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SECURITY SECTOR REFORM:
THE CONECTION BETWEEN
SECURITY, DEVELOPMENT
AND GOOD GOVERNANCE

INSTITUTO ESPAÑOL DE ESTUDIOS ESTRATÉGICOS
INSTITUTO UNIVERSITARIO DE ESTUDIOS EUROPEOS
DE LA UNIVERSIDAD CEU-SAN PABLO



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**SECURITY SECTOR REFORM: THE CONNECTION
BETWEEN SECURITY, DEVELOPMENT AND GOOD
GOVERNANCE**

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INTRODUCTION

INTRODUCTION

MARCELINO OREJA AGUIRRE
Coordinator of the Working Group

Once again the Instituto de Estudios Estratégicos of the Ministry of Defence and the Instituto de Estudios Europeos of the Universidad CEU-San Pablo are collaborating to address a topical issue.

The chosen moment seems particularly timely when the European Union is about to equip itself with a new institutional framework and greater responsibilities that will allow it to address the new world order, which is calling for a response to globalisation.

At the end of the Cold War in Europe and America, this phenomenon was viewed as a Western project based on the idea of the universality of capitalism and liberal democracy. Fifteen years on we know that globalisation is a multipolar phenomenon, both economically and ideologically, and encompasses diverse economic and political models, with new institutions such as the Cooperation Organisation, established by Russia, China and five Central Asian republics, and the East Asia Community, which includes China and Japan as well as the Southeast Asian countries.

In view of this new outlook, we as Europeans need to find a response to the new situation and for this purpose, once the Lisbon Treaty comes into force, we should reconsider how to address the new phase of globalisation.

For this purpose we will have institutions like a permanent president of the European Union, a High Representative for Foreign Policy, and a Foreign Service.

And these institutions will help us promote a political model in a much more competitive environment than has existed until now.

Furthermore, the European Union will have to give thought to how to deal with an integration process involving twenty-seven countries and the criteria to be adopted with respect to future enlargements. Indeed, today there is an increasingly pressing need to implement enhanced cooperation in areas like energy and defence, which will encourage the countries that do not join in an initial stage to do so in successive phases.

The European Union will also have to complement transatlantic relations with closer relationships with new partners. Up until now the Union has contemplated cooperating with NATO, for example in Afghanistan and in the Balkans. In future it will need to provide for further cooperation, such as with ASEAN and with the African Union, as is already occurring in Darfur.

Within this spectrum of political, economic and military activities that the European Union needs to undertake in the new international landscape, there is no doubt that one of the main concerns of both citizens and societies is security.

This is furthermore a challenge that is transnational in nature. No state, considered in isolation, can achieve a high level of security unless it is in a global context of stability.

The shift from a world characterised by bipolarism to a multipolar context began to bring changes in the traditional approach to defence cooperation. The fall of the Berlin wall, the collapse of the Soviet Union and, above all, 11 September 2001 have given rise to a very complex security paradigm.

The concept of «security» is taken in a broad sense and accompanied by an adjective: human security. The central focus of action is the individual, and the security of the state is relegated to a secondary concern; it is understood to be a manner of avoiding physical violence and of ensuring people's basic needs.

Insecurity is generated not only when armed conflicts arise but also when there is corruption, when democratic control is not exercised over the institutions responsible for defence and security, when there is no appropriate legal framework or when resources are ineffective.

In order to understand the content of this publication, it is necessary to consider what the security sector entails. We should include in this sector all the institutions, organisations and groups—both governmental and non-state—whose purpose is to contribute to preserving human security.

The list of actors involved is extensive and includes the armed forces, police forces (including customs police, local police, etc.), intelligence services, civilian protection forces, the institutions of the rule of law (government, parliament and judicial system) and non-state agents (guerrillas, militias, private security companies, etc.).

In the first chapter of the book, Joaquín Castellón analyses the concept of Security Sector Reform (SSR), which is being constantly built and deepened.

Armed forces that are well integrated, depoliticised, professional, efficient, respectful of the law and democratically controlled can be one of the guardians of peace, stability and democratic values. And precisely in order to achieve this ambitious goal, the security sector is undergoing a deep reform in the most developed Western nations.

Missions deployed in third countries also play an essential role in the struggle to achieve security in a globalised world. The most developed countries are modifying their structures in order to make the focus of their external action more comprehensive and integrated and, at the same time, developing countries and those in transition or conflict or post-conflict situations are striving to adapt their institutions and systems of government to the principles of the rule of law.

The central focus of the actions undertaken as part of security sector reform (SSR) is the interdependence of three fundamental elements: security, development of the nations and good governance.

Development cooperation can no longer be conceived autonomously and performed separately from other public policies, nor can defence reform be conceived without the conditionality of assistance or incentives for applying reforms that pursue greater and better governance and the consolidation of democracy.

SSR is a novel concept that provides a response to needs that have recently arisen as a result of the characteristics of today's world, in which threats are not what they were only a couple of decades ago.

There are new threats, new insecurities, a new style of conducting foreign policy. And in this new world context, the different institutional actors have had to adapt the models on which they base their action.

While reforms are carried out by states, both domestically and internationally, multilateral donors play a fundamental role.

NATO, the UN and the OSCE channel SSR programmes by transforming them into specific missions deployed in priority countries or areas of action. Burundi, Sierra Leone, Afghanistan, Bosnia Herzegovina and Montenegro have been priority countries. But what has each of these organisations contributed? What is the area of responsibility of each of these organisations?

In the second chapter of the book, Enrique Madrazo answers the question about the role of the United Nations and the OSCE in SSR. In chapter four Luís Peral discusses the characteristics of the SSR action performed by NATO, while in the third chapter Cristina Churruga analyses the European Union's external action in this context.

Is the EU set to become a world leader in SSR? Perhaps, but in order for this to occur it needs to achieve a high degree of coordination, coherence and complementarity, something that is not easy as things currently stand, given the difficulty of clearly and effectively delimiting the competences of the Council and the Commission. We will have to give the Lisbon Treaty a chance and observe how the distribution of the institutional roles is progressively adjusted.

It is in the context of the state where sector reforms truly need to be carried out from the perspective of both donor and receptor countries. Defence diplomacy is a first step in the right direction, but SSR has only been embraced since 2003. In the case of Spain, is there a tradition of active participation in SSR missions? Félix Arteaga attempts to answer this and other questions in chapter five, which proposes incorporating SSR into Spain's defence policy.

This *cuaderno de estrategia* is made up of outstanding contributions that have given rise to five chapters designed to introduce the reader to an extremely important and topical issue. It is aimed at providing guidance to policy makers in this process of sector security reform that chiefly falls under the area of responsibility of the ministries of Justice, the Interior, Defence and Foreign Affairs.

It is the wish of all of us who have taken part in preparing this book to make known the security sector reform process that is taking place on an international scale and to foster its continuity as far as possible.

CHAPTER ONE

WHAT IS MEANT BY SECURITY SECTOR REFORM

WHAT IS MEANT BY SECURITY SECTOR REFORM

JOAQUÍN CASTELLÓN MORENO

«In the beginning the world was so recent that many things lacked names, and to mention them they had to be pointed to...».

One Hundred Years of Solitude – Gabriel García Márquez.

NEW LANDSCAPE, NEW IDEAS

The Roaring Nineties

The end of the Cold War brought a new strategic landscape that was completely different from that of the years of the bipolar world. The great thinkers in international security issues toyed between «the end of history» and «the clash of civilisations», creating a certain sensation of uncertainty about the times to come. As what some called the «roaring nineties» elapsed, (1) the outline of the new strategic landscape became progressively clearer, soon giving rise to the need for new ideas for fostering a fast adaptation to the new environment.

One of the most salient aspects underlined in the leading studies on international security conducted at the end of the past century (2) was the change witnessed in the nature of armed conflicts. Generally speaking, the actors involved in the new conflicts were no longer regular armies but

(1) STIGLITZ, JOSEPH. «*The Roaring Nineties. Seeds of Destruction* (Spanish trans. *Los Felices 90. La semilla de la destrucción*). Taurus, 2003).

(2) KALDOR, MARY. «*New and Old Wars: Organized Violence in a Global Era*». Cambridge: Polity Press, 1999.

paramilitary groups, militias, guerrillas, warlords and others, who fought on their own national territory. The causes were often attributable to ethnic and religious motives or to the existence of extreme nationalist movements. Many of them found a fertile ground in weak states incapable of guaranteeing the internal and external security of their inhabitants.

The perception of threats to security is increasing in the Western world owing largely to the advantages of an increasingly globalised world. Now that the purely military threat posed by the existence of the Soviet bloc has disappeared, consideration is beginning to be given to new, much less predictable threats that are very diverse in nature. International terrorism, weapons of mass destruction, organised crime, uncontrolled migratory movements, epidemics and environmental disasters are identified as the chief menaces to the security of states and their citizens.

The generically called «peace operations» came to account for most of the Western armed forces' activities. These operations, consisting of making, enforcing, keeping and building peace and stabilisation, required a great effort of the armed forces in order to cope with endless new missions on top of their traditional combat missions. These missions were often conducted in remote countries and in a socio-cultural environment very different from their own, which was undoubtedly an added difficulty. The Western armed forces, which had scored highly in the joint action of the land, naval and air forces, addressed civilian-military cooperation as a new challenge necessary to attain many of the goals set for the new missions they faced.

In view of the new international situation, studies on security and defence are beginning to adopt new approaches, as a result of which new ideas are emerging and others that are not so new are falling into place now that the omnipresent bloc confrontation has come to an end. The aim is to give security a new dimension in which social, economic, political and other factors are considered in addition to purely military factors.

Of the concepts developed in the nineties, that of «human security» has, without a doubt, had the most repercussions on all subsequent doctrines. The 1994 human development report compiled by the United Nations Development Program (UNDP) (3) is the first to refer to this new

(3) The United Nations Development Programme (UNDP) was established in 1965. It is the United Nations body responsible for promoting development. In order to contribute to sustainable human development, the UNDP specialises in five thematic areas: democratic governance, poverty reduction, crisis prevention and recovery, energy and the environment and HIV/AIDS. It has been drafting its prestigious annual report on human development since 1990.

theory, which is essentially based on granting «individual security» a predominant role compared to the traditional idea of «state security». Obviously «individual security» and «state security» should not be taken to be clashing ideas, as it is always desirable for individual security to be ensured by the existence of a state capable of guaranteeing citizens' security and wellbeing. «Human security» is a broad concept that basically encompasses two aspects of security: security against any type of physical violence and security of basic necessities (4).

The aforementioned 1994 UNDP report, entitled «New Dimensions of Human Security», refers to how, in the developed countries, the idea of security is oriented towards protection against crime, wars, the presence of narcotics on the streets, the spread of diseases like AIDs, pollution, the deterioration of nature, fear of job loss, etc. In underdeveloped countries, the population needs to defend itself against the permanent threat posed by famine, disease and poverty, while also facing the same problems that threaten the developed world.

Although it may seem paradoxical, in order to sum up in a few lines the essence of the concept of «human security», we need to go back as far as 1945—nearly fifty years before the term «human security» was coined—specifically to a paragraph of the report submitted by the US Secretary of State Edward Stettinius to his government on the results of the San Francisco Conference which witnessed the establishment of the United Nations:

The battle of peace has to be fought on two fronts. The first is the security front where victory spells freedom from fear. The second is the economic and social front where victory means freedom from want. Only victory on both fronts can assure the world of an enduring peace.

A new perspective: Security Sector Reform

It is commonly said, and not without reason, that the concept of Security Sector Reform (SSR) (5) is rooted in that of «human security». But it seems only fair to point out that the emergence of «human security» in

(4) The concept of «human security» is comprised of two facets: One is the so-called «freedom from fear», which is based on eliminating violence from daily life. The second is the broader «freedom from wants», which also considers the individual's basic needs.

(5) Security Sector Reform (SSR) is the most widespread term used to refer to this concept. Other names can be found for the same concept, such as «Security System Reform» (SSR) used by the OECD.

the 1990s was accompanied by a number of circumstances that were conducive to the birth and subsequent consolidation of what we now know as SSR. There are four salient factors:

- First, never until now had development and security been linked. It was in the late 1990s when security as a necessary condition for the development of peoples began to be discussed. It was accepted as a principle that lack of security prevents nations from shrugging off underdevelopment and that, on the contrary, it strengthens a vicious circle of insecurity and poverty from which it is difficult to break out. It is therefore in the security field that urgent action needs to be taken when we wish to foster the development of a people.
- It was during these years when the circumstances allowed military cooperation with developing countries to be reconsidered. During the Cold War years, military cooperation was centred on purely operational aspects or on armaments-related issues. It was thus the right time to consider a type of cooperation that covered a broader spectrum of issues relating to the armed forces.
- Furthermore, the former countries of the Soviet bloc were embarking on a transition to democratic regimes, thereby fostering collaboration in security and defence matters, chiefly with the NATO countries, in order to achieve efficient and transparent security structures controlled by democratic parliaments and based on criteria of good governance.
- Lastly, support in building highly operational and transparent security structures is identified as an extremely important tool for preventing conflicts, chiefly in countries in danger of swelling the ranks of the «failed states». The governments of Western countries are now realising that the «cost of neglect» (6), that is, letting states fall into deep difficulties, is too high for international security.

The importance of fostering the establishment of efficient, transparent and democratic security structures as a development cooperation and conflict prevention tool seemed clear. But it was not until May 1998, when the British Secretary of State for International Development, Clare Short, first introduced the concept of Security Sector Reform in a public speech (7). In her address, the Secretary of State spoke of the need for collaboration between the organisations responsible for development

(6) Expression used by the OECD DAC in the report «DAC Guidelines and Reference Series. Security System Reform and Governance».

(7) Short, Clare. «Security, Development and Conflict Prevention», address given at the Royal College of Defence Studies, May 1998.

cooperation and the armed forces in addressing interrelated matters like security, development and conflict prevention.

The British Department for International Development (DFID) produced numerous documents developing the initial doctrine of SSR, championing and giving impetus to the new concept in its origins. With the turn of the century, the Organisation for Economic Cooperation and Development (OECD), chiefly through the Development Assistance Committee (DAC), involved itself deeply in this field, publishing many documents and becoming a compulsory reference throughout the SSR community.

Other European governments, mainly the Netherlands, Germany and Norway, promptly rose to the challenge launched by Britain. These countries soon contributed to developing the new proposal with fresh ideas and approaches, making Europe initially the centre of SSR. The concept did not take long to cross over to the other side of the Atlantic, where the United States and Canada gave it fresh impetus.

The Aftermath of 11 September

There can be no doubt that the terrorist attacks of 11 September 2001 influenced all security and defence matters, as is only logical. Fighting international terrorism became a compulsory priority on international security and defence agendas. All security policies were rethought from the angle of combating terrorism. This new situation was detrimental to some important aspects of SSR, particularly those that were not expected to reap palpable short-term results in fighting international terrorism.

Furthermore, the process of rebuilding Afghanistan gave considerable impetus to the concept of SSR. In 2003, Afghanistan's president, Hamid Karzai, referred to the SSR process in Afghanistan as the «basic prerequisite for rebuilding the nation that today's parents hope to bequeath to future generations» (8).

Two international forces are currently at work in Afghanistan. An international coalition led by the USA—forces that took part in the so-called operation «Enduring Freedom»—whose mission is to fight terrorism and insurgency, was first established in Afghanistan as an immediate response to the terrorist attacks of 11 September.

(8) Words pronounced by President Hamid Karzai at the inauguration of the National Symposium on Security Sector Reform, July 2003.

The second multinational force that operates in Afghanistan is the International Security Assistance Force (ISAF). In 2001, following the Bonn agreements, the United Nations Security Council authorised the deployment of ISAF to support the Afghan Transitional Authority in maintaining security in Kabul and the surrounding area. In August 2003 NATO, at the United Nations' request, took command of ISAF's operations. ISAF's mission is to help the Afghan authorities guarantee security pursuant to the Bonn Agreement, the UN Security Council resolutions and a bilateral agreement with the Afghan government.

