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NATO, the EU and the Challenge of Defence and Security Sector Reform: Building Peace and Stability, Together or Apart?

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I.   INTRODUCTION

1.   As NATO and the European Union look to the future, a central issue for both organisations is the contribution they can make to help countries, which are undergoing transition and reconstruction. For most of these countries, defence and security sector reform (DSSR) is a major imperative and an essential foundation for building stable, democratic societies.

2.   NATO and EU enlargement processes have run in parallel, with both organisations contributing, in different but mutually reinforcing ways, to the spread of peace and stability. One of NATO's most notable achievements during the past decade, albeit insufficiently recognised, is the advice, expertise, and practical assistance it has provided to transition countries for the reform of their armed forces and defence establishments.

3.   As the engagement of NATO and the EU broadens in terms of membership, partnership and operations, it is evident that more countries will be requiring assistance with DSSR. However, the circumstances under which assistance is provided are very different from previous rounds of enlargement. All too often, reform and reconstruction are taking place in unstable conditions, sometimes even open conflict, in the case of Afghanistan. Moreover, NATO's initial focus on defence and the armed forces has been seen to be too restrictive as it neglects other equally relevant aspects of security.

4.   As post-Riga, the Alliance continues to define its future role, and as the European Union begins to move into the area of security sector reform, the seminar attempted to take stock of where we stand with DSSR and draw lessons for the future. Bringing together NATO and EU representatives, former and current government officials and independent experts, the seminar first examined past experiences of DSSR, then turned to current and future challenges, including the specific issue of post-conflict peacebuilding and reconstruction, and NATO-EU co-operation.

II.   KEYNOTE ADDRESS

5.   The keynote address set the tone for the seminar, highlighting the different challenges posed by DSSR depending on the context in which it takes place. Within NATO, the concept of DSSR has been progressively redefined. Whilst, for a long time, DSSR was about ensuring that NATO allies meet NATO capability requirements, it has gained a new meaning with the process of military transformation of the Alliance and the evolution of its partnerships.

6.   In Central and Eastern Europe, the democratic oversight of armed forces had to be promoted on the basis of existing structures as these countries underwent transition. During this process, governments encountered various problems and obstacles, including nepotism, rigid structures that promoted uniformity, a culture of suspicion and diffidence, as well as other problems connected with the existing hierarchical and conservative military structures.

7.   Reform in a conflict or post-conflict situation, like in the Balkans and in Afghanistan, poses additional challenges. Institutions have to be transformed and reformed, while at the same time the operational effectiveness of the security forces is indispensable in the face of an immediate threat. In other words, the new security institutions must be both immediately effective and permanently democratic and law-abiding. Outside assistance can provide security in the short term, but domestic security institutions need to be built for the long term. This requires a far-reaching transformation, which should aim at placing all security institutions under democratic oversight. Preferably a reconciliation program should be set up and allow for agents of the old regime to be eventually re-integrated in the new system. In this process, national unity should be preserved, while minorities need to be protected against the abuse of the majority's electoral power.

8.   Lessons learned in Iraq demonstrate the necessity of building effective armed forces able to provide security. They equally demonstrate that long-lasting success requires both time and money. Preserving national unity and ensuring that all sections of the population have faith in the security forces are vital conditions for success. To that end, minority groups should be part of the army and the local police force. Emphasis should be put on reconciliation, distinguishing between those agents belonging to the inner circle of the former security services and those who only took part in the regime for opportunistic reasons and should be given a second chance. Meanwhile, fighting corruption should also be a priority. This process should aim to create a new cadre of competent, well-trained and well-equipped personnel.

9.   In any event, reform should be underpinned by local structures as part of a political process, and should not be imposed from the outside.

