

Security Sector Governance – An International Development Perspective

Dr. ALEXANDRE LAMBERT

**,KfE-Konferenz' 2008
Zurich, 11-12 April**

Key Terminology: Part I

- **Security Sector Reform (SSR)**
- ***Security System Reform* (<OECD)**
- **Security Sector Governance (SSG)**
- **Democratic Control of Armed Forces (DCAF)**
- **Democratic Governance of the Security Sector (DGSS)**
- **Democratic Civilian Control (DCC):**
 - **Core normative principle of SSR**

Key Terminology: Part II

'security sector' vs. 'armed forces' (military/defense/public)

Narrow definition

Broad definition

Armed branch of the state
(external/internal security)

Military forces
Paramilitary forces
Internal security forces
Intelligence services
Police

+ private military and
security companies

Including the civil authority/
constitutional powers*

Executive
Legislative
Judiciary

As well as political parties,
the Media and civil society*

* in their quality to control, manage, oversee, and publicly scrutinize the overall security and defense policy ('civilian control')

Key Terminology: Part III

- **Control** (civilian)
- **Oversight** (Parliament; committees, commissions)
- **Checks** (e.g. legality/constitutionality)
- **Objects / subjects** (of control)
- **Self-control** (by/within military and security services and branches themselves; e.g. by means of internal order and regulations)

- **DCC: a double-layered process:**
 - **Civilian control** (of security services by essentially the constitutionally superior civil authority)
 - **Democratic control** of overall security policy, including oversight and public scrutiny of *both* the armed services and civil authority, especially the executive branch of government (presidency; head of state & government; cabinet; ministries of defense and interior etc.)

An idea – and its institutional roots

- Present international trends of SSR, including those recently applied from within the international development community, have their roots in comprehensive approaches to security as prominently applied by the **CSCE/OSCE** since the mid-1970s and less implicitly practiced also by **NATO** and the **EU** in the post-Cold War geopolitical environment
- Still the most significant reference document: **OSCE Code of Conduct on Politico-Military Aspects of Security (1994)**, especially its sections VII and VIII on democratic political control and use of armed forces, regulating both times of peace and war, as well as international and internal use and control of armed and security forces

The OSCE and its Code of Conduct (CoC)

- In contrast to other relevant international institutions, the OSCE, with its CoC, provides a unique set of **negotiated and politically binding norms on SSR**
- However, these international provisions under international (customary) law are not explicitly referred to as SSR/SSG – rather as DCAF
- The CoC's DCAF-provision have introduced a 'revolution' within international law, as they directly address an area of state power hitherto 'sacrosanct': the armed forces
- They still represent a unique set norms on SSR to which all (56) OSCE participating States are bound

... before taking a 'development' perspective ...

- The development community has been addressing SSR only since the late 1990s
- Though SSR is increasingly referred to from within different stakeholders of the international development donor and humanitarian aid and assistance community, there is not yet a common approach, let alone SSR-concept or definition
- There are currently no (explicit) *international norms of a binding nature* regulating SSR/DCAF *as a means of economic and sustainable development*

Preliminary hypothesis # 1

- **Democracy/democratization refers primarily to *political* and only secondarily to *economic liberalization***
 - The nature of democracy is ***procedural*** rather than ***formal*** and emphasizes the active role and participation of citizens (which in turn is bound to the accountability and transparency of state officials and institutions)
 - As a possible foundation and illustration of this fundamental idea: see for instance Rousseau's distinction between the ***'citoyen'*** and the ***'bourgeois'*** – the latter not necessarily interested in active and community-related participation

Preliminary hypothesis # 2

- **It is often impossible to disconnect *development* from *security* concerns**
 - This is particularly relevant in the context of the post-Cold War era, in the context of which inter-state warfare has become the exception to the rule and intra-state conflict and the role of non-state actors has spread instead
 - Moreover, many of the new threats and challenges require solutions that go beyond the military approach to security and require the boosting of civilian crisis response capabilities
 - This is increasingly recognized in both the security, development, and humanitarian communities' respective 'camps'

Preliminary hypothesis # 3

- The principle of *democratic civilian control and governance* is a key to both sustainable economic development and political democratization
 - Contributing to both political and social justice
 - While providing a new type or 'generation' of international confidence-and security-building measure (CSBM)
 - It is also possible to argue that **security**, **development**, and **democratization** are internally linked to each other, forming a mutually reinforcing relationship
 - Providing the base line for assessing success and failure of SSR/SSG

Democratic Security Governance

Why?

- More often than not, security services create insecurity rather than providing security, as 'regime security' is placed above state and public security
- Unfortunately, too many governments are implied in a 'war' on their (own) population - rather than protecting it from conflict, violence and fear (exclusive vs. inclusive security)
- This hampers both economic development and political liberalization which are in turn indispensable to the safeguard of international peace and stability

SSR is at the heart of the 'stability-/peace-continuum'



Key state actors and traditional leaders in promoting 'SSR'

- **USA**; especially during the Cold War, as DCAF was essentially linked to the concept of civil-military relations (CMR); US-model also promoted the idea of military professionalism
- **Germany**; school of the 'citizen-soldier', promoting the idea of the armed forces' integration into (civil) society and preventing the 'state-within-the-state' syndrome
- **UK**; since labor came into office in 1997; Since then, the UK-government has taken a lead in promoting SSR in respective development fora
- **Switzerland**; DCAF
- Others, including **Canada, Netherlands, South Africa ...**