To guarantee security and foster the development of the Afghan people, both missions have developed characteristic SSR programmes such as: dissolving illegal armed groups through demobilisation, disarmament and reintegration (DDR) and the reform of the armed forces and Afghan police.

At the Tokyo donor conference in 2002, five G-8 countries decided to take charge of the respective pillars into which the SSR process for Afghanistan was divided: the United States, reforming the Afghan army; Germany, its police; Japan, the Disarmament, Demobilisation and Reintegration (DDR) of ex-combatants; Italy, judicial reform; and the United Kingdom, fighting drug trafficking.

The establishment of this system of «leader nations» was basically designed to share expenses and secure a lasting commitment from the donor countries. However, in the opinion of prestigious analysts of Afghan reconstruction (9), the chosen system was seriously flawed from the outset. This design flaw was no less than failure to establish a mechanism for coordinating the processes in order to progressively create the logical synergies between them. This lack of coordination violated one of the basic principles of SSR processes, namely the consideration of the process as an indivisible whole as opposed to composed of isolated elements.

At the beginning of 2006, President Karzai, the UN secretary-general, Kofi Annan, and Britain's prime minister, Tony Blair, presided at a conference in London attended by some sixty states and international organisations, where an agreement known as the «Afghanistan Compact» was adopted (10). This agreement expressed the international

(9) CYRUS HODES and MARK SEDRA, *The Search for Security in Post-Taliban Afghanistan*. The International Institute for Strategic Studies. Adelphi Paper 391. October 2007.

(10) The «Afghanistan Compact» is a five-year plan adopted at the London meeting, whereby the international community undertakes to assist with the reconstruction of Afghanistan.

community's commitment to Afghanistan in collaborating in the construction and reform of the state, chiefly in the field of security, the system of government and development.

Specifically, in relation to SSR, the Afghanistan Compact encourages the international US-led coalition and ISAF to support the Afghan government in creating financially sustainable armed forces and police that act in accordance with the rule of law.

Basically, as we have seen, the reconstruction of Afghanistan reinforces the concept of SSR enormously; but at the same time, it points to the difficulties of putting it into practice, especially in a country as complex as Afghanistan. One of the keys to success undoubtedly lies in striking a balance between short- and long-term plans, making it possible to work in the present to achieve a stable and prosperous future for the Afghan people.

REFORM AND THE SECURITY SECTOR

The pillars of SSR

Logically, the need for reform stems from the existence of a deficient security sector; that is, one that is not in a position to guarantee citizens' security—external and internal; the sector itself is sometimes even part of the problem.

The reasons that can lead a security sector to be considered dysfunctional are very diverse. The most common are: corruption; lack of democratic control of the institutions responsible for security; an inappropriate legal framework; the existence of excessive or scant expenditure on security and defence; and the presence of guerrillas or ex-combatants who need to be demobilised, among others.

SSR should be taken as a broad concept that can span numerous disciplines, actors and activities. As always, it is not easy to find a concise definition that sums up perfectly and succinctly what the SSR concept is. One of the most widely accepted definitions is provided by the OECD (11):

The overall objective of international support to security system reform processes is to increase the ability of partner countries to meet the range of security and justice challenges they face in a manner

(11) OECD DAC Handbook on Security System Reform. «*Supporting Security and Justice*». 2007.

consistent with democratic norms and sound principles of governance (12), and the rule of law.

There are actually very different circumstances that can lead to consideration of the appropriateness of undertaking a SSR process, and it is therefore not possible to speak of a single model but rather of a general framework adapted to the particularities of each case. Nonetheless, aside from exceptions that may occur, three broad scenarios may be defined that cover practically all cases: the first is developing countries belonging mainly to Africa and Asia; the second groups together countries involved in transitions to democratic regimes—the most numerous group being European countries that formerly belonged to the Soviet bloc; and the third and last consists of countries undergoing post-conflict reconstruction, such as Iraq and Afghanistan.

Nor do the donor countries give the same consideration to their participation in a SSR process. We might divide them into two categories: those that study and apply SSR fully, the so-called «holistic donors» like the United Kingdom and the Netherlands; and those that specialise in a specific area, the «niche donors», such as Germany in institutional matters and, more specifically, in police and justice affairs.

We have stated that SSR processes are tailored to the needs of the country where they are implemented. However, there are a number of principles that should guide any reform carried out in the security sector in order to be able to speak rightly of a SSR process. Failure to follow these criteria could lead to failure to achieve the overarching goals pursued by SSR, which are basically (13):

- To establish security and control structures based on democratic norms and principles of governance.
- To improve the capabilities of the institutions responsible for guaranteeing security and administering justice in order that they are able to address internal and external threats.
- To encourage local leadership and local ownership of the entire process in the collaborating countries.

(12) The *Diccionario de la Real Academia de la Lengua Española* defines the term «governance» (*gobernanza*) as: «Art or manner of governing aimed at achieving lasting economic, social and institutional development by promoting a healthy balance between the state, civil society and the market economy».

(13) OECD DAC Handbook on Security System Reform. «Supporting Security and Justice». 2007

- To guarantee the sustainability of the structures created or reformed, in the fields of security and justice.

Probably the most important principle is to regard SSR as an integrated process. This aspect is perfectly explained by Jane Chanaa (14) when defining SSR as an integrated process consisting of four dimensions:

- *The political dimension*, which relates to the development of mechanisms for democratic control of the sector.
- *The institutional dimension*, that is, the reform of the structures and capabilities of the armed forces, police, intelligence services, etc.
- *The economic dimension*, which basically seeks to establish realistic resource plans in order to maintain the institutional reforms.
- *The social dimension*, insofar as it attempts to raise society's awareness of security and defence issues.

The aim is to mobilise all the government mechanisms and structures—in both donor and recipient countries—and at the same time involve civil society in the process.

To attempt to ensure that the recipient countries take charge of and direct the process—what is referred to previously as «local leadership» and «local ownership»—is one of the distinguishing features of SSR. Experience has shown that reform processes fail unless they have the commitment and full involvement of the parties at whom the reforms are targeted. Assistance should be designed in such a way that it supports the governments and other organisations of the collaborating countries, but it is not a question of attempting to impose certain programmes and less so external oversight.

The Security Sector

Bearing in mind the foregoing, we should include under the heading of security sector all the institutions, organisations and groups, etc.—whether state or non-state—whose purpose is to contribute to preserving security or administering justice. As can be easily imagined, the list of actors involved is lengthy, and we will therefore divide them into four groups:

- *Core of the Security Sector*: armed forces, police corps, gendarmerie, intelligence services, customs police, local police, civil protection troops, etc.

(14) CHANAA, JANE. «Security Sector Reform: Issues, Challenges and Prospects». The International Institute for Strategic Studies. Adelphi Paper 344. 2002.

What is meant by security sector reform

- *Leadership and Supervision*: the government, parliament, defence ministry, home office, ministry for foreign affairs, ministry of justice, ministry of the economy, etc.
- *Justice and the Rule of Law*: ministry of justice, judicial system, penitentiary institutions, organisations related to the defence of human rights, etc.
- *Non-state agents*: guerrillas, militias, private security companies, etc.

All the actors are related in some way or another, and this makes it especially important not to lose sight of the sector as a whole. Perhaps the most graphic example that is frequently cited refers to the numerous links between the judicial, fiscal, police and penitentiary systems.

Organisation in the Donor Countries

As we have seen, SSR is a complex and broad concept that embraces numerous activities and actors and therefore requires the donor countries to be equipped with appropriate tools that enable the theory to be put into practice. It is vital to create the necessary mechanisms for allowing collaboration between the different ministries and organisations involved. We will go on to point out a few examples from the countries belonging to our environment.

The first country to develop a government policy on SSR was the United Kingdom, through the Global Conflict Prevention Pool (GCPP), which, together with the African Conflict Prevention Pool (ACPP), combines resources from various ministries in order to carry out activities aimed at preventing and resolving conflicts that erupt throughout the world. The GCPP is made up of representatives of the Foreign Office, the Ministry of Defence and the Department for International Development (DFID). In June 2002, they drafted the document entitled «Security Sector Reform Strategy», which enshrines the British government's doctrine on SSR. New editions updating the initial strategy have been published in subsequent years.

The British government has also set up the Security Sector Development Teams (SSDATs), initially called Defence Advisory Teams (DATs). The SSDATs are institutionally responsible to the Ministry of Defence and bring together experts in defence, police, intelligence, justice and governance. Its studies are geared to bolstering the democratic and good governance criteria of the security sectors of the countries they analyse.

The Netherlands has also established coordination mechanisms in its Ministry of Foreign Affairs, drawn from the ministry's areas of cooperation and security, while representatives of the Ministry of Defence act as observers. In parallel with the foregoing, the Dutch government has set up SSR teams consisting of a representative from the Ministry of Defence and one from the Ministry of Foreign Affairs, the latter acting as team leader. Their chief mission is to identify possible SSR activities that can be performed by the Dutch government. They are currently putting together teams comprised of a larger number of members belonging to the Defence Ministry.

Lastly, the US model should be cited. The United States has set up the Office for the Coordinator for Reconstruction and Stabilization (CRS), which is responsible to the Department of State. This office is in charge of coordinating government activities relating to the reconstruction and stabilisation of countries that have been caught up in conflicts. This office's scope of action is very broad, SSR being one of its areas of special interest. One of its activities consists of setting up teams that can be deployed in the countries with which it is collaborating. These teams can be made up solely of civilians or of civilians and military, depending on the type of activities they are expected to perform.

CONCLUSIONS

This first chapter has aimed to provide a brief overview of the main events that sparked the emergence in the late 1990s of the concept of SSR and to briefly outline its main elements. At a time when the debate that sprang up over the new conceptions of security is in full swing, SSR prevents an excessively theoretical approach that could prove fruitless, and is viewed as a tool capable of contributing to development and international security.

SSR cannot be regarded as a totally new concept as, in fact, activities designed to establish security structures based on the democratic norms and the principles of governance were performed before the term SSR emerged. What is truly new—what the SSR concept offers—is a holistic vision of security sector reform, considering it to be an integrated process comprised of four dimensions: political, institutional, economic and social.

SSR is not a cure-all capable of remedying all the ills of a dysfunctional state. A SSR process is normally a substantial part of a broader programme of action designed to achieve progress in the democratisation,

What is meant by security sector reform

stabilisation and development of a country as a whole. However, as is stated throughout the chapter, security has been clearly identified as a condition necessary for development, and the security sector must therefore be one of the priorities when undertaking any democratisation, stabilisation or reconstruction process.

As in so many other issues, while theory advances quickly on paper, programmes are somewhat slower to advance on the ground. Bridging the gap between theory and practice is the major challenge that SSR faces today. But nobody doubts that throughout its ten years of existence the concept of SSR has carved out an important place on the international scene. We have finally realised that no country can consider itself totally secure and totally free until all the rest are.

CHAPTER TWO

SSR AT MULTILATERAL FORA. THE PERSPECTIVES FROM THE UNITED NATIONS AND OSCE

SSR AT MULTILATERAL FORA. THE PERSPECTIVES FROM THE UNITED NATIONS AND OSCE

ENRIQUE MADRAZO RIVAS

INTRODUCTION

As stated in the first chapter, the concept of Security Sector Reform (SSR) emerged in the 1990s and has become consolidated during the current century. It sprang up in the context of a world undergoing a transition from the decolonisation processes of the second half of the twentieth century (1), when the problem arose of states with significant weaknesses or states that are «aggregate» rather than «integrated» in nature (2). It is also a world in which the nature of conflicts varies substantially, and we are witnessing in particular a rise in essentially internal conflicts and a lessening of those that are basically

(1) Antonio Truyol stated that: «La segunda guerra mundial verá manifestarse de golpe la mutación de la sociedad internacional, maduramente preparada. La emancipación o descolonización del mundo afro – asiático es, después de la emancipación del Nuevo Mundo, el hecho mayor de la vida internacional. Consagra la mundialización de la sociedad internacional en cuanto tal, y no incorporada sólo de una manera pasiva, tal cual lo era anteriormente, al ciclo de los intercambios mundiales bajo una hegemonía o una dominación. Ha dado a la Organización de las Naciones Unidas su fisonomía peculiar, radicalmente distinta de la de la Sociedad de Naciones». *La Sociedad Internacional*. Madrid, 1993, page 83.

(2) The concepts «integrated actor» and «aggregate actor» are used as an instrument to distinguish between types of international actors according to two basic elements: the internal cohesion of each actor and external operational autonomy. I have used these two concepts here to distinguish between states, taking a state that falls more into the category of aggregate actor to mean one that is close to what we tend to term failed state, but has not yet experienced the crisis that triggers the collapse of state and society. See: ATTINA, F., *La política internacional contemporánea (1945-1980)*, Milan, 1983, page 111; CALDUCH CERVERA, R., *Relaciones Internacionales*, Madrid, 1991, pages 108–111; ROSENAU, J. N., «*Le touriste et le terrorista ou les deux extrêmes du continuum transnacional*», *Etudes Internationales*, Volumen X, no. 2 (June 1979), page 225.

international (3). The concept of SSR is likewise relevant to the transition brought about by the end of ideological and political bipolarism (4) triggered by the collapse of the common structures of the group of states led by the Soviet Union, and also by the collapse of the latter itself (5). This process appeared to topple part of the ideological cover of many of the conflicts that had existed since 1945. New challenges appeared on the horizon of the new century and the new millennium, among which terrorism seems to be a paradigmatic phenomenon (6).

CONDITIONING FACTORS AND CONCEPTS IN THE UNITED NATIONS AND OSCE

One of the basic aspects that should be borne in mind when analysing the concept is that attempts are being made to develop it from an integrated, comprehensive approach. Security Sector Reform involves integration into a wider set of measures and, at the same time, aims for

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- (3) Until the end of the eighteenth century, the number of major armed interstate conflicts was greater than the number of major intrastate conflicts. In the nineteenth century, the two types of major armed conflicts were almost equal (87 versus 86). In the twentieth century, intrastate conflicts more than doubled interstate conflicts (46 versus 101), and this gap is particularly wide from 1845 to the end of the century. The growth in intrastate conflicts that turn into interstate conflicts as a result of foreign intervention is also significant. See, among others, the now classic works by: BOUTHOU, G. and CARRÈRE, R., *Le défi de la guerre (1740–1974)*, Paris, 1977; RICHARDSON, L. F., *Statistics of Deadly Quarrels*, Chicago, 1960; WRIGHT, Q., *A study of war*, Chicago, 1965.
 - (4) The emergence of the communist models with the revolution of October 1917 marked the beginning of bipolar confrontation, which became accentuated in 1945. Much, if not all, of the doctrine in international relations has been marked both directly and indirectly by this division of the international stage into two. Some writers, such as the historian HOBBSBAWN, ERIC, see these events as marking the time span of the century. See, by this author: *Age of Extremes. The Short Twentieth Century 1914 –1991*, London, 1994.
 - (5) The collapse of the Soviet bloc beginning in the 1980s and ending in the early 1990s is frequently referred to in general works written in the past fifteen years. Examples of works published in Spanish are: BARBÉ, E., *Relaciones Internacionales*, Madrid, 1995, pages 227 to 296; GARCÍA PICAZO, P., *Las Relaciones Internacionales en el siglo XX: la contienda teórica*, Madrid, 1998, pages 261 a 291; PEREIRA, J. C. (coordinator), *Historia de las Relaciones Internacionales contemporáneas*, Barcelona, 2001, pages 531 to 564; ZORGBIBE, CH., *Historia de las Relaciones Internacionales*, volume 2, Madrid, 1997, pages 629 to 719.
 - (6) The bibliography on terrorism has multiplied since the attacks of 11 September 2001 in the United States. Some of the books that are closest to the time of the attacks, of the great many that have now been published, are: BONIFACE, P. (ed.), *Le 11 septembre. Un an après*, Paris, 2002; BOOTH, K. and DUNNE, T. (eds.), *Worlds in Collision. Terror and the Future of Global Order*, Basingstoke, 2002; GUNARATNA, R., *Inside Al Qaeda. Global Network of Terror*, London, 2002; HEISBOURG, ET ALIA, *Hyperterrorisme: la nouvelle guerre*, Paris, 2001; REINARES, F., *Terrorismo global*, Madrid, 2003.

security issues to be addressed comprehensively. This comprehensive perspective or approach indicates the pursuit of a long-term or strategic approach designed not only to cater to peacebuilding needs (SSR is listed under this concept in the most recent United Nations documents) but also to introduce systematic changes in state structures and ways of functioning in order to prevent subsequent conflicts.