III.   *SESSION 1: ENLARGEMENT, PARTNERSHIPS AND DEFENCE REFORM: PAST ACHIEVEMENTS AND CURRENT CHALLENGES*

10.   The first session took stock of NATO's contribution to DSSR in Central and Eastern Europe through its partnership programmes and the enlargement process. Panellists praised NATO's Partnership for Peace (PfP) as the Alliance's greatest achievement since the end of the Cold War. PfP helped transform Europe in a very short time. Early on, it provided an outline for reform and a framework for consultations with NATO on security issues. Within PfP, the Planning and Review Process provided for a very concrete dialogue on defence planning. It allowed participating countries to implement reforms at their own speed according to the principle of differentiation, which guaranteed that no partner had a veto right on any other partner's activities. This process proved particularly difficult for all aspiring members; surprisingly, institutions inherited from the Soviet system appeared entirely unable to provide the capability to plan and manage defence programmes.

11.   Partners used PfP in different ways depending on their national strategy. Some PfP countries saw it as route to NATO membership. Others saw it as a means to approach NATO closely without becoming members. Finally, a third group saw it as a tool for allowing them to keep a close watch on their neighbours. On the basis of these different experiences, three case studies from CEE were examined in order to identify lessons for NATO's future partnership activities in DSSR.

12.   Poland belonged to the first group of countries. After the fall of the Berlin Wall, the Polish government saw in NATO a means of protection from any attempt at re-establishing foreign domination of the country. Nevertheless, in the first stages of transition, both cultural and institutional obstacles to the rapprochement with NATO remained. Although committed to integration into NATO, Polish officials still had reservations and suspicions as to whether NATO would really provide an effective defence umbrella for Poland. Reformers had to overcome a lingering culture of secrecy, which made difficult the sharing of classified information, as well as remaining ties – both formal and informal – between the Polish secret services and the Soviet services. Another major challenge to reform was a strong resistance to placing the military under civilian control. Although the military appeared ready to abandon the central political role it played under the Soviet system, the main difficulty was in convincing it that the dividing line between political and tactical decisions was to be established by politicians, not by the military. Finally, reformers had difficulty dealing with high levels of public expectation and scrutiny, which put strong pressure on the government to deliver, together with the necessity to promote rapidly the use of foreign languages.

13.   Romania's experience was very similar. PfP was also considered a security guarantee, as well as a stepping-stone to NATO membership. Romania faced a specific challenge as DSSR was

implemented at the same time as NATO began its own transformation. In the process of downsizing, operationalising and rationalising the security sector, close contacts with Allied Command Transformation, as well as participation in multinational operations, proved crucial. The Romanian experience also demonstrated that a well-planned strategy with a clear finality is another condition for success, as the government strives to integrate a reforming security sector in a reforming society. This strategy should strive to cover all aspects of reform, including those segments of the population negatively affected by the reform process. Timing is also important: downsizing should come first, before updating the equipment; and the reform process should progressively gain speed as the first measures start to show results. The reform strategy should also be communicated to the public, explaining why downsizing the military – from 300,000 to fewer than 100,000 troops in the case of Romania – and cutting resources is compatible with enhanced security for the country. Eventually, consistency and credibility of efforts are also essential in the country's relations with NATO.

14.   The experience of Lithuania was somewhat different, as defence and security institutions had to be built from scratch and because neutrality was briefly considered as an option. The Baltic experience was also unique because of the close co-operation established amongst the three countries, for example through the Baltic Battalion, BALTBAT. In the case of Lithuania, consensus building thus appeared as a key priority and a pre-condition for reform. This was achieved progressively through a series of targeted reforms; important steps included the adoption of a Law on Basics of National Security in 1996, and of a national security strategy and a defence agreement between all political parties on all aspects of integration and defence reform in 2002. Lithuania's strategy consisted in acting as an ally for NATO in all respects, although not yet being one. Coordination of efforts amongst both domestic and foreign stakeholders also proved crucial. Finally, as for other partners, participation in multilateral operations - for example in the Balkans - was particularly useful.

15.   Building on these experiences in Central and Eastern Europe, NATO's engagement in DSSR continues to broaden today. This creates a first challenge in terms of decision-making: as NATO continues to enlarge, it might have difficulties in maintaining the efficiency of a decision-making process based on consensus. Additionally, NATO's relations with partner countries are extending more frequently to new areas such as democratisation, civil society, legal systems, and so on. One consequence of this evolution is that NATO and EU requirements and areas of intervention increasingly coincide, although each organisation maintains its distinctive features. Co-operation is therefore essential, and existing tensions must be overcome in order to offer effective assistance to recipient states.