Regional institutions, processes, and norms promoting SSR

- **Trans-Atlantic/Eurasian community**
 - **OSCE**: including its politico-military human dimensions of security
 - **NATO**: PfP: Partnership-Action-Plan/Defense-Institution-Building (PAP-DIB)
- **Africa** (AU, NEPAD; ECOWAS, SADC)
- **Americas/Latin America** (OAS; Mercosur; Central America*)
 - * Framework Treaty on Democratic Security in Central America (1995)
 - * Guatemala Peace process: Agreement on the Strengthening of Civilian Power and on the Role of Armed Forces in a Democratic Society (1996)
- **Africa/Americas (addendum)**
 - Provisions and safeguards (at regional and sub-regional levels against) unconstitutional change of government

Additional International institutions addressing and promoting SSR

- **Council of Europe:** regulating/safeguarding human rights and the rule of law; e.g. in the fight against terrorism; or in the protection of the rights of armed services' personnel etc.
- **European Union:** In the context of enlargement and neighborhood policies; CFSP; using the OECD's concept of SSR; Copenhagen Criteria of membership providing additional incentives for SSR
- **OECD:** recently provided widely reflected guidelines, concepts, and best practices
- **UN:** new and explicit approaches

A common aim

- SSR is driven by the understanding that an affordable, effective and efficient security apparatus (i.e., one that is able to provide security and justice to the state and its people within a framework of civilian oversight and democratic accountability) is needed to ensure sustainable development, democracy, peace and security.

No common concept

- However, there is no generally accepted definition of the security sector (essentially since there are quite different national traditions) nor of what SSR precisely entails, while different actors and stakeholders (states, IOs, NGOs) embrace even broader and narrower understandings of this relatively new concept.

The OECD setting a new paste

- The OECD, throughout the past decade, has offered new initiatives and leadership in promoting SSR, providing comparative, including inter-regional assessments, and identifying best practices in different contexts and perspectives
- Its work has become a major reference for both EU- and UN-approaches to SSR, and plays an increasing role in peacekeeping and post-conflict peace-building
- This has got major implications for developing countries in their relations with donor communities, while major challenges remain in this part of the world (especially in Africa)

Main OECD Instruments

- OECD Development Assistance Committee (DAC) issued **guidelines on security system reform and governance (2005)**
 - Became the first widely spread reference document on SSR
- Two years later, they came forward with the OECD DAC **Handbook on Security System Reform - Supporting Security and Justice (2007)**
 - Is currently the 'state-of-the art' SSR-reference tool-kit used by both state- and non-state actors

OECD-DAC taking a broad interpretation of SSR

- Advantage of providing an analytical framework within which are located all narrower understandings of SSR used within and outside the UN system
- Accordingly, the **security system** is defined as comprising all the state institutions and other entities with a role in ensuring the security of the state and the people, including:
 - **Core security actors**
 - **Management and oversight bodies**
 - **Justice and rule of law**
 - **Non-statutory security forces**
- SSR means transforming the security system
 - **Including all actors, their roles, responsibilities and actions**

OECD-DAC addressing 3 inter-related challenges

1. Developing a clear institutional framework for the provision of security that integrates security and development policy and includes all relevant actors
 2. Strengthening the governance of security institutions
 3. Building capable and professional security forces that are accountable to civil authorities
- Overall objective is to providing a security system which is both
 - *effective & efficient* and
 - *democratically accountable*

The UN integrating SSR into peacekeeping and state-building

- The UN-system addresses key problems of countries in transition from armed conflict to sustainable development and thus plays a crucial role in supporting SSR across the whole peace-building spectrum
- This is particularly true in cases where UN peacekeeping operations are deployed as part of a comprehensive and multidimensional assistance efforts, including political, security, humanitarian, development, rule of law, and human rights components, and that seek to bringing together all relevant UN actors on the ground within a common approach (UN integrated missions)

Wide range of (implicit) UN contributions to SSR

- UN regularly involved in all of the following elements necessary for an effective SSR assistance strategy:
 - *Police and defense reform, restructuring, training and operational support*
 - *Assistance in the restoration and reform of judicial and prison systems*
 - *Support for the restoration of state authority and administrative capacities at central and local levels*
 - *Good governance*
 - *Support to civil society*
 - *Assistance to constitutional processes*

General obstacles to the UN-approach to SSR

- Lack of a common definition and approach to SSR
- Often, SSR-activities often fall outside of a peace-operation's mandate
 - **For instance in Kosovo (UNMIC), the development of a military capacity or a border police is not part of the mission's mandate**

More specific challenges to the UN approach to SSR

- Lack of ***performance indicators*** (reliable methods of measuring and evaluating state agencies' performance)
 - Again Kosovo & its criminal justice system: UN fails to support the prosecutorial service or establish a judicial police
 - Eventually also illustrates the UN's inability to effectively and efficiently manage its *own* activities, personnel, and resources
- Failure to build on ***local ownership***
 - Still Kosovo: UN' applying a 'neo-colonial' imposition of assistance to local justice and security development and failure to engage in active consultation with national actors

Concluding remarks on the role of non-state actors

- On the one hand, Kosovo illustrates that the UN can develop and apply quite extensive governance capacities
- On the other hand, if the UN cannot reform its SSR operations, managerial practices, and organizational culture, it is unlikely that it will be able to support effective and efficient SSR programs, including in future post-conflict scenarios
- Under such circumstances, it may be recommended that the UN endeavor to **outsource** (to the extent possible) its security and justice development programming

Q&A

Thank you for your attention!