The comprehensive nature of the approach is determined by the overall objective (to improve a state's ability to cater to its inhabitants' security needs), as well as by the pursuit of greater effectiveness in the methods used to achieve this goal, which requires combining a certain set of measures of various kinds in order to maximise the efforts made and the means available. It should be borne in mind that, in both the United Nations and the OSCE, one of the problems that are ever present is the scarcity of financial resources, which translates into a significant scarcity of human resources. The need for donors conditions the possibilities of design and action.

Geographical «preferences»

The scope of what SSR is may be defined by analysing the area over which it operates in the United States and OSCE grounds for action. The United Nations was established in 1945 as a universal organisation designed to incorporate all states, although the conditions for admission laid down in article 4 of the Charter appear to indicate otherwise. In practical terms, the United Nations has become the universal organisation it set out to be. In addition to this universal nature, the organisation is clearly regional in its projection. Not only is part of its functioning conditioned by the structuring of regional groups (election of non-permanent members of the Security Council, election of magistrates of the International Court of Justice, etc.), but the Charter itself recognises the organisation's ability to use regional organisations or mechanisms, as has occurred on various occasions. The consideration of principles like subsidiarity and the recognition that, for certain operations, it is better to use resources and personnel from the same region, is leading to the growing orchestration of the existing regional mechanisms.

Even so, we should consider two important aspects when assessing the existence of a preferential geographical scope in Security Sector Reform. First, the organisation's goals of cooperation and development tend to focus its efforts on areas where states and societies are in greatest need of

cooperation. This tends to exclude North America, Central and Western Europe and certain parts of Asia and to give preference to Africa, certain areas of Central and South America and certain parts of Asia. Since SSR is generally tied to economic aspects such as overcoming poverty and economic development, it is easier to find Security Sector Reform being considered in conflict-ridden areas and areas where development is scarce. Under the umbrella of the concept of peacebuilding and of the recently established Peacebuilding Commission (7), the theme of SSR has been incorporated into the handling of two cases—Sierra Leone and Burundi—a fact which seems to indicate a greater practical need in Africa.

Second, as commented, the United Nations was not established to act in essentially internal matters. Article 2 itself of the Charter (which lists the basic principles that govern the activity of the organisation and its states) states this explicitly. This legal constraint embodies the point of view of many states for which sovereignty, in the form of the principle of non-interference, takes predominance over any other consideration. Therefore, the impetus for states to introduce modifications in key sectors of state activity, such as security, appears to be effective when the state in question, on account of its weaknesses, is clearly in need of help and, as the result of a conflict, is forced to internationalise its problems and the efforts to solve them. In more extreme cases, a state may not be capable of solving its problems by itself. In other cases, the concept of sovereignty tends to be a hindrance to solving problems in the long term.

In the OSCE environment, there are obvious limitations on its geographical scope—the first being in its very name. However, irrespective of the fact that the concept of Europe features in its name, the origin of the organisation and the location of its members clearly point, in second place, to its dimension of northern-sphere organisation. It could be defined with greater precision as an organisation of the north of the northern hemisphere, clearly linked to the most developed areas of the planet and to the ideological break-up of the bipolar post-war world in Europe. The transformations that took place in the European environment from the mid 1980s led the organisation to extend its spheres of interest somewhat eastwards, where a certain power vacuum and the incipient

(7) The Peacebuilding Commission was established by Security Council Resolution S/RES/1645 (2005) of 20 December 2005, simultaneously with an equivalent decision of the General Assembly. The setting up of the Commission was completed with the establishment of the Peacebuilding Fund on 11 October 2006, which has been running since 2007, as an «innovative mechanism aimed at extending critical support during the early stages of a peace process».

conflictive climate created an appropriate framework for international intervention.

The Balkans, owing to the successive crises that have ravaged them, the Eastern European states in their sometimes difficult transitions to democracy, and the southwest areas of the former Soviet Union (the South Caucasus) in their effort to redefine their situation and relations are the three priority areas in which the OSCE appears particularly interested. Although in specific conflict situations such as that of Transnistria (Moldavia), its role is practically non-existent, stability in these three areas is of concern to the organisation and to most of the Member States.

Developments in recent years have hampered some of the organisation's activities owing to a certain heightening of the tension between the Western states and Russia, but this does not affect the OSCE's geographical focus. As with the United Nations, sovereignty can be a hindrance to certain states' acceptance of guidelines for reform in sensitive sectors like security. Unlike the United Nations, the OSCE does not have wide-ranging powers in matters of economic development, only a general aim of cooperation in the economic, scientific, technical and environmental fields, and comprehensive approaches are therefore more characteristic of the United Nations; however, the OSCE has proved more capable of dealing with issues pertaining more strictly to the field of security, and is ahead of the United Nations in certain aspects.

The thematic scope

One of the basic questions that needs to be answered in order for an analysis of SSR to be useful, academic and practical, is what the concept entails. Given the importance of a casuistic approach, not all the elements considered embraceable by the concept will find their equivalent in other cases and operations. This point addresses the question of the thematic scope from a general perspective, unlike the following points.

The first question to bear in mind is that considerations of reform originate from crisis situations, conflicts of varying intensity that evidence the failure of a state structure. Despite the fact that the issue of Security Sector Reform is considered in connection with immediate problems that require urgent responses, the whole issue involves or raises a long-term questions, the strategic or preventive approach. The United Nations Peacebuilding Commission stated in an executive summary of its summer 2007 report that «in response to a growing recognition that international

peacebuilding efforts have lacked an overall strategic approach, world leaders at the 2005 World Summit agreed to establish the Peacebuilding Commission» (8).

The reactive (and costly) approach of acting on conflicts that have already begun is being reoriented towards a preventive approach that is more useful in the long term (and cheaper for everyone). This was recognised on behalf of the United Nations Secretary-General by the Deputy Secretary-General (Mr Mark Malloch Brown) at a parliamentary hearing held at the organisation's headquarters in November 2006: «One of the Secretary-General's objectives has been to move the United Nations from a culture of reaction to one of prevention» (9). The aim was to help states emerging from a conflict to find a lasting path of reconciliation, development and peace.

The question of Security Sector Reform is therefore linked to conflict prevention and, although it may draw on measures for prompt implementation, they are designed to create a situation in which the security sector of the state in question may be a prominent factor in preventing the outbreak or, as the case may be, development of fresh conflicts.

The second question to bear in mind is that these are essentially internal conflicts that can sometimes become internationalised, a phenomenon that is being witnessed in more and more cases; they are internal in origin, but may be common to more than one state. The handling of an externally aggressive regime that carries out, for example, an armed invasion, requires a more classic treatment than the Security Council is prepared to deliver. The importance of the changes that have occurred in conflict models has been expressed on many occasions. At the aforementioned parliamentary hearing at the United Nations headquarters, it was stated that before «war involved mainly states fighting against other states, now groups within countries are fighting each other for power. Before, soldiers lost their lives on the battlefield; now, civilians are the principal victims».

(8) Provisional report on the work of the Peacebuilding Commission, of 28 June 2007; document PBC/2/OC/L.1. The final report is dated 25 July 2007; document A/62/137 S/2007/458. The Commission reports to the General Assembly and Security Council (hence the two reference numbers), as the decision to establish the Commission was made by both organisations.

(9) Parliamentary hearing (granted to members of the Inter-Parliamentary Union) at the United Nations headquarters on 13 and 14 November 2006, New York. Annex to the latter dated 11 January 2007 from the chargé d'affaires a.i. of the Permanent Mission of Italy to the United Nations addressed to the Secretary-General. Document A/61/703, of 18 January 2007.

Nowadays internal conflicts do not generally break out between regular armed groups but rather between non-regular armed groups, with or without the presence of the regular army of the state, which on many occasions is practically disintegrated or ineffective.

A third question to be considered is the aforementioned approach of democratisation. Transformations that are considered in practical terms involve steering changes from authoritarian models dominated by a high degree of corruption to democratic models in which control and transparency are an essential part of the structures and functioning of states. Democratisation is considered a vehicle for promoting lasting peace and security.

A last question to consider in an approach to practice in SSR is the aforementioned holistic or overall approach. The main United Nations documents increasingly stress this manner of addressing the question. It is necessary to apply «a coordinated, coherent and integrated approach to post-conflict peacebuilding and reconciliation with a view to achieving sustainable peace» (10). This means that, in situations where security sector reforms are considered, these are accompanied by other measures designed to: foster economic development in order to overcome the normally high poverty levels; develop a representative, constitutional, controlled (power balance) and transparent political model that encourages citizens' participation; and achieve greater respect for human rights and fundamental freedoms without which there can be no sustainable peace. The concept of SSR is therefore integrated into a set of wide-ranging measures in order to help lay genuine foundations for peace.

The very concept of Security Sector reform is multivocal, as befits a security concept that is increasingly broad in content. As stated in chapter one, SSR embraces four dimensions (11): 1) the political dimension, which is basically centred on the idea that military and security forces should be

(10) As stated in the 2005 World Summit Outcome. The final text of the Outcome is dated August 2005: Document A/RES/60/1, of 24 October 2005. The summit was a High Level Plenary Meeting held as part of the 60th session of the General Assembly. The text is repeated in the statement of reasons of Security Council Resolution S/RES/1645 (2005) of 20 September 2005, cited earlier, establishing the Peacebuilding Commission. See also: PERAL, L., «Las amenazas a la seguridad humana y el problema de los medios de acción. Reflexiones acerca del resultado de la Cumbre Mundial de 2005 sobre la Reforma de la ONU», Documento de Trabajo, no. 15, FRIDE, October 2005.

(11) In addition to the first chapter of this work a superb summary of the concept can be found in: SANAM NARAGHI ANDERLINI and CAMILLE PAMPELL CONAWAY, «Security Sector Reform». The text can be consulted at: www.international_alert.org/pdfs/TK-%20SSR_Spanish.pdf.

under civilian control; 2) the institutional dimension, which relates to material, technical and organisational changes in the security and military forces (equipment, number of personnel, structure of the institutions, etc.); 3) the economic dimension, which is linked to the budgets and financing of the armed and security forces and to the appropriateness of achieving transparency in these aspects; 4) the social dimension, which is related to the civilian aspects and the role society should play in monitoring security programmes and policies, including the question of the growing participation of women that international organisations aim to promote.

The political dimension is usually addressed in the initial debate on the role that should be played by the armed and security forces; the debate should involve political groups and forces, citizens and the members of the security sector themselves. In a broad sense it includes: all the people and groups with the necessary authority and instruments to use force; the people and institutions whose duties involve the monitoring and public administration of the sector; and the people who make up the structures that support the rule of law, particularly those linked to the judicial and penitentiary system.

The institutional dimension generally requires transformations that pose the greatest problems and chief difficulties, as the need for reform usually arises from the excessive wielding of uncontrolled or misdirected (against the population itself) power that needs to be curbed, redirected or both. The institutional dimension usually includes: downsizing the military and security forces and disarming and demobilising the armed groups active in the conflict zone and beyond government control; modernising and professionalising the sector through recruitment and training policies that enable new values to be instilled into the members of this sector; boosting the capacities of the judicial and penitentiary system to achieve greater independence in their functioning and be more accountable to society; and a cultural transformation to facilitate the incorporation into the military and security forces of people who are commonly excluded as they belong to minority ethnic groups, religious faiths or a particular gender (normally female), etc. This cultural transformation is but the ultimate logical consequence, in the sector's human component, of the traditional concept of national defence applied to the broader concept of national security.

The economic dimension involves variable requirements depending on the cases. In some it may be most appropriate to reduce the budget, while others may require an increase in order to finance training and education

activities, improve wages or even reincorporate demobilised soldiers into society. In any case, measures that facilitate transparency in the management of public funds are common to all proposals (parliamentary control, control of accounts by independent bodies...). The economic dimension raises other problems, as we are dealing with situations of scant development where the availability of additional financial resources may depend on international donors (particularly other states) that establish strict requirements for the allocation of funds and implementation of this aid.

The social dimension requires a previous and socially widespread realisation that we are not dealing with a matter for experts only. The participation of society is a desirable goal both from the point of view of controlling the sector's activity and from that of providing social support for this activity. To involve society, individuals and groups is a desirable objective that requires public awareness-raising and promotional activities on the part of diverse groups, such as the independent media, associations of professionals and religious confessions, etc. In this process measures bringing the security sector closer to women and young people tend to be considered of maximum concern.

An important issue linked to some of these dimensions has received special attention. In addition to the measures adopted to foster women's involvement in the security sector and its reform, growing attention has been devoted to the uncontrolled proliferation of small arms and light weapons. This question has acquired significant importance in the OSCE. According to the OSCE Document on Small Arms and Light Weapons, the participating states «recognise that the excessive and destabilising accumulation and uncontrolled spread of small arms are problems that have contributed to the intensity and duration of the majority of recent armed conflicts. They are of concern to the international community because they pose a threat and challenge to peace and undermine efforts to ensure an indivisible and comprehensive security» (12).

(12) OSCE, OSCE Document on Small Arms and Light Weapons, adopted at the 308th plenary meeting of the OSCE Forum for Security Cooperation on 24 November 2000: document FSC. DOC/1/00. The precedents of this document are Decision no. 6/96, of the so-called Lisbon Document of 1996, entitled: «A framework for arms control»; and Decision no. 6/99 of the aforementioned Cooperation Forum, backed by the OSCE Summit (of Heads of State and Government) held in Istanbul in November 1999, on the same subject. The OSCE's work in this field has continued to be centred in particular on managing surpluses of arms, operations to combat unlawful trafficking and exchanging information and confidence-building measures in this field. Practical handbooks have been written on some aspects, designed above all to facilitate and standardise procedures.

PRACTICE IN SSR

The casuistic approach that characterises this matter calls for an analysis of concrete practice; and since the priority geographical areas of action of the United Nations and OSCE appear to be different, in part, a study on practice should reflect this difference. Despite the existence of cases like Afghanistan and one of the Balkan conflicts in which both organisations took part along with others, when analysing the practice of the United Nations it is preferable to focus on the two most recently handled cases in which the OSCE was unable to participate for geographical reasons: Burundi and Sierra Leone. Although the United Nations Peacebuilding Commission has initiated an approach to addressing other states, there is still insufficient practice to conduct a useful analysis save in the two aforementioned cases.

The United Nations and peacebuilding: failed states and democracy

It is impossible to conduct a full analysis of practice in an article of this scope if we look back at the elements that have progressively emerged in United Nations operations in connection with the current concept of Security Sector Reform, but at the time came under different concepts. The integrated approach in the sense described in previous pages is more recent and the formal establishment of the Peacebuilding Commission allows our analysis to be centred on the two cases the organisation has dealt with in this framework, in which there have been sufficient developments to make such an analysis worthwhile.

Between July and December 2006 the Peacebuilding Commission set in motion the first stage of its substantial examination of Burundi and Sierra Leone in order to structure the bodies responsible for each state (each has its own configuration) and contact the parties and agents concerned in order to secure their participation. In January and February 2007, the Commission adopted half-yearly work schedules for the two states, including the sending of field missions to «obtain «firsthand information about the situation on the ground» (13). Achieving the necessary visibility by fostering dialogue between international actors and stakeholders was part of the initial aim. The process led to

(13) This field activity resulted in the Peacebuilding Commission documents: PBC/BUR/SR.1; PBC/BUR/SR.2; PBC/SIL/SR.1; PBC/SIL/SR.2.

the granting of 35 million US dollars for each of the two states from the Peacebuilding Fund (14).