IV.   SESSION 2: THE CHALLENGES OF PEACEBUILDING AND DEFENCE AND SECURITY SECTOR REFORM: THE ROLE OF NATO AND THE EU

16.   The second session of the seminar explored current challenges of DSSR, and how the international community can better address them. The discussion focused, in particular, on two main topics: firstly, the specificities of DSSR in post-conflict environments such as the Balkans and Afghanistan; and secondly, the current and future division of labour and co-operation between NATO and the EU in the field of DSSR.

17.   In the 1990s, the Balkans emerged as a testing ground for the international community. The context for reform was very different from Central and Eastern Europe. Security sector institutions had been directly and heavily engaged in the armed conflict in Yugoslavia, which created a highly politicised environment, and raised issues of human rights and international law. The lessons from this experience have not yet been fully absorbed, nor have all of the consequences of past decisions been well understood. In the case of Bosnia and Herzegovina, a major aspect of DSSR consisted in undoing ethnic control over the security sector. This process is not yet complete in the police sector.

18.   In Kosovo, there now appears to be a contradiction between the objectives of DSSR and the political process of negotiations on the future status of the province. The KLA was demilitarised under international supervision, and the Kosovo Protection Corps was created with the understanding that they would one day become the defence forces of an independent Kosovo, providing a troublesome dynamic in light of ongoing negotiations.

19.   The experience of the international community in the Balkans has also contributed to highlight contradictions and tensions between NATO and the EU. Although there have been success stories, such as the FYR of Macedonia or Bosnia and Herzegovina, where NATO missions have been successfully transferred to the EU, in many other instances, co-operation is far from ideal. Kosovo will be a major test case for the future: as the EU mission progressively takes over, it will have to learn the lessons of past failures, including the disastrous management of past unrests in the province.

20.   Finally, the international community has been far from consistent in its use of conditionality and has proven unable to strike an adequate balance between sticks and carrots in its relations with the Balkans. Most recently, NATO's admission of Serbia into PfP has been criticised by some for the abandonment of ICTY conditions requiring the delivery of war criminals to The Hague. As one participant pointed out, it is ultimately more costly to break promises than to keep them, a lesson that the international community has not yet fully internalised.

21.   Despite some important achievements, Afghanistan provides further evidence that the international community has failed to learn various lessons from previous experiences in DSSR. International efforts have favoured "off-the-shelf", formulaic approaches, avoiding an appreciation of informal and traditional structures. Yet, in the case of Afghanistan, the informal sector plays a crucial role in society. Taking the example of the legal system, 90% of all cases go through traditional channels, not through the formal justice system.

22.   Additionally, implementation of DSSR in Afghanistan has suffered from a coordination deficit. An overarching strategy was only adopted late in the process. No standing and effective coordination body was created, and national authorities were not given sufficient means to play this coordinating role. Instead, international assistance was divided between 5 main pillars, each to be overseen by a lead-donor nation: military reform (United States), police reform (Germany), judicial reform (Italy), DDR (Japan) and counter-narcotics (United Kingdom).

23.   Another concern highlighted was that the international community has imported models for the security forces that impose costs which Afghanistan may not be able to sustain in the longer term. Current assistance to the security sector – not including counter-narcotics – represents some 23% of GDP and 500% of domestic revenues.

24.   The bulk of this assistance has gone on hard security, while soft security, institution-building, governance and reconstruction have been largely ignored. The deteriorating security situation in the country has only encouraged this approach, channelling efforts and resources towards building up the operation effectiveness of local security forces, rather than on long-term sustainability and good governance in the security sector. As a result, several parts of the security sector are underdeveloped and lack oversight mechanisms, thereby creating a governance gap. Judicial reform, for example, has received only 2% of security expenditures. Similarly, the Ministry of Interior lacks an institutional framework for such fundamental tasks as fighting corruption.

