be provided from within. It will be necessary, therefore, to have procedures which can identify personnel for advancement and provide them with the necessary training to enable them to fill more senior positions.

In general, the soldier should have the same rights and responsibilities as his civilian counterpart although some freedoms (such as the right to strike) may have to be curtailed. In terms of disciplining offenders it is preferable if civilian rules apply generally, although provision will also have to be made for offences peculiar to maintaining good military order and discipline. Rules for dealing with military offences should be approved by the civilian legislature.

Effective and transparent financial, planning and resource allocation procedures entail:

- having defence institutions applying modern and efficient planning, programming and budgeting procedures, as well as new models for implementing these procedures, such as: Planning Programming, Budgeting and Evaluation System, Defence Resources Management Model.

- developing procedures for auditing and oversight of budgeted funds
- enhancing procedures for letting contracts for equipment or services to support defence sector.

Effective, transparent and economically viable management of defence spending; methods and policies to cope with consequences of defence restructuring

To fulfill this objective, Partners might be working to:

- develop procedures to link defence spending to the overall state budget. This will enhance predictability of the evolution of the defence budget on a medium and longer term (usually it means allocating for defence a certain percentage of the GDP)
- develop procedures to prioritise defence spending vis a vis spending in other areas
- having programmes to deal with socio-economic consequences of defence restructuring, such as: for re-training of dismissed personnel and for re-conversion of military bases

Effective international co-operation and good neighbourly relations

Good neighbourly relations and effective international co-operation in defence and security matters create favourable conditions for conducting thorough defence reforms. Effective international co-operation in defence and security matters provides the necessary ways and means for receiving appropriate international assistance and support to own defence reform efforts.

Practical arrangements to ensure effective international co-operation and good neighbourly relations include:

- Conclusion and implementation of bilateral and multi-lateral military agreements and Memorandums of Understanding. These might include: agreements on additional measures to those provided within the Vienna Document on CSBM's, agreements providing the application of the Open Skies regime, the creation of regional military formations, regular exchanges of defence and

security information with neighbour countries, joint military exercises and training.

- Developing regional security and defence co-operation. Regional defence and security co-operation creates mutual respect and confidence and an enhanced security environment. A regional co-operation framework would also increase the sense of individual responsibility for the common security and would create a framework for developing regional projects, that might attract foreign assistance.
- A sound national system for planning and managing defence and security co-operation, including: appropriate domestic structures and effective working procedures, at both political-military and military level; political guidance and supervision; allotting necessary financial resources.

How it works?

- PAP-DIB is intended to make maximum use of existing EAPC and PfP tools and mechanisms. Conferences, workshops and training courses, bringing together theoreticians and practitioners of defence reform, political and military leaders and experts, are a primary instrument for encouraging dialogue and fostering exchange of knowledge and experience on defence reform. IPAP and PARP serve as primary instruments for tailoring knowledge acquired through PAP-DIB to the individual needs and circumstances of interested Partners. Partners who have not made a decision to participate in PARP, or to develop an IPAP, but who wish to develop further their defence institutions and forces, may use their Individual Partnership Programs (IPPs) to this aim. The IS reports periodically to Allies and Partners on the implementation and development of PAP-DIB and on the overall progress in reaching PAP-DIB objectives.

What has been done so far?

To enhance support for Partners' efforts to achieve PAP-DIB objectives:

- PARP procedures have been adapted to seek information from Partners about their plans to achieve PAP-DIB objectives, as well as about the foreign assistance required;
- a set of PAP-DIB related Partnership Goals (PAP-DIB PGs) have been proposed to Partners;
- PAP-DIB objectives have been included in the Euro-Atlantic Partnership Work Programme (EAPWP); which is the basis for all work related to Partnership.
- NATO has started to work with Partners to adapt their individual co-operation programmes to address PAP-DIB objectives;
- the NATO Liaison Officers, recently deployed to Caucasus and Central Asia, are offering assistance and advice on how to make better use of PfP tools in support of defence reform;
- work has started to enhance NATO's educational efforts related to defence reform and to involve educational and research institutions and non-governmental organisations in this effort.

The way ahead

Education for Partners' military and civilian personnel working in the area of defence, and for politicians and civil society is a high priority for further PAP-DIB work. To this end, NATO IS will work with Allied and Partner Nations to further enhance education in support of defence reforms.

NATO's Contact Point Embassies and Liaison Officers for Caucasus and Central Asia will monitor and report elements regarding the progress achieved in reaching PAP-DIB objectives. They will also present recommendations to enhance the effectiveness of the overall PAP-DIB implementation process.

Allies and Partner Nations might establish bilateral arrangements with Partners (including twinning and mentoring initiatives) aimed at providing advice and assistance, particularly education and training.

Co-operation with other international organisations should be developed to exchange relevant information, to cross-participate in events and to conduct complementary activities.

What should Partners do to successfully implement PAP-DIB objectives?

- Focus individual co-operation programmes with NATO (IPAP, IPP) on achieving PAP-DIB objectives
- Attach higher priority to education for defence reforms
- Respond to Part I of PARP Survey
- Agree new PG's and work towards their implementation
- Seek bilateral advice and assistance from Allied and Partner Nations
- Make full use of NATO Contact Point Embassies and NATO Liaison Officers.

As Sir Winston Churchill has put it into a famous dictum: "Democracy is the worst form of government, except for all those other that have been tried". Success of PAP-DIB might be measured by the extent to which Partners, convinced of the truth underlying this dictum, apply democratic forms of government, as well as efficient procedures to manage their defence systems.

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