The case of Burundi has distant antecedents, but the recent activity of the Peacebuilding Fund is a result of the serious conflict that re-erupted in the 1990s in Rwanda and spread to the neighbouring states, including Burundi, where the problem that triggered the conflict is significantly similar to that of Rwanda. The basic documentary references are: the Arusha Agreement, of 2000; the comprehensive ceasefire agreement between the transitional government of Burundi and the National Council for the Defence of Democracy–Forces for the Defence of Democracy (CNDD–FDD) of 2003; and the agreements between the government and the PALIPEHUTU–FNL of 2006. In addition to these texts: the five-year plan of the government of Burundi for 2005-2010; the strategy document on fighting poverty, for 2007-2010; the multilateral pact on security, stability and development in the Great Lakes region; and various Security Council resolutions and declarations. The Strategic Framework for Peacebuilding in Burundi was drawn up on this extensive basis (15).

The Monitoring and Tracking Mechanism of the Strategic Framework was established in November 2007 (16) and consists of three components: 1) the Partners Coordination Group in Burundi, which is the monitoring structure; 2) the matrix and progress reports; and 3) the Monitoring and Tracking Mechanism review meetings of the Peacebuilding Commission and other follow-up activities.

The first component, the Coordination Group, is three-tiered: a) at its base are the sectoral clusters which are coordinated by the Monitoring and Evaluation Group of the aforementioned Poverty Reduction Strategy Paper or Priority Action Plan, with a specific group for monitoring the

(14) The Fund was officially established on 11 October 2006 and became operational in January 2007. The basic reference document is the mandate of the Peacebuilding Fund, drawn up by the organisation's Secretary-General and adopted by the General Assembly on 22 August 2006: document A/60/984, annex. The Secretary-General acted on the request of the General Assembly and Security Council, which set up the Commission. The Fund is a multiyear mechanism for providing additional decisive support to the states in question in the initial stages of a peace process. Responsibility for the trust management was granted to the Multi-Donor Trust Fund Office of the United Nations Development Programme (UNDP), though the programmatic aspects continued to be managed by the organisation's Secretary-General.

(15) Created according to a decision of the Commission: document PBC/1/BDI/4.

(16) The Strategic Framework has been provided with a Monitoring and Tracking Mechanism (document PBC/2/BDI/4), established by a decision of the Peacebuilding Commission, of 27 November 2007.

implementation of the Strategic Framework as a whole; b) the second level, focused on the Strategic Forum of the Partners Coordination Group, deals with key issues emerging from the sectoral groups, the annual review of the Strategy Paper and proposals from the Monitoring and Evaluation Group of the Strategic Framework; c) the third level consists of the Political Forum of the Partners Coordination Group, chaired by a vice-president of the Republic of Burundi, who is the interlocutor of the Peacebuilding Commission at the headquarters in New York.

The second component, the matrix that provides a basis for the periodic reports, is designed to facilitate assessment of the implementation of the Strategic Framework using a twofold approach: by monitoring the implementation of agreed engagements and contributions and by tracking the progress made in achieving the established benchmarks. The matrix, designed to be the basis for the biannual progress reports, is not a static element, but can be adapted to needs, and generally consists of five elements: 1) objectives and priority areas; 2) risks; 3) critical benchmarks; 4) concrete indicators; 5) the list of mutual engagements and contributions of the government, the Peacebuilding Commission and other stakeholders. Together these elements should make it possible to draw up reports containing, at least: a trend analysis, an assessment of risks, an assessment of the implementation of mutual engagements and, lastly, appropriate recommendations. The third component, review meetings of the Commission, requires little explanation except for pointing out that each state that is the object/subject of activity has its own configuration on the Commission and that social organisations of various kinds participate actively throughout the process.

The Mechanism and the Strategic Framework previously decide on the priority areas of action. Four priority areas were identified for Burundi (17): a) fostering good governance in public affairs, tied to problems of democracy and leadership; b) strengthening the rule of law, with particular emphasis on the administration of justice, the penitentiary system and human rights; c) recovery of the community, focusing on problems of poverty and famine, land ownership and youth (persons displaced to urban areas and demobilised combatants in particular); d) security sector reform.

The reform and development of the security sector should, according to the Commission, be adapted to the appropriate provisions of the peace

(17) See the aforementioned report on the work of the Peacebuilding Commission of July 2007 (note 9).

agreements, the principles of the rule of law, respect for human rights, and the criteria of good governance in public affairs. This includes: disarmament of the civilian population and the control and non-proliferation of small arms. The development of the aforementioned matrix of the Monitoring and Tracking Mechanism in SSR illustrates very specifically the type of actions that are promoted and financed. Under the heading «Continuing the reform of the security sector and the disarmament of the civilian population», it includes: 1) significant progress in the professionalisation of the police and army; 2) completion of the demobilisation and disarmament of combatants; 3) control of the security forces through a civilian oversight mechanism; and 4) progress in the voluntary surrender of weapons by the civilian population.

The following indicators relate to these specific objectives or benchmarks: share of complaints against members of the security forces that lead to an investigation and share of disciplinary measures enforced; trend in level of satisfaction of the population with the military and security forces, as reported by independent bodies; number and trend of human rights violations by ex-combatants and security forces; number and trend of cases of rape and gender-based violence committed by the security and defence forces; number and trend of voluntary surrender of weapons and share of demobilised involved in community-level peacebuilding and development.

As for the financial aspect of the organisation's activity in Burundi, in July 2007 the Steering Committee of the Peacebuilding Fund had approved 12 projects (18) with a total budget of 26.8 million dollars in the four priority areas established (governance, justice and human rights and land issues). The implementation of the approved projects is the responsibility of the national authorities in collaboration with various United Nations agencies.

In the security sector, the Burundi authorities involved in implementing the related projects are: the Ministry of the Interior and Public Security, the Ministry of National Defence and ex-combatants and the Technical Commission for Civil Disarmament and the Fight against the Proliferation of

(18) See the Report of the Secretary-General on the Peacebuilding Fund, of 26 July 2007. Document A/62/138. As of July 2007 the Fund had received pledges of contributions of over 90 per cent of the established target of 250 million US dollars from donors, of which over 142 million had already been deposited. Since the fund is a multiyear instrument, it should be considered that it will need to secure fresh commitments from the states in 2008.

Small Arms. On the part of the United Nations, the agencies involved in their implementation are the United Nations Development Programme (UNDP) and the United Nations Integrated Office in Burundi (BINUB). They participate specifically in: the project, approved on 19 March 2007, called «Launching of activities of disarmament of the population and the fight against the proliferation of small arms and light weapons», endowed with 500,000 US dollars, for which the Ministry of the Interior, the Technical Commission and the UNDP are responsible; and the project, approved on 5 April 2007, called «Barracking of the National Defence Forces to reduce the impact of their presence within the populations», endowed with 4,583,000 dollars, for which the Ministry of Defence and UNDP are responsible.

In the case of Sierra Leone, the initial benchmark is the Lomé Peace Agreement of 1999, the starting point for reconstruction and peacekeeping efforts. Some important achievements have been made in various fields since the Peace Agreement, such as: the holding of general elections on a national scale in 2002 and 2007; the holding of municipal and local elections in 2004; the establishment of the Truth and Reconciliation Commission and the completion of its tasks; the full reform and restructuring of the national security institutions (police, armed forces and Office of National Security); the creation of the National Elections Commission; the creation of the Political Parties Registration Commission; and the creation of the Human Rights Commission and the Anti-Corruption Commission.

The priority sectors for action were established in successive meetings between the government of Sierra Leone and the Peacebuilding Commission, and incorporated into the main instrument created for the case of Sierra Leone: the Peacebuilding Cooperation Framework (19). The Framework is based on three principles: a) national identification, that is, the peace and development of a democratic Sierra Leone are the responsibility of the government and people of Sierra Leone; b) Mutual responsibility, meaning that sustainable peace requires a partnership based on mutual responsibility and respect between the government and people of Sierra Leone and international partners; c) Sustained commitment, that is, the consolidation of peace is a long-term process that requires the sustained and foreseeable participation of all the

(19) The Framework was drawn up by the Commission and the government of Sierra Leone and is dated 3 December 2007. Document PBC/2/SLE/1. Submitted at the second session of the Sierra Leone configuration on 12 December 2007.

stakeholders. The idea of a sustained commitment is a key concept, given that the deep roots of the conflict (widespread corruption, marginalisation and neglect of important rural and urban sectors of the population, lack of economic opportunities and scant state capacity to provide basic services), analysed in the report of the Truth and Reconciliation Commission, have yet to be fully addressed. The international donors will therefore have to keep up their efforts for some time.

The Cooperation Framework comprises several essential and interdependent priority spheres (20): employment and «empowerment» (according to the terminology employed in the document) of young people; the consolidation of democracy and good governance; capacity building; the energy sector and the reform of justice and the security sector.

As for the first issue, the report of the Truth and Reconciliation Commission identified the marginalisation and political exclusion of young people as one of the deep-seated causes of the civil war. Furthermore bearing in mind that, like most states in the area, its population displays the age breakdown of developing societies, meaning that the percentage of young people is very high. It is estimated that out of some five million people, around two million are aged between 15 and 35, and of these some two-thirds are young unemployed or employed in very low-level and very low-paid jobs, with very little job security. The problems or limitations with respect to overcoming this situation: low level of education, difficulty in gaining access to credit and difficulty in gaining access to land, among others. These issues are closely tied to the possibilities of development.

As for good governance and the consolidation of democracy, once the basic institutions are established, the focus is on strengthening the national institutions, which includes: improving the capacity of national institutions like the Parliament, the Elections Commission, the Anticorruption Commission and the Human Rights Commission; strengthening local government institutions and effective decentralisation, implementing the Local Government Act of 2004; and intensification of the

(20) Adopted by the Peacebuilding Commission at a session held on 12 October 2006, on the basis of those identified by the Sierra Leone government in consultation with other agents and stakeholders. In January 2007, the Commission drew up a work plan designed to establish, in six months, a document on Integrated Peacebuilding Strategies (IPBS), the basis for the Cooperation Framework established in December. The documents that contributed to the drafting of the Cooperation Framework include: Vision 2025, a poverty reduction strategy paper; the peacebuilding strategy; the report of the Truth and Reconciliation Commission and the Accountability and Governance Pact.

dialogue between the political parties and the involvement of all population sectors in decision making. In practical terms, the Improved Governance and Accountability Pact signed in July 2006 by the government and the four direct donors, and the Anticorruption law (of 2000) and Anticorruption Commission are elements of primary importance, as are the measures for reforming the security sector.

As for capacity building, the Peacebuilding Commission and the government of Sierra Leone have identified the weaknesses of the state institutions at the provincial and district levels as a hindrance to the advancement of decentralisation and a limitation on the supervisory functions of parliament. It was deemed necessary to carry out a thorough reform of the machinery of the public sector, including the consideration of merit as the basis for recruitment, the incorporation of more women into the public service and improving performance. The ministries and other departments and public bodies need to be in a position to assess themselves and remedy deficiencies, in order to be able to sustain the peacebuilding effort in the long term. As for the energy question, a crisis situation has been identified, particularly in the electricity subsector, which is a hindrance to economic growth. Electricity requirements have been calculated at 250 MW, while current production is little more than 10 MW. An improvement in this field will have a positive impact on job creation, the generation of public income, poverty reduction and overall recovery.

The emphasis on security sector reform and related efforts seem greater than in the case of Burundi, where the underlying problem lay in the clash between two differentiated ethnic groups, the Hutus and the Tutsis. The origin of the conflict in Sierra Leone is not chiefly ethnic, and greater attention has therefore been focused on the deficiencies in the security sector. The theme of SSR has two main facets: justice and the judicial system; and the armed and security forces. The judicial system is burdened by antiquated laws, insufficient personnel and logistic problems. According to information held by the Peacebuilding Commission (Sierra Leone configuration), 80 per cent of the population of this state resorts to the traditional system of justice, which is based on the community chiefs, is unable to administer justice efficiently, discriminates against women and young people, and lacks transparency and procedures for accountability. There is a certain variety of initiatives designed to build the population's confidence in the judicial system and to guarantee fast and equal access to justice.

Two projects were approved in connection with this aspect of strengthening justice and the judicial system: on 22 June 2007, a project entitled «Sierra Leone Human Rights Commission Capacity Building», endowed with 1,522,055.70 US dollars, under the responsibility of the Human Rights Commission itself and the UNDP; and on 11 July 2007, a project entitled «Capacity development to the justice system to prevent delays in trials and to clear backlog of cases», endowed with 3,959,772.54 dollars, under the responsibility of the Office of the Chief Justice and the UNDP. There is a third project under the justice and security heading, entitled «Support to National Elections Commission Polling Staff», which was approved on 11 July 2007, under the responsibility of the Elections Commission and UNDP, and is endowed with 1,598,727.36 dollars.

In addition to those projects in the framework of the efforts of the Peacebuilding Commission and Fund, there are a few projects run jointly by the government of Sierra Leone and an international partner, such as the programme for the development of the judicial sector, a national regulatory framework for the latter and a reform strategy for the 2008–2010 period. This project is run with the UK Department for International Development, which is furthermore the biggest contributor to the Peacebuilding Fund, to which it has pledged over 58 million dollars.

In the strictly security aspect, that which affects the armed forces and the police, certain initiatives aimed at transforming and restructuring the security institutions are considered to have been successfully implemented. What is now needed is to consolidate the reforms, particularly with respect to: improving the efficiency and economic management of Sierra Leone's armed forces; reviewing and updating service conditions; reinforcing training in order to improve relations between police and population, including bolstering family support offices; improving the coordination between the security institutions, bearing in mind that deficiencies in this field were a contributing factor to the conflict, which involves bolstering the conflict-prevention and early-warning capacities of the National Security Office.

Three projects, which are currently in progress or already completed, have been approved in connection with the armed and security forces: on 11 May 2007, the project entitled «Improved public order management capacity», aimed above all at improving police equipment, including riot gear, and endowed with 1,042,564.91 dollars, under the responsibility of the Sierra Leone police force and the UNDP; on 11 July 2007, the project

entitled «Emergency support to the security sector», designed to build police capacities to maintain law and order with a view to the elections held at the end of 2007, endowed with 1,822,823.94 dollars, under the responsibility of the Ministry of Finance and UNDP; and on 11 July 2007 the project entitled «Rehabilitation of the water and sanitation facilities for the Republic of Sierra Leone armed forces barracks in Freetown», endowed with 1,955,706 dollars, under the responsibility of the Ministry of Defence and UNDP.

As with Burundi, the Peacebuilding Commission has attached significant importance to the subregional dimension of the peacebuilding processes. The Commission considers that peacebuilding initiatives carried out at the national and international levels should be accompanied by confidence-building measures among border communities through specific dispute-settling mechanisms and the strengthening of trade relations—in general, the establishment of cross-border regimes like those in force in Europe, which facilitate relations and exchanges and tend to prevent or limit conflicts. In the case of Sierra Leone, the Commission has suggested strengthening the secretary's office of the Mano River Union (21) in order to guarantee the effective coordination of its Member States.

The OSCE and stability in the northern hemisphere: reform, control and leadership

In the OSCE environment, the question of security sector reform is closely tied to democracy. The head of the OSCE Mission to Serbia and Montenegro illustrated this perfectly with the statement that one of the main indicators of a firmly consolidated and operational democracy lies in the role and place of the armed forces in society. A militarised society or one in which the main arbiter or controller of the political process is the armed or security forces may hardly be considered democratic. This does not mean, as the ambassador states, that the armed forces are, by

(21) Established in 1973, as the result of a bilateral cooperation process between Sierra Leone and Liberia and the recommendations of a United Nations mission. The process culminated in the signing of the Mano River Declaration, at Malema by the heads of state of Sierra Leone and Liberia on 3 October 1973, together with six protocols in 1974. Guinea later joined, and is one of the states whose situation is currently beginning to be analysed by the Peacebuilding Commission. The organisation's structure includes: the assembly of heads of state, a Ministerial Council, a Standing Committee, Technical Commissions (finance, administration and personnel and economic affairs), several subcommittees and the Freetown-based Secretariat. The organisation was inoperative for some years owing to the instability of the area.

definition, a threat to democracy. On the contrary, armed forces that are well integrated, depoliticised, professional, efficient, respectful of the laws and democratically controlled can be one of the guardians of peace, stability and democratic values (22). In his address he recalled a basic document with respect to Security Sector Reform: the Code of Conduct (CoC), which widely promotes these democratic values.