25.   One panellist pointed out that this situation could be partly improved through a better division of labour between NATO and the EU, whereby NATO focuses on providing a security buffer, whilst also aiming to extend the benefits of the reform process to the periphery. Meanwhile, the EU could lead efforts to improve security sector governance capacity.

26.   NATO and the EU differ on several accounts in their approach to DSSR. The two organisations can rely on different assets; it could be argued that NATO offers a superior structure whilst the EU provides superior scope. NATO's decision-making process is both top-down and bottom-up, focusing essentially on joint planning and relying on the leading role of the Secretary General and of a governing body – the North Atlantic Council – with a standing mandate.

27.   NATO has a proven track record in assisting partner countries from the Arctic to Afghanistan with their transformation process. This expertise gives NATO credibility in the advice and practical support it provides to an increasing number of partners. Recently three countries, Serbia, Montenegro and Bosnia-Herzegovina, were invited to joint PfP. Afghanistan is also developing a special relationship with NATO, which allows it access to certain PfP tools.

28.   In comparison, the EU functions in a bottom-up manner, emphasising voluntary commitments. The EU also bears the additional burden of having to coordinate its own institutions. Conceptual differences between member states, as well as between institutions, as to the distribution of responsibilities and resources on security issues feed internal tensions and competition. Better coordination is necessary to allow for more effective action, and one panellist argued that the creation of an EU Foreign Minister could contribute towards this objective.

29.   Evidence of these divisions within the EU can be found in the security sector reform concepts adopted separately by the European Commission and the Council. These documents are based on different perspectives: the Council discusses security from an operational angle, which is also NATO's perspective, whereas the Commission adopts a post-conflict perspective.

30.   More work should be done to reconcile these different perspectives within the EU, but also within the international community. Many contributors argued that we need to redefine the mandate of our military in the light of the new tasks it has come to perform. In particular, the international community needs to rethink the strict division of labour between security and development, and develop closer links between security, development, and governance programmes. Lessons learned in the Balkans and in Afghanistan have confirmed that there is more to security than tanks alone and that security and development should be tackled hand-in-hand. Security is necessary for development, but cannot be sustainable without development.

31.   A comprehensive approach to security sector reform, which includes good governance and public accountability and tackles the whole security sector, is thus necessary. The Organisation for Economic Co-operation and Development (OECD) played a major role in steering reflections on this nexus of security and development. Currently, the focus remains on the military aspects, as demonstrated by the creation of the EU Battle Groups and the NATO Response Force. Yet, several panellists doubted whether these tools will ever be used in accordance with their mandate. Past experiences have demonstrated that even when intervention mechanisms already exist, new adhoc mechanisms are often preferred.

32.   Much therefore remains to be done to integrate development and security efforts, and NATO and the EU should play their part in this process. There was a consensus that better institutional and political coordination between the two organisations is necessary.

33.   A first step would be to develop a common understanding and language. Security sector reform remains a relatively new concept and the adoption of a common typology should be encouraged, possibly through the work of the OECD. Since no single organisation has the capacity to undertake security sector reform alone, a holistic approach is needed, which should aim to draw on the best of each organisation through the rapid mobilisation of a broad range of experts and joint capabilities. One panellist suggested that the cross-training or cross-assignment

of staff could contribute towards such a joint approach. However, one should also recognise that conceptual divisions of labour do not always hold on the ground, particularly in post-conflict situations, and therefore any coordinated approach will have to be flexible.

34.   Additionally, it was concluded that no one model fits all, and therefore tailored and individualised programs are prerequisite to successful DSSR. Local ownership is also crucial. The reform process has to make sense nationally to be successful and strike the right balance between what the country wants, what it needs and what it can afford.

35.   Finally, it is crucial to be realistic and acknowledge that current reform processes, occurring in less benign environments, will probably take more time and pose greater challenges than those faced by states of the former Warsaw pact. As a consequence, domestic efforts and international assistance both need to rely on long-term commitments.