The OSCE Code of Conduct (23) is considered one of the most important normative documents adopted by the OSCE since the Helsinki Final Act of 1975. It is a document that has no equivalent in any other international organisation. The analysis of Security Sector Reform in the OSCE's activity should be based on the contents of this document. The Code of Conduct is a coherent set of operational rules for both international and internal conflicts. Political stability, democracy and the security sector are closely related in the Code. The general conditions it lays down include: an integrated concept of security that encompasses respect for human rights, economic cooperation and respect for the environment; security as an indivisible quality, so that the security of each state is linked to the security of the rest, and a common effort is therefore required to bolster the security and stability of the region; and consequently, the adoption of an approach of broad cooperation in security matters.

The Code identifies the tensions that can trigger conflicts, pointing out that their origin lies in violations of human rights and fundamental freedoms and of other commitments in the human dimension; also in manifestations of aggressive nationalism, racism, chauvinism and anti-Semitism (point VI, 17). The points devoted especially to what may be considered Security Sector Reform are VII (20 to 33) and VIII (34 to 37). The basic issues addressed are linked to: democratic control of the armed and security forces; leadership; defence expenditures; the public sector machinery; and aspects linked to the education and training of the armed forces.

With respect to the first of these themes, democratic control, the first paragraph or point, 20, expresses an extremely important declaration of intent, stating that the participating States «consider the democratic political control of military, paramilitary and internal security forces as well

(22) Address delivered by Ambassador Mauricio Massari, Head of the OSCE Mission to Serbia and Montenegro, at the beginning of the Seminar «The role of civil society in Security Sector Reform», 18 February 2005, Kanjiza (northern Serbia).

(23) Called: Code of Conduct on politico-military aspects of security. Adopted on 3 December 1994, at the 91st plenary meeting of the Special Committee of the CSCE Forum held in Budapest. DOC.FSC/1/95.

as of intelligence services and the police to be an indispensable element of stability and security. They will further the integration of their armed forces with civil society as an important expression of democracy». Democratic political control also entails: guaranteeing that the armed forces are, as a whole, politically neutral, irrespective of the civil rights of their members (point 23); adopting measures to guard against accidental or unauthorised use of military means (point 24); not tolerating forces not accountable to or controlled by constitutionally established authorities (point 25); ensuring that its paramilitary forces refrain from acquiring combat mission capabilities in excess of those for which they were established (point 26); ensuring that any decisions to assign its armed forces to internal security missions are arrived at in accordance with constitutional procedures, prescribing the missions with precision, and ensuring they are conducted under the effective control of constitutionally established authorities and subject to the rule of law (point 36); not using the armed forces to limit the peaceful and lawful exercise of the human rights by persons as individuals or to deprive them of the national, religious, cultural, linguistic or ethnic identity (point 37).

The second question, leadership, is inevitably linked to the previous issue of democratic control, as illustrated by point 21 of the Code of Conduct, which states that each participating State «will at all times provide for and maintain effective guidance to and control of its military, paramilitary and security forces by constitutionally established authorities vested with democratic legitimacy. Each participating State will provide controls to ensure that such authorities fulfil their constitutional and legal responsibilities». This leadership should therefore be endowed with two basic characteristics: it should be effective and democratic in accordance with the Constitution and the law. The idea of a leadership model in accordance with the law is reiterated in point 31, but in relation to military command, with the statement that the participating States «will ensure that armed forces personnel vested with command authority exercise it in accordance with relevant national as well as international law». It recalls, at this point, that an armed forces command authority can be held responsible for the unlawful exercise of such authority and that orders contrary to law must not be given. It goes on to state that the armed forces should be commanded, manned and equipped in accordance with the provisions of international law, particularly the Geneva Conventions of 1949, the two protocols and other relevant texts (point 34). States should furthermore ensure that their defence policy and doctrine are consistent with international law and the Code of Conduct (point 35).

The third element, defence budget and expenditure, is addressed in point 22 of the Code, which indicates that each participating State «will provide for its legislative approval of defence expenditures. Each participating State will, with due regard to national security requirements, exercise restraint in its military expenditures and provide for transparency and public access to information related to the armed forces.» In short, parliamentary control in establishing expenditures and transparency with respect to the public—evidently the same as that of any other ministerial department. In any event, the use of the word «restraint» is significant and indicates the aim of downsizing the security sector.

The fourth element, aspects of the public mission of the armed and security forces and their members' nature of public employees entails, in the Code of Conduct: a process of recruitment or call-up of personnel that is consistent with the state's obligations and commitments in respect of human rights and fundamental freedoms (point 27); the reflection, in their laws, of the rights and duties of armed forces personnel, including the possibility of introducing exemptions from or alternatives to military service (point 28); states' commitment to ensure that their armed forces, paramilitary and security forces personnel will be able to enjoy and exercise their rights and freedoms as reflected in the documents of the organisation, international law, constitutional and legal provisions and the requirements of service (point 32); and, finally, the establishment of appropriate procedures to protect the rights of all security sector personnel (point 33).

The last element, training, has the greatest impact on the question of the values that need to be instilled in the members of the armed and security forces. In particular, points 29 and 30 establish, for the participating States, the commitments of: making widely available the international humanitarian law of war; reflecting these commitments in their military training programmes and regulations; instructing their armed forces personnel in international humanitarian law and ensuring their awareness of their individual accountability for their actions. In the field of education, it is evident that in many of the organisation's Member States, the teaching of international humanitarian law has become standard practice. Indeed, some of the leading specialists in this area are military. Point 34 stresses these aims when it states, among other things, that the training of the armed forces personnel must be compatible with the state's international obligations and, in particular, with international humanitarian law. Point 35, quoted above, conveys a similar message but aimed at political and military leaders responsible for the design of defence policy.

The Code of Conduct is therefore both a result of the experience acquired and an instrument to guide the latter. Learning from experience has become a necessity for both the United Nations and the OSCE and other international organisations that operate in areas as liable to changes in practice as Security Sector Reform. In the case of the OSCE, experience is highly varied within the organisation's priority areas of action. One of the specific fields in which the OSCE has been particularly active is the former Yugoslavia and its geographical-political environment. Its activity has been focused, in different aspects, on Croatia, Bosnia-Herzegovina, Serbia and Montenegro, Kosovo, Albania and Macedonia. It is evident that conflicts, linked to the end of the bipolar world, are especially related to the crisis of the Yugoslav state following the death of Tito and the failure of the subsequent rotating presidency. The 1980s witnessed the growing deterioration of the Yugoslav system and the 1990s the emergence of the system that soon became a series of declarations of independence and related conflicts, which only the Republic of Slovenia was spared.

For a long time the most problematic issue was Bosnia-Herzegovina, owing among other reasons to the division of the new state into three clearly different—and in many aspects clashing—communities, which, interestingly, are differently termed depending on the criteria: Croat and Serb, according to ethnic criteria (and also linguistic, cultural and religious), and Bosnian-Muslim according to the religious criterion. One of the particular features is that, unlike the Albanian-Kosovars, they are all Slavs. The problems stem from religious, cultural, historical and different influences in general that are considerably older than the Yugoslav state itself, whose origin, as is known, dates back to the politico-territorial restructuring that took place after the First World War. The intervention of OSCE in Bosnia–Herzegovina began in the 1990s, but in May 2003 the OSCE High Representative established the Defence Reform Commission, whose chief task will be to prepare new legislation and the implementing regulations required for the reform of the Bosniak security structures (24).

The Commission, made up of high-ranking officials from the national defence structure, civilian representatives and international experts, was

(24) Lecture delivered by the director of the OSCE Conflict Prevention Centre at the seminar held in Baku, on 1 and 2 October 2004, entitled «Security Sector Reform and its Impact on Azerbaijan's Defense and Security Policy», in which the director analyses the Code of Conduct and the case of Bosnia – Herzegovina in relation to the OSCE's action in Azerbaijan.

designed to reflect a balanced composition of the three main communities of Bosnia–Herzegovina. The Commission was entrusted with several tasks: ensuring that Bosniak security sector reforms are coherent with Euro-Atlantic standards; ensuring that the reform is consistent with the politico-military commitments secured by the OSCE, which entail respect for the Code of Conduct; succeeding in gathering and legally establishing structures and procedures for democratic civilian vigilance of the security sector; developing the interoperability of defence structures; and allocating budgets for the defence structure within reasonable fiscal limits. The Commission’s functions and mandate were extended in order to facilitate its provision of assistance to Bosnia–Herzegovina in achieving its recommendations.

The issue of Serbia and Montenegro requires a distinction to be drawn between two periods: one prior to the referendum on independence in Montenegro, held on 10 May 2006, in which the two were treated as a single unit; another, subsequent to 10 May 2006, in which they received differentiated treatment stemming from different problems. In the case of Montenegro, the main issue revolves around the working of the judicial system and police with respect to aspects of crime, particularly organised crime. In the case of Serbia, the main issue is the role of the armed forces in the political system and respect for society, and vice-versa. This question is very closely linked to the strengthening of democracy and its system of controls and counterweights.

During the period immediately prior to Montenegro gaining its independence, the question of Security Sector Reform was linked to democratic progress in Serbia and Montenegro as a whole, to the extent that this progress had contributed to changing the role and place of the armed forces in society. Since 2003, the reforms of the security and defence sectors had achieved greater transparency, the establishment of a leading role for the ministry over the military and the readiness of the armed forces to accept a more effective and significant monitoring by parliamentarians (25). The idea is that relations between the democratic civilian institutions and the armed forces and security services should be characterised by cooperation; this is why the Mission to Serbia and Montenegro established a programme of parliamentary support to endeavour to contribute to the development of these relations (seminars and other joint activities have proven fairly useful).

(25) Address by Ambassador Maurizio Massari, cited previously (note 23).

Most of the issues that guided the Mission to Serbia and Montenegro remain present in the new Mission to Serbia. The basic question is democratising the armed and security forces or, in other words, relations between society and this sector. Reconciling private life and human rights with security is one of the main challenges faced by modern societies. It is paradoxical that the most technologically advanced societies are also the most vulnerable. Terrorism and criminality in general stand to gain the most from the use of modern technologies. When regimes are authoritarian or democracy is weak, the temptation to use modern means to control society and its individuals is very great (26). These general considerations, put forward at Belgrade in the presence of various ministries and other Serbian organisations by the head of the OSCE Mission to Serbia, leave no doubt as to the issues that need addressing. One of the areas in which progress had been made until the end of 2007 was the drafting of a law on security services. One aspect of the project, which is now running, relates to setting up a National Security Council to improve coordination between the various services and the monitoring of their activity.

The Mission has detected failure to progress in some areas, such as the fact that the special parliamentary commission for the civilian control of the security services has yet to be established. A further example of lack of progress is the absence of an independent supervisory authority with sufficient powers to protect personal data with respect to both the public and private sectors. One of the issues linked to the OSCE Mission to Serbia is Kosovo, the Serbian province that wants independence while the Serbian public opinion, administered by the United Nations for years, is generally opposed or wary. The OSCE Mission to Kosovo is more centred on basic aspects of the activity of democratic governance: legislative process, decentralisation, municipal management, even very specific issues like the implementation of the Law on Access to Official Documents of 2006 and the subsidiary local legislation implementing it (27). It is curious to note that, in the absence of a formally valid decision about Kosovo's future (although by the time this article is published events will

(26) Address delivered by Ambassador Hans Ola Urstad, head of the OSCE Mission to Serbia, at the round table on «Democratic oversight of use of special powers», held at Belgrade (at the National Assembly headquarters) on 14 November 2007.

(27) See, among other documents: Report on Implementation of the Law on Access to Official Documents at the Municipal Level, of the Department of Human Rights, Decentralisation and Communities (Local Good Governance Section) of the Mission to Kosovo, November 2007; OSCE Mission in Kosovo contribution toward an efficient and effective Legislative Process in the Assembly of Kosovo during 2007, 15 November 2007.

probably have followed their own logic), the assistance provided by the Mission is geared to state capacities.

In the case of Montenegro, the mission is much more recent than most of those that operate in the Balkans, as it was established on 21 July 2006 with a mandate lasting until March 2007. The mission soon found that Montenegro was making significant progress towards reforms and democracy building and was on the path to integration into the organisational structures of the Euro-Atlantic area (28). One area in which substantial headway had already been made was the adoption of a constitution. In the field of Security Sector Reform, Montenegro established a Defence Ministry directed by a civilian, abolished compulsory military service and began to develop an army of 2,500 professionals, dissolved the military intelligence agency and the military security agency, adopted a national security strategy and passed laws on the army and defence, defence strategy and military doctrine. Bearing in mind that the sector's main problems are related to organised crime, the approach included the following areas of action: reforms of the Penal Code and Code of Criminal Procedure; efforts towards achieving the independence of the judicial system; the establishment and implementation of a programme to combat corruption and organised crime; the acquisition and development of good police practices consistent with international and European standards, in cooperation with the Montenegrin Ministry of the Interior and the OSCE Mission; support for the police department of internal affairs by building its capacities; integrated and more effective border management with the adoption of a strategy in February 2006; and reinforcement of the border police services, including training.

Besides these actions linked closely to the security sector, the Mission has cooperated in other fields such as the rights and freedoms of minorities, in particular the Roma, combating trafficking in people, gender equality and domestic violence. These fields contribute to bolstering security from citizens' perspective.

In the Balkan area, it is also interesting to mention the Mission to Macedonia, which has completed over fifteen years of existence (in September 2007) (29). As its head recalls, the Mission in Skopje is the oldest

(28) See: Report of the Head of the OSCE Mission to Montenegro. Ambassador Paraschiva Badescu, to the OSCE Permanent Council, submitted at Vienna on 15 March 2007, at the end of the Mission's mandate. Document PC.FR/3/07/Corr.1.

(29) See: OSCE, Focus on 15 years. Spillover Monitor Mission to Skopje, 4 October 2007.

in the region (30), and began in the period when the spread of the crisis in the former Yugoslavia was threatening to trigger much greater lack of control. In certain aspects, the role of the Mission to Macedonia has been largely preventive. One of the mission's basic elements is the question of security. Indeed, the mission's Police Development Unit is equipped with the greatest number of personnel (46 people from 12 different states). The mission has concentrated its activity on adapting the functioning of the Macedonian police to democratic standards, the two most recently established instruments being: the new National Police reform strategy and the new police law. Importance has also been attached to cooperation among agencies with a view to the successful implementation of Integrated Border Management, including joint training programmes. The process should be oriented towards the goal of sustainability. The Macedonian authorities should be able to continue progressing in these fields by themselves.

Some specific development goals are: the collection and destruction of small arms and light weapons supervised by the mission's own Police Development Unit; the training and deployment of police units, staffed by officers from ethnic minorities, to be deployed in former crisis zones with a significant or considerable presence of people from these groups—furthermore achieving a more balanced representation in the police force (31). It likewise appears that road traffic issues have posed some problems, though in this respect the country is no different from a good many of the European states.

In the South Caucasus region, the operation in Azerbaijan is significant on account of the importance of its politico-military element or dimension. In previous years, especially 2003 and 2004, the OSCE Mission and government of Azerbaijan have collaborated in several areas of Security Sector Reform, especially: in implementing the Code of Conduct; in disseminating and promoting knowledge of international humanitarian law; and in assisting the police (32).

(30) Interview with the head of the OSCE Mission to Skopje, Ambassador Giorgio Radicati, for the Macedonian television channel A 1, on 26 August 2007, by Irina Gelevska.

(31) Indeed, a new concept—«community policing», incorporated into the mission's terminology in 2002—has been developed by the OSCE Mission and Macedonian Ministry of the Interior in order to establish a new approach to facilitate the creation and development of a cooperative relationship between society and police. This requires boosting society's confidence in the police and, therefore, calls for greater familiarity. Citizens' groups have been set up to advise the police, with the goal of enhancing proximity and confidence.

(32) See the address delivered by the director of the OSCE Conflict Prevention Centre at the seminar held in Baku on 1 and 2 October 2004, quoted earlier (note 26), pages 11 and 12.

In the implementation of the Code of Conduct, the OSCE Mission Office in Baku, in collaboration with the Ministry of National Security and also with the ministries of Foreign Affairs and Home Affairs, prepared and hosted a training course for mid-ranking officers of Azerbaijan, followed by a seminar, designed to provide the practical knowledge necessary for implementing the Code of Conduct, by showing the beneficial effects that its implementation has for those who participate in international operations. Indeed, this training effort was linked to participation of a battalion of Azerbaijani troops in Iraq and was conducted before their deployment to the theatre. It is considered that the training effort may be extended to other issues, such as the storage and inventorying of arms and munitions, and to addressing the problem of the proliferation of small arms and light weapons, among others. The only limit appears to be budget, as is usually the case.

As for disseminating knowledge of international humanitarian law, it is obvious that, apart from the long-term goal (to boost the «culture of humanitarian law»), there is a very clear link with Azerbaijan's involvement in international operations such as that of Iraq. The spread of knowledge of international humanitarian law is part of general education in respect for humans, the civilian side of which is the system of promoting and protecting human rights, which has been the OSCE's standard since its origins. In this specific area, the Mission Office in Baku organised a legal training project («Legal service for military servicemen and conscripts») designed to prevent human rights violations and to assist the victims of such violations. Another field in which the Mission Office is active is in replacing compulsory military service, for which it reached an understanding with various parliamentary commissions on the necessary legislative tasks involved in achieving this goal.

With respect to assistance provided to the police, the office developed a Police Assistance programme in collaboration with a group of experts and in cooperation with the Ministry of the Interior of Azerbaijan. The programme was accompanied by an agreement on its implementation once 50 per cent of the budget has been provided by the participating states. Its contents include: building the population's confidence in the police through a «community policing» method like that developed in other operations (for example, in the case of Macedonia); strengthening intelligence in the fight against drug trafficking; and modernising programmes and the curricular design adopted in teaching at the Police Training Centre.

THE RESULTS OF EXPERIENCE: AN ASSESSMENT

At the United Nations: voters, vetoers and donors

Evaluation of the experience accumulated by the United Nations in Sector Security Reform, in the framework of the recent Peacebuilding Commission, added to the previous experience under other organisational and conceptual umbrellas, can be grouped together under the concepts featured in the heading of this section: voters, vetoers and donors. The first two, voters and vetoers, as can easily be guessed, allude to the dual origin of the decision to set up the Commission. The General Assembly and the Security Council, in two almost simultaneous and practically identical decisions, were responsible for establishing this body (33). The participation of both principal organs shows that they are in tune to an extent in identifying needs (34), and points to the wish of the permanent members of the Security Council to maintain a certain privileged position in relation to the new instrument. The Secretary-General's office is in favour of keeping the Commission linked to the Security Council and also to the Economic and Social Council owing to the evident developmental needs of the states on which the Commission acts (35). As ECOSOC is an organ answerable to the General Assembly, all the areas of action required in peacebuilding operations could be covered.

The new Commission has emerged as an «intergovernmental advisory body», and in this aspect is no different from the organs to which it is answerable and, although its composition has the particular characteristic of functioning in specific configurations, there is a generic specification of composition. The Peacebuilding Commission has a standing organisational committee that includes: seven members of the Security Council, including five permanent members; seven members of ECOSOC,

(33) On the establishment of the Peacebuilding Commission, see: FERNÁNDEZ SÁNCHEZ, P. A., «La Comisión de Consolidación de la Paz», *Revista Española de Derecho Internacional (REDI)*, 2005, volume LVII, no. 2, pages 715 to 743.

(34) Indeed, it has been acknowledged that the United Nations system has lacked an element devoted expressly to preventing the collapse of a state. The Trusteeship Council had a basic responsibility (shared with the Security Council with respect to certain territories) up until independence was gained, meaning that subsequent developments fell under the responsibility of the specific capabilities of organs competent in concrete aspects. The fact that the Security Council has been interested in promoting the establishment of the Commission is a sign of the importance attached to the subject of failed states in relation to security issues. See the report of the High-Level Panel entitled «A more secure world: our shared responsibility». Document A/59/565, 2 December 2004.

(35) Report of the Secretary-General of 21 March 2005. Document A/59/2005.

«elected from regional groups» and «giving due consideration to those countries that have experienced post-conflict recovery»; five of the states that make the greatest contributions to the organisation's budget and voluntary contributions, including the Peacebuilding Fund (36); five of the states that have provided the largest number of military personnel and police to the United Nations missions and do not come under the previous categories; seven more states elected at the General Assembly to effectively ensure an appropriate regional representation, including states that have experienced post-conflict recovery situations.

The structure of the Commission is headed by a chair—at the time of writing this chapter held by Angola—two vice-chairs, held by El Salvador and Norway, and the coordinators (chairmen) of the configurations of the two states (Burundi and Sierra Leone), until now the Netherlands and Norway. Within the structure, the organisational committee set up a special working group on pending issues in charge of addressing aspects of the provisional regulations requiring an in-depth analysis, especially the participation of other international organisations like the International Monetary Fund, the World Bank and other international donors, and the participation of civil society in the Commission's sessions. In addition to this working group, in December 2006 the Organisational Committee set up another working group, this time on acquired experiences, in charge of bringing together the best practices and experiences. Until the end of 2007 this group focused on: lowering risks and confidence building; post-conflict cooperation frameworks; and regional peacebuilding approaches.

The case of Burundi underlines the fragility of the results obtained. The events, particularly in the first half of 2007, aroused the concern of international organisations and donors. In particular: the weak budgetary situation of the state; the standstill in legislative activity in parliament, which furthermore points to serious problems of governance; the withdrawal on 21 July 2007 of the Party for the Liberation of the Hutu People/National Liberation Forces from the Joint Verification and Monitoring Mechanism established in the Comprehensive Ceasefire

(36) The chief donors, so far, of the Peacebuilding Fund are: the United Kingdom, which has committed over 58 million US dollars; Norway, over 32 million dollars; Sweden, over 27 dollars; Japan, 20 million dollars; and Canada, over 17 million. In addition, there are thirty or so more states which have pledged varying amounts and have already deposited a substantial part, more than two-thirds of the sum committed. The great majority of the European Union states are contributors to the fund, including Spain.

Agreement of 2006, and the resulting violent incidents this triggered, with casualties and heightening tension (37).

Evaluation of the experience has led the Commission to state that «The main challenge now facing the Commission is to maximise its impact on the ground to make the United Nations peacebuilding architecture an effective instrument of international collaboration in support of countries emerging from conflict» (38). The concept of international collaboration entails the necessary participation of international donors. Without this involvement in the peacebuilding processes, it is questionable whether the donors would contribute their financial support. The experience acquired points to the need to maintain the effort and presence for an extended period; the case of East Timor is paradigmatic (39) in the negative sense.

In more detailed terms, some of the lessons learned from experience by the Peacebuilding Commission in the short time it has been operating are: the importance of the initiative on the ground; the importance of the leadership of the national authorities in relation to the process; the participation of international partners and civil society as an essential factor; the importance of the flexibility and open nature of the informal meetings of the Commission or of its configurations; and interest in practical results, among others.

The case of Sierra Leone shows that those same lessons are valuable, though developments focus attention on different issues. For much of 2007 efforts were centred on the electoral process of July and, as a result, on the risks and opportunities of democratic transition. As has been seen, part of the assistance was centred on this goal, including bolstering the National Elections Commission and building the capacities of the security forces with a view to adapting the electoral process to a dynamic without

(37) See: Conclusions and recommendations of the Peacebuilding Commission following the report of the chair of the Burundi configuration, annex to Document PBC/2/BDI/2, of 21 September 2007.

(38) See section V (Conclusions) of the Report of the Peacebuilding Commission on its first session, 25 July 2007. Document A/62/137–S/2007/458, quoted previously (note 10).

(39) The evolution of East Timor since gaining independence shows that a substantial reduction of support in a very immature or incipient state generally leads to a standstill in the progress of society as regards material development and of the state as to its ability to manage and guarantee security and basic services. The head of the United Nations mission had pointed out, shortly before it gained its independence, the need for sustained support for Timor. See: MADRAZO, E., «Naciones Unidas, Autodeterminación y el Timor oriental», in Iglesia, *Estado y Sociedad Internacional. Libro Homenaje a D. José Jiménez y Martínez de Carvajal*, Madrid, 2003, pages 399 to 452.

violence and undistorted by pressure. Other experiences were examined, such as those of Mozambique, El Salvador, Croatia and other parts. However, in other aspects it was found that progress was less positive. For example, despite the police reforms carried out, complaints persisted of corruption, police indifference to gender violence and failure to investigate reports of rape and domestic violence. Issues like this—gender questions linked to the security sector—have a cultural dimension that entails more long-term processes, and therefore, as the Peacebuilding Commission states, it «needs to encourage the international engagement with Burundi and Sierra Leone to remain sustained, predictable and aligned with national priorities» (40). Generally speaking, the handling of post-conflict situations, in order to consolidate peace, requires special importance to be attached to building the population's confidence in its security forces, which will probably have previously shown intimidating and brutal attitudes (41).

The vision of these problems as a long-term question brings donors into the picture when reflecting on the success (or failure) of the peacebuilding process. In order to guarantee the continuity of the effort, more donors are required so as to ensure a longer period of assistance and their conviction of playing an active role in the process in the stages of design and identification of priorities as well as development and implementation. This participation must be compatible with the leadership of the national authorities of the post-conflict state. The idea is clear and has been pointed out. Most of these conflicts are essentially internal and in most cases, if not all, the civilian population has become the target of the groups that engage in violence, including the security forces. Peacebuilding requires restoring the population's confidence in its armed and security forces so that they are not viewed as part of the problem but as a necessary part of the solution. Generating or restoring confidence requires a reform leading to an activity that is more transparent (visible to citizens), more controlled (civilian control mechanisms) and more

(40) Report of the Peacebuilding Commission on its first session, 25 July 2007, cited earlier, page 15.

(41) On the importance of reforming the security forces in accordance with democratic standards as part of the approach of bringing them as close as possible to the population, thereby building confidence, see: COLLANTES, G., «Police Reform: Peacebuilding Through 'Democratic Policing'?» *International Peacekeeping*, volume 12, no. 3, Autumn 2005, pages 364 to 376. Although it centres on the case of Bosnia-Herzegovina, the article is generic in scope since, as the author states at the beginning: «police reform has become an essential pre-requisite for the success of post-conflict peacebuilding missions».

respectful of people's rights and freedoms (these are the human element that needs to be protected, not attacked). In any event, it is essential that security sector reforms are not viewed as an external imposition but as a process that is beneficial to the state itself and to society, and the national authorities must therefore be seen to clearly lead the process. The elements of political reform are thus intrinsically linked to SSR. It is the very political leadership of the military and security forces (ministers, heads of government and state, if necessary) that needs to become an example in relation to the courses of action the reform involves.

The integrated and organically structured approach represented by the Commission seems set to broaden its field. In order for this broadening to continue there is a need, in first place, for a general understanding between a good part of the United Nations Member States on the usefulness and appropriateness of the work of the Peacebuilding Commission. The latter functions by consensus, on the insistence of the United States: it is neither a system of «easy» decision-making, like that of the majorities habitually required at the organisation's Assembly General, nor one of «difficult» decision-making like that which includes the right of veto in force in the Security Council. However, consensus can give rise to processes of «vague veto» if there is not, at least, a prior general understanding of the usefulness of the mechanism.

Lack of agreement on specific objectives tends to limit the range of possibilities of action, and the Commission can be a lasting instrument insofar as it achieves success in its tasks of supporting peacebuilding. Some of the criticisms voiced at the General Assembly in relation to the setting up of the instrument illustrate well the range of problems that can arise. Venezuela was particularly opposed. According to this state's Permanent Representative to the organisation, the setting up of the Commission is «another manoeuvre by the major powers and their allies to legitimate an intervention in states at any time». This opinion, voiced during the debate on the draft resolution, was not translated at the time the agreement was adopted, as there was no opposition to it being adopted without voting, by consensus (42). Nonetheless, the Commission opted for Burundi and Sierra Leone, two «modest» objectives among the varied targets it had on a world and African scale. This may be useful to those who, from a critical perspective, do not believe in the new

(42) FERNÁNDEZ SÁNCHEZ, P. A., «La Comisión de Consolidación de la Paz», article cited previously, page 727.

instrument and can attribute it either lack of ambition or lack of capacity, apart from basic criticisms such as that of Venezuela.

Broadening the tasks of the Commission requires, in second place, a significant international commitment including state, international (intergovernmental organisations) and private (national or with international scope) donors. Private donors can contribute directly or through states, but one thing for certain is that the some 250 million US dollars committed to the Peacebuilding Fund is not enough in the long run. If we consider not only the generic concept—now very well known in international development cooperation—of the so-called «donor fatigue» but also the fact that donors' interests may be highly focused on a particular geographical area (consider the United Kingdom's role in the emergence of the concept of Security Sector Reform and the variety of states that are part of the Commonwealth, for example) and that donors can also suffer from financial difficulties, it is not surprising that more donors are needed and that their commitment, irrespective of the actual amount, should be extended to a longer term (between five and ten years at least). It should be borne in mind that in the field of Security Sector Reform there is a tendency to downsize the armed forces (grounds for external defence tend to be fewer) but not the security forces (grounds for internal security tend to be greater, at least for a time). Even in the event that the downsizing of the former were to involve a reduction in the budgetary burden, the fact is that modernisation, the upgrading of equipment and infrastructures, education and training, and decent wages and working conditions, among other improvements, lead to increased expenditure, more so at the beginning of the reform process than in later stages.

Furthermore, it should be realised that donors' contributions are not channelled solely through the Peacebuilding Fund. There are other funds and instruments, both within and outside the United Nations system, that channel assistance into more or less general or specific aims, many linked to aspects of development cooperation. One of the questions that the Peacebuilding Commission has to address is the proper coordination with other instruments in order to prevent overlapping, areas or sectors that receive excessive support, and others with obvious shortages.

Third, the success of the Commission and the extension of its work also depends on the international community as a whole and its states appreciating the need for the establishment of priority goals, specific projects decided on, and the monitoring of their implementation to be the

result of collaboration between the national authorities and external agents and actors, so that it is not interpreted as an imposition of certain measures in accordance with interests alien to those of the state itself and its society.

In OSCE: guidance versus settlement

The OSCE, as stated already, is the international organisation that is the successor of the CSCE, the Conference for Security and Cooperation in Europe. Starting halfway through the 1970s, the latter constituted a permanent political process on multilateral security for Europe and North America (43). Its origin lies in the so-called Helsinki process begun in 1973, when the Warsaw Pact states launched the idea of organising and holding a European-scale conference aimed at stabilising permanently the territorial changes arising from the end of the Second World War through a general agreement enshrining the inviolability of all the existing borders in Europe. The initiative was accepted by the European states, by Canada and by the United States (although the original idea launched from the Soviet bloc envisaged only the participation of European states) and, after three preparatory meetings, the so-called Helsinki Final Act was drawn up and signed on 1 August 1975 during the first Summit of Heads of State and Government of the participating states.

The end of the «Cold War» contributed substantially to facilitating an incipient institutionalisation process that culminated in the Budapest Summit in 1994. At the summit, the Conference for Security and Cooperation in Europe changed its name to Organization for Security and Cooperation in Europe, establishing its legal status as an international organisation and adaptation to the requirements of the changing international and European security context. The OSCE broadened its membership to fifty-five states, taking in the former republics of the former Union of Soviet Socialist Republics and the federated republics of the former Yugoslavia. It also broadened its scope of action, based on the three original «baskets» laid down in the Helsinki Final Act (security and

(43) See, among others, in relation to the OSCE and the process leading from the CSCE to the latter: BOTHE, M.; RONZITTI, N. AND ROZAS, A. (editors), *The OSCE in the maintenance of peace and security conflict prevention, crisis management and peaceful settlement of disputes*, The Hague, 1997; DIEZ DE VELASCO, M., *Las Organizaciones Internacionales*, Madrid, 2002, pages 671 to 680; GHEBALI, V. Y., «L'OSCE dans l'Europe post communiste, 1900-1996», in *Vers une identité européenne*, Brussels, 1996; MARIÑO MENÉNDEZ, F. M. (editor), *Los Estados y las Organizaciones Internacionales ante el nuevo contexto de la Seguridad en Europa* (International Seminar), Madrid, 1995, particularly pages 155 to 208; ROTFELD, A., «Europe: towards new security arrangements», SIPRI Yearbook, 1996, pages 279 to 308.

disarmament; economic, scientific, technological and environmental cooperation; cooperation in humanitarian and other affairs) through the documents adopted at the main meetings held from 1975 onwards: Belgrade, 1978; Madrid, 1983; Vienna, 1989 and Paris, 1990. Following the Paris meeting, the «Summit Meetings» took place, among which special mention should be made of those of Helsinki in 1992, and Istanbul in 1999.

Certain features were displayed from the outset of the CSCE's activity and would be maintained with the OSCE and to the present day. The consensus system is one of the operational features of the organisation's adoption of instruments of a different nature. The great majority of these instruments are not strictly binding from a legal viewpoint. They are documents designed to provide guidance, many of them for conduct. The Code of Conduct examined earlier, which is endowed with normative value, is worded with sufficient imprecision as to allow various manners of complying with the commitments. It can be understood that the commitments are mainly political, though this does not mean to say that they lack concrete results. The Code of Conduct is a good example. At any rate, irrespective of the exact legal nature of the document, it evidently constitutes one of the main innovations introduced by the CSCE/OSCE in relation to the Security Sector Reform that inspired the subsequent practice of OSCE missions and also the practice of other international organisations like the United Nations itself.

In the activity of the OSCE, the chief benchmark when assessing experiences is the Code of Conduct itself, be they operations in the Balkan area or the South Caucasus. Therefore, the conclusions generally drawn by mission heads from experience usually include: the need to spread knowledge of the Code, not only within the states that belong to the OSCE, but throughout the international community as a whole, a fact which underlines the importance of learning processes and also the high opinion the organisation itself has of the Code (it is a benchmark to be «exported»); and the dialogue on security should include a debate on the effective application and review of the Code, indicating that it is a «living» benchmark subject to the dynamism of the necessary adaptation to cases and developments in the security environment. In any case, the nucleus remains unchanged and is concentrated on the democratic use and control of the armed and security forces. It is therefore a long-term consideration.

In addition to long term, the comprehensive approach remains a fully current concern: the concept of Security Sector Reform is therefore inevitably linked to other issues, as has been seen when reviewing some of the

operations and missions conducted both by the United Nations and by the OSCE itself. Accordingly, one of the questions commonly mentioned is the appropriateness of linking the Code of Conduct to other security dimensions and the latter, in general, to other fields that are not normally considered relevant to this concept, such as respect for human rights or questions of economic development. The approach adopted in the specific cases handled tends to be multidimensional in both the thematic and geographic aspect, as can usually be seen in the organisational chart of many of its missions and, often, in the complementary overlapping of different international organisations. Another of the questions that the organisation is considering is broadening the scope of its assistance and support through the OSCE Forum for Security Cooperation, the central organisational element in security issues.

In any event, it seems relatively clear that extending the content of the concept of security broadens the range of missions that OSCE can deploy, from a thematic point of view, in accordance with a clear trend linked to the generic idea of democratic stabilisation. As a result, in the medium or long term, it could become pointless to consider cases in which various international organisations converge. One of the consequences could be a division of the «work» according to geographical area. Accordingly, regional organisations (such as the Organization of American States, OAS), subregional organisations (like the Andean Community or the Economic Community of West African States, ECOWAS) or interregional organisations (like the OSCE itself) could assume a leading role and leave the United Nations a secondary role, although the Charter views relations from an opposite perspective (see Chapter VIII of the Charter, especially article 53).

The results of the assessment of experience include a growing tendency to incorporate the gender issue into the conducting of OSCE actions and missions, even though it is an as yet incipient trend. The starting point that provides a reference in this connection is United Nations Security Council Resolution 1325 (2000) on women, peace and security. In 2004 the OSCE drafted and adopted the Action Plan for the Promotion of Gender Equality (44). The approach, in this area, is proactive, as could only be the case with a general consideration of stabilisation that is oriented towards prevention (45).

(44) Plan adopted by the organisation's Permanent Council in Decision no. 638, of 2 December 2004.

(45) See: «Women in conflict prevention, crisis management and post-conflict rehabilitation». Document MC.DEC/14/05, of 6 December 2005. Decision adopted by the OSCE Council of Ministers, in Ljubljana.

The handling of the theme springs from the consideration of the existing ties between gender equality, comprehensive security and sustainable peace, and therefore compliance with Security Council Resolution 1325 of 31 October 2000 and the OSCE's own Action Plan involves the three essential dimensions of the organisation (politico-military, economic-environmental and human). The goals to be covered include, in general terms: emphasising the central role of women in conflict prevention and crisis management and mainstreaming the gender perspective in all policies and activities rather than considering it separately. More specifically, it is considered advisable to: include more women in operations and missions, thereby bolstering the legitimacy and efficiency of the latter; establish indicators that allow progress in this area of the Action Plan to be evaluated; reinforce the national recruitment bases for women, including increasing their presence in the armed and security forces; and draw up a list of highly qualified women who can be candidates, as some states have now provided to the OSCE (46). Another issue that is considered a key question relates to education and training (47), although the improvement of the latter is linked to the participation not only of women but of anyone who may be involved in stabilisation, prevention and other activities.

CONCLUSIONS

The conclusions that can be drawn from this article are not only provisional, in the sense of their temporal validity, but are also limited to the thematic content of the analysis of SSR in the perspective of the United Nations and the OSCE, and must therefore be considered complementary to those that can be drawn from the other chapters of this volume. The conclusions I draw can be grouped into four aspects: internal, pertaining to the states where the operations or missions are conducted; international, in relation to the donors and international organisations involved; reporting on data pertaining to operations and missions; and operational, relating to the situation and to the functioning and activities of the armed and security forces.

(46) A significant case is Azerbaijan, which submitted a list of women who hold high-ranking posts, particularly in the civil service, although it also lists women in political parties, research institutions and universities, the media, feminist organisations and other non-governmental organisations, among others. See : Database of Gender Focal Points in Azerbaijan, October 2007 update.

(47) The debate on ideas and training activities are among these objectives. See the Report of the Expert Seminar «Women in Conflict Prevention and Crisis Management», held in Vienna on 20 June 2005, in collaboration with the Folke Bernadotte Academy of Sweden.

With respect to the first aspect, we might point out: 1) the need to emphasise the reinforcement of democratic changes in the political system and in the society on which action is taken, including the normalisation of electoral processes with plural political participation and of the functioning of the legislature; 2) the need to emphasise the increased participation of the organised sectors of society in the processes of peacebuilding and democratic reform, including security sector reforms; 3) the need to emphasise improvements aimed at streamlining the functioning of the state administration and, in particular, of the administration of justice; 4) the need to succeed in increasing women's participation in these reform processes in order to achieve the greater legitimisation and greater efficiency of the latter.

As for the second aspect, the international environment, we might stress: 1) the need to step up efforts to achieve a more lasting commitment on the part of donors, particularly states, in order to ensure sustained assistance in long-term peacebuilding and stabilisation processes; 2) the effort to improve coordination among international organisations and other external agents involved in the specific operations, thereby preventing overlapping and maximising the resources employed; 3) emphasis on the national establishment of the objectives to be covered by the internationally financed projects; 4) emphasis on the importance of awareness raising and integration on a subregional scale and the development of a policy of good neighbourly relations between the states of the area in question; 5) the effort to ensure the growing incorporation of women into the personnel of field operations and missions.

With respect to reporting on field operations and missions, we might point out: 1) the need to reinforce instruments for exchanging information on existing experiences in matters of peacebuilding, stabilisation and reform, so that good practices and successes can be widely disseminated and serve as support for subsequent operations; and 2) the appropriateness of creating a centralised database containing information on all the experiences in Security Sector Reform for the use of both international organisations and agents and of national authorities interested in sector reform processes.

As for operational and other aspects, the structuring and functioning of the armed and security forces, attention should be focused on the following points: 1) emphasis on improving the living and working conditions of the members of the armed and security forces; 2) the need

to reinforce the leadership of the civilian authority over the security sector, so that the functioning of the latter is overseen and controlled by the political instruments of a democratic model; 3) emphasis on instruments for bringing the military and security forces closer to the population, in order to increase and reinforce the confidence of the latter in the former; 4) the appropriateness of the military and security forces taking part in international operations, particularly stabilisation and peacebuilding.

CHAPTER THREE

EUROPEAN UNION SUPPORT FOR SECURITY SECTOR REFORM: THE ADDED VALUE OF THE EU AS A GLOBAL SECURITY ACTOR

EUROPEAN UNION SUPPORT FOR SECURITY SECTOR REFORM: THE ADDED VALUE OF THE EU AS A GLOBAL SECURITY ACTOR

CRISTINA CHURRUCA MUGURUZA

INTRODUCTION

The interest of the European Union (EU) in security sector reform as an instrument of its foreign policy towards the developing countries and those undergoing transition has witnessed considerable development in recent years. This evolution can be explained, on the one hand, by the fact that both the international community and the European Union are increasingly aware that security sector reform—or *security system reform*, as it is also known—which reflects the multisectoral nature of the security system, plays an important role in conflict prevention, re-establishing peace, and democratisation, and contributes to sustainable development. On the other hand, the EU's interest in asserting its identity on the international scene and assuming its responsibility in maintaining international peace and security has contributed to its playing an increasingly significant role in this field.

In recent years, international consensus has been reached on two interrelated questions. The first is that security, human rights and development are interdependent and indispensable conditions for mutually reinforcing peace and sustainable development. This conception is enshrined in the concept of human security (1). The second is the recognition that these fundamental elements can only be achieved within the rule of law. Security Sector Reform (SSR) is one of the areas that best illustrates this interrelationship.

(1) On the concept of human security see CHURRUCA, CRISTINA. «*Human Security as a policy framework: Critics and Challenges*», Anuario de Accion Humanitaria y Derechos Humanos/Yearbook on Humanitarian Action and Human Rights 2007, Bilbao: Universidad de Deusto, 2007, pp.15-35.

A fundamental premise for understanding security sector reform is that it is a «system» that affects the entire state. Therefore, given that security sector reform affects the institutions that guarantee state sovereignty in Weberian terms, its reform is not feasible without the consent, cooperation and full involvement of the state—that is, of the government—that is going to carry out the reform. In this context, taking the guidelines of the OECD Development Assistant Committee as a basis, SSR may be taken to be a system that includes the reform both of the bodies that guarantee citizens' security and of the official institutions responsible for managing and overseeing these bodies, as well as the institutions that administer justice and the security forces not established by law (2). SSR should be regarded as a holistic and integrated approach and should be based on national ownership and partnership.

The Union's policy of support for SSR and its action in this field reflect the nature of the EU's external action and its status as an international actor. The Treaty on European Union (TEU) establishes that one of the Union's objectives is «to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the eventual framing of a common defence policy, which might in time lead to a common defence;» (Art.2). The Common Foreign and Security Policy (CFSP) constitutes the so-called *second pillar* of the EU and its development is chiefly the responsibility of the Council. It is therefore separate from external development cooperation policies and trade policy, *the first pillar*, in respect of which the Commission is competent to propose and implement. Since 1999, practically all the European Council meetings have been aimed at developing the civilian and military capabilities required by the Member States to perform autonomous operations or to coordinate with the United Nations and other international organisations and contribute to these organisations. This process, which is an integral part of the CFSP, is what is called European Security and Defence Policy (ESDP). The ESDP is directed, reviewed and supervised by the Council. The EU's foreign policy also includes certain aspects of cooperation in the areas of justice and home affairs, *the third pillar*, which involve increasing external action, and responsibility for which is shared by the Council and the Commission. It is the duty of the Council and the Commission to guarantee the coherence of the common foreign

(2) Vid. OCDE, *DAC Guidelines on Security System Reform and Governance*, OCDE, 2004 and *OCDE Handbook on Security Sector Reform. Supporting Security and Justice*, OCDE, 2007. p.5.

policy and to ensure its implementation, each in accordance with its competences. The Union's policy with respect to support for SSR reflects the division of the EU's external action into various pillars.

The aim of this article is to show the work performed by the European Union in support of the security sector, its limitations and potential. Security sector reform is a clear example of the need for synergy between the civilian and military instruments of the ESDP and Community activities. Our hypothesis is that the EU has the potential to become a leading actor in this sector. The Union holds a clear comparative advantage. It is the only organisation in the world equipped with a broad spectrum of foreign-policy instruments ranging from diplomacy to civilian and military management and with the necessary human and financial resources. With this aim in mind, this chapter begins by discussing the approach and policy of the Union with respect to SSR. We will go on to show the Union's practice in SSR in order to assess the results of this experience and the problems encountered, and will present proposals for improvement by way of a conclusion. In this connection, in our opinion, the challenge posed by the need for the three Cs, coherence, coordination and complementarity of the foreign and security policy (3), although still essential, has been surpassed by that of the three Ds, the fundamental interconnection between defence, development and diplomacy (4). This model places the emphasis and priority on horizontal thought. Herein lies the future challenge not only for the Union but for the international community in general.

THE EU POLICY IN SUPPORT OF THE SECURITY SECTOR

Security sector reform is not a new area of commitment for the European Union. For several years it has been part of the EU's integration and enlargement process, and of its cooperation policy. Over the past few years the EU has developed complementary capabilities in military and

(3) The division of the EU's external action into pillars has made the achievement of coherence, coordination and complementarity between the various policies a fundamental question on the EU's agenda and one of the key issues in the reform of the TEU. Vid. Commission of the European Communities, Communication from the Commission to the European Council, *Europe in the World – Some Practical Proposals for Greater Coherence, Effectiveness and Visibility*, COM(2006) 278 final, Brussels, 08.06.2006.

(4) The forerunner in this approach is the Canadian government, which has adopted a model of 3 Ds (defence, development and diplomacy). Vid. FITZ-GERALD, ANN «*Addressing the Security-Development Nexus: Implications for Joined-up Government*», 2 Enjeux publics, Vol. 5, no 5, July 2004.

civilian crisis management in order to support the security sector reform in the framework of the European Security and Defence Policy (ESDP). Ideally, the missions of the European Security and Defence Policy and the action of the Community in the field of security sector reform should be complementary, especially in countries in crisis or post-crisis situations. In this respect, in recent years the EU has been involved in various areas of SSR such as, for example, police and military operations, efforts aimed at reinforcing the rule of law and the judicial and penal systems in various countries, the civilian aspects of crisis management and civilian protection. A few EU Member States are also very active supporters of the security sector reform processes in the bilateral sphere. However, until only very recently the Union lacked a coherent approach to SSR.

It was not until December 2003 that the European Council adopted a European Security Strategy (ESS) that provided the EU with a framework and strategic guidance for its external action for the first time. The document, entitled «A Secure Europe in a Better World», points out the global challenges and principle threats to security and identifies the objectives and strategic implications for the EU. They include the need to develop European capabilities in the various fields and, in particular, broaden the range of the Union's missions. Security sector reform is among these missions as a component of institutional development in the broadest sense (5). Subsequently, 2005 saw the adoption of the *EU Strategy for Africa* whereby the EU undertakes to develop a strategic capability for giving impetus to security sector reform (SSR) in Africa in the framework of its efforts to promote peace and security in all phases of the conflict cycle (6). Although the European Union's joint statement on EU development policy, «*The European Consensus on Development*», adopted by the Council on 22 December 2005, does not refer explicitly to

(5) Council of the European Union, A Secure Europe in a Better World. European Security Strategy, 13 December 2003. For a criticism of the ESS see: CHURRUCA, CRISTINA, «*Criticizing the EU security Strategy: The EU as a Regional Security Provider*», *Revista Electrónica de Estudios Internacionales*, No. 9 (2005), 20pp., [http://www.reei.org/reei%2010/C.Churruca\(reei10\).pdf](http://www.reei.org/reei%2010/C.Churruca(reei10).pdf).

(6) The EU strategy for Africa is the EU's response to the twofold challenge of putting Africa on track for sustainable development and achieving the Millennium Development Goals (MDG), from 2005 to 2015. Vid. Commission of the European Communities, Communication from the Commission to the Council, the European Parliament and the European Economic and Social Committee, «*EU Strategy for Africa: Towards a Euro-African pact to accelerate Africa's development*», COM (2005) 489 final, Brussels, 12.10.2005. On this question see: GOERENS, CHARLES, *Sécurité et développement de l'Afrique: une nouvelle approche pour l'UE*, Chaillot Paper, no. 99, April 2007.

security sector reform, it does, however, recognise that «without peace and security development and poverty eradication are not possible, and without development and poverty eradication no sustainable peace will occur» (point 40) and that Community support for measures designed to strengthen human security and the principles of democratic governance is a requirement for sustainable development (point 87) (7).

In this context the European Council agreed that same year, in November 2005, on a concept that provides a framework for the EU's activities in support of security sector reform in the sphere of the second pillar (8). In May 2006 the European Commission went on to adopt a concept on the European Community's support for security sector reform (9). The aim of the Commission concept and that launched by the Council with respect to ESDP support for security sector reform, adopted under the British presidency, was for both to be mutually complementary and to converge in the framework of a global reflection on security sector reform on an European Union scale. Although the initial idea was to adopt a common concept encompassing all the Union's activities in support of security sector reform, this was not possible (10). Finally, in June 2006, the Council adopted a framework for Union sector security reform policy, in order to establish common principles and guidelines for providing effective, coherent and sustainable support to the countries and regions that are EU partners (11).

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- (7) Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission on European Union Development Policy entitled «The European Consensus on Development», OJ C 46/01 of 24.2.2006. For the first time in fifty years of cooperation, the declaration defines the context of common principles in which the Union and its Member States will implement their respective development policies with a spirit of complementarity.
 - (8) Commission of the European Communities, Communication from the Commission to the Council and European Parliament, «A concept for European Community Support for Security Sector Reform», COM(2006) 253 final, Brussels, 24.5.2006
 - (9) Council of the European Union, «EU Concept for ESDP support to Security Sector Reform (SSR)», 12566/4/05, Brussels, 13 October 2005.
 - (10) The Council document pointed out that the Commission would develop a concept in close cooperation with the Council, and went on to state that «... At a larger stage, consideration should be given to bringing these two strands closer together. This would complete an overall SSR concept». Ibid. p.6. Given the difficulty of the 25 Member States reaching a consensus on a concept that would provide a framework for the whole EU and in view of the fact that the Austrian presidency was coming to an end, the General Affairs Council adopted a set of conclusions submitted by the Political and Security Committee. Vid. *Developing a common security sector reform strategy for the EU*, Post-seminar paper, 28 November 2005, organized by the UK Presidency of the EU in conjunction with the European Commission, Saferworld and International Alert.
 - (11) Council of the European Union, «Council Conclusions on a policy framework for Security sector reform», 2736th GENERAL AFFAIRS Council Meeting – Luxembourg, 12 June 2006.

The Union policy framework for security sector reform

The Council conclusions on the Union's policy framework for SSR stress the importance of adopting a comprehensive approach that encompasses all the pillars of the EU, since SSR should be viewed as a holistic, multisectoral and long-term process that refers to the general functioning of the security system as an element of reforms in governance (12). The objective is to provide the Union with a strategic framework for developing either Community or ESDP activities or a combination of both, in order to improve the coherence and effectiveness of the Union's action in SSR by recognising that security sector reform should be considered a cross-cutting issue that goes beyond the different components of the Union's external policy. The idea is for this framework to establish the general guidelines and to be flexible enough to allow specific approaches to be adopted on a case-by-case basis.

The aim of this framework is to ensure that the European Union's action in SSR contributes to promoting its foreign-policy objectives of conflict prevention and settlement and post-conflict reconstruction, and in this context to address fragile states as part of the overall goal of reducing insecurity and eradicating poverty by consolidating good governance, democracy and the rule of law in third countries (13). SSR is therefore part of the set of efforts deployed by the European Union to contribute to the effective achievement of the Millennium Development Goals, sustainable development and world security, and to implement its joint statement on EU development policy and the European Security Strategy.

As the Council conclusions state, the EU policy framework for SSR consists of the two concepts developed by the Council and the Commission. These concepts, which are taken to be complementary, logically have many features in common (14). First, both are based chiefly on the *DAC Guidelines developed by the OECD Development Assistance Committee* and use their definitions and principles (15). The EU has therefore adopted the broad definition of the OECD, which takes SSR to be a system that includes all the

(12) *Ibid.* point 1.

(13) *Ibid.* point 2.

(14) This is the result of a special inter-institutional collaboration—which ought to be the rule and not the exception—between the Commission and Council people in charge respectively of drawing up these concepts: Inger Buxton at the European Commission and Christoff Deherre at the Council. I wish to thank the latter especially for spending time to explain and clarify to me the scope and content of SSR.

(15) Vid. OCDE, *DAC Guidelines on Security System Reform and Governance*, *op.cit.*

state institutions and other entities that play a role in the security of the state and its population. This system is comprised of:

- *The elements chiefly responsible for security*, including the security forces: armies; police corps and gendarmerie; paramilitary forces; presidential guard; intelligence services; coastguards; border guards; customs authorities; and local security units or reserve units.
- *Security management bodies and supervisory bodies*: Parliament/legislature; government/executive, including the ministries of defence, home affairs and foreign affairs; national consultative bodies in security matters; traditional and common-law authorities; financial management bodies; and civil society, including the media, academic institutions and NGOs.
- *The judicial institutions*: ministries of justice; penitentiary institutions; investigative departments in the penal and public prosecution sphere; judiciary (courts and tribunals); services responsible for enforcing justice (court clerks and ushers); traditional and common-law judicial systems; and commissions responsible for the defence of human rights and ombudsmen, etc.
- *Unofficial security forces*: liberation armies; guerrillas; private bodyguard units; and private security companies, etc. (16).

According to the OECD guidelines, SSR involves transforming the security system, which encompasses all these agents, and their roles, responsibilities and actions, in the common effort to ensure that this system is managed and functions in accordance with democratic standards and the principles of good governance, thereby contributing to the smooth running of the security machinery. Essential elements of this approach are therefore civilian control and parliamentary supervision. The Union's goal is none other than to contribute explicitly to the consolidation of good governance, democracy, the rule of law, the protection of human rights and the effective use of public funds (17).

Guidelines for EU support to security sector reform

EU action in support of SSR in accordance with this framework, as laid down by the Council and Commission concepts, should be based on the

(16) Commission of the European Communities, «A Concept for European Community support for Security Sector Reform», *op.cit.* p.6 and Council of the European Union, «EU Concept for ESDP support to Security Sector Reform (SSR)», *op.cit.* pp.7-8.

(17) *Ibid.* p.4 and p.6 respectively.

DAC definition of SSR. According to this definition, security system reform processes should:

- Be nationally- or regionally-managed reform processes aimed at reinforcing good governance, democratic norms, the rule of law and respect for human rights, in accordance with international standards.
- Be a response to the fundamental requirements of an effective security system—that is, develop a nationally-managed security concept, clearly define the policies to be followed and guarantee the good governance of the institutions responsible for security.
- Be perceived as a framework that enables the various security challenges faced by states and their populations to be addressed on the basis of a gender-sensitive multisectoral approach, in the provision of security services and access to justice, and focusing on the reform needs of the different key sectors. This includes dividing tasks between the different services and bodies, and considering the role of civil society and other non-state government structures.
- Be based on the principles of responsibility, accountability and transparency, which are applicable to the whole public sector, with particular emphasis on improving governance through closer monitoring of the security processes by civilian and parliamentary bodies.
- Be based on the political dialogue already established with the different partner countries on human rights and development and security issues, and be implemented in synergy with other instruments (18).

According to these principles, security sector reform goes beyond the concept of efficiency of the different services (the army, the police, the judicial institutions, etc.) and is more centred on the general functioning of the security system as an element of reform, the political conception and the public sector governance strategy. SSR should be taken as a comprehensive process designed to reinforce the security level of all citizens and address the deficit in governance. The aim is to ensure that the security sector is not located in, and does not reach outside, the public sector as a whole but is perceived as an integral but balanced part in the allocation of public resources and the institutional framework of the state. For this purpose it is essential for the Union's action to be based on local ownership and partnership. When there is no government partner in a

(18) *Ibid.* pp. 8-9 and p.4 respectively. The principles of the Council conclusions list the principles of the Commission concept almost identically.

crisis situation or post-conflict situation, the Council concept stresses the importance of the Union paving the way for long-term country-owned reforms based on a democratic and participatory process.

Complementarity of the Council and Commission concepts

The Council and Commission concepts are complementary and mutually reinforcing. Their main difference does not only lie in their scope of action (first pillar and second pillar), but is structural. ESDP refers to crisis management and is therefore comprised of specific and strictly short- and medium-term SSR actions. In general, missions performed in the framework of the ESDP provide support in the early stages of security sector reform in crisis or post-crisis situations and identify new areas for Community assistance, especially in sectors like the reform of the army or intelligence services. On the contrary, the Commission approach is comprehensive and its actions refer to SSR aspects relating to governance and especially to the monitoring carried out by parliaments, the independence of the judiciary and the freedom of the media. It is therefore a more global approach to security sector reform. The idea is to provide coordinated support to the different sectors of the reform process, in order to ensure «greater synergy between ongoing Community and Member State bilateral support, on the one hand, and more effective coordination between missions undertaken in the framework of ESDP and Community and Member State action, on the other» (19).

The objective of the Council paper is to provide a concept for ESDP support to SSR in a partner country. It is therefore limited to the dimensions of civilian and military crisis management, although it includes an «emphasis on the prevention of conflict» (20). Accordingly, ESDP support to SSR refers to an ESDP action that will generally take the form of advice and assistance to local authorities (legislature, executive and judiciary) in reform issues in the security sector reform in a manner consistent with democratic norms and sound principles of good governance, human rights, transparency and the rule of law (21). In this respect, SSR can be targeted at an individual organisation or institution as part of a broader SSR framework and part of a broad cooperation arrangement between the different donors.

(19) Commission of the European Communities, «A Concept for European Community support for security sector reform», *op. cit.* p.11.

(20) Council of the European Union, «EU Concept for ESDP support to Security Sector Reform (SSR)», *op. cit.* p.6.

(21) *Ibid.* p.7.

The Council concept attempts to complement the concepts of ESDP missions in the field of the rule of law in crisis management and in the field of civilian administration (22). It likewise recognises that Disarmament, Demobilisation and Reintegration (DDR) can be a significant pillar of SSR and in this connection it is considered a central component in settling conflicts and in internal stability, though the core concept is SSR.

The Commission approach is the result, on the one hand, of developments in the recognition of the link between security and development, at the intersection of which lies the concept of human security. Human security has become a new benchmark of international cooperation which underlines the need to redirect and adapt the general framework not only of the latter but also of the public policies, by establishing citizens' security as a fundamental objective and therefore complementing state security (23). This broad concept of security has led conflict prevention to become a common foreign-policy priority and, as such, a core element of all the aspects of the EU's foreign relations. In this context, the aim is to address the structural roots of insecurity. The Commission considers SSR to be a fundamental area in conflict prevention (24). Furthermore, the very nature of the Commission's instruments favours long-term, integrated approaches to addressing the root causes of insecurity. As we will see in the following section, the Commission, through Community instruments and in the framework of a broad range of policies, backs the reform processes undertaken in the countries and regions with which it has signed association agreements in various parts of the world.

EU ACTION IN SUPPORT OF SECURITY SECTOR REFORM

Recognition of the multidimensional nature of security and the need for an integrated and holistic approach to SSR make it a cross-cutting issue

(22) «*Comprehensive EU concept for missions in the field of Rule of Law in crisis management*», Council doc. 9792/03 of 26 May 2003 and the «*EU Concept for Crisis management missions in the field of Civilian Administration*» Council doc. 15311/03 of 25 November 2003.

(23) The concept of human security (freedom from deprivation and freedom from fear) is useful not only for defining the relationship between citizens' needs and the responsibilities of states but also for understanding that cooperation and coordination between the different actors of the community of donors and the country in question is the fundamental issue. Vid. CHURRUCA, CRISTINA. «*Human Security as a policy framework: Critics and Challenges*», op. cit.

(24) Vid. Commission of the European Communities, «*Communication from the Commission on conflict prevention*», COM/2001/0211 final, 11.04.2001.

that is relevant to the whole EU institutional framework. The problem is that neither the Council conclusions on a policy framework for SSR nor the Council and Commission concepts tackle the delicate issue of the division of competences between the different pillars. It is merely stated that the importance of the Union as a whole adopting a coherent and consistent approach towards the complementarity of the actions undertaken in the framework of ESDP and the Community is «vital». The need is likewise stressed for coordinated planning between the three pillars and for a joint assessment of needs and available resources. This is a clear limitation, given that the rapid growth of CFSP/ESDP in recent years and the recognition of the link between security and development have dramatically broadened the grey areas in which the two institutions can act. What is more, the cross-cutting nature of SSR allows it to be delivered through various policies and to be subject to different financing mechanisms, depending on the nature of the activity and recipient (civilian or military), the timescale for assistance (emergency or long-term) and the political context (post-conflict, transition or development).

The fragmentation of SSR poses many challenges to donors in general and to the Union in particular. In the case of the Union, the Treaty on European Union and many EU documents stress the need to ensure the unity and «consistency of its external activities as a whole in the context of its external relations, security, economic and development policies». (Art. C of the Common Provisions). As the European Security Strategy recognises, the main challenge for the Union is that:

«Over recent years we have created a number of different instruments, each of which has its own structure and rationale. The challenge now is to bring together the different instruments and capabilities: European assistance programmes and the European Development Fund, military and civilian capabilities from Member States and other instruments. All of these can have an impact on our security and on that of third countries. Security is the first condition for development» (25).

EU instruments in support of SSR can be divided into two types: those providing short- and medium-term assistance in crisis and post-conflict situations and those that support long-term activities in contexts of transition or development. The first relate to rapid reaction in crisis management, both the military and civilian crisis-management capability of

(25) Vid. Council of the European Union, *European Security Strategy*, op. cit. pp.12-13.

Member States at the service of the Union, that is, ESDP, and Community instruments, specifically the Rapid Reaction Mechanism created in 2001 and replaced by the Stability Instrument in 2007 (26). The long-term funding instruments refer to the assistance programmes managed by the Commission. Most of the financing for capacity building in the police and judicial sector and the support for reinforcing democratic control in general has come from the European Initiative for Democracy and Human Rights and the majority from the specific geographical instruments and the European Development Fund (EDF). The EDF is the chief instrument of Community aid for development cooperation provided to Africa, the Caribbean and Pacific states and the overseas countries and territories (OCTs). The EDF has yet to become an integral part of the general Community budget and is funded by the Member States (27).

Security sector reform requires synergy between civilian and military instruments of the ESDP and Community activities. This is essential, in particular, between EU development assistance-related action and civilian crisis management in the context of the ESDP. In this connection, the streamlining of the instruments of external assistance that was proposed by the Commission and adopted by the Council at the end of 2006, as part of the financial perspectives 2007-2013, is an opportunity to improve the Commission's coordination of crisis responses in the context of ESDP, as civilian crisis-management operations are financed from Community funds.

Instead of the previous range of geographical and thematic instruments that were progressively drafted in an ad hoc manner, a simplified structure consisting of six instruments has been adopted. Three instruments directly support specific external policies: the instrument for pre-accession assistance (IPA), which replaces the existing instruments; the European Neighbourhood and Partnership Instrument (ENPI), which completes those that already exist; and a new «development cooperation and economic cooperation» instrument. A further three instruments are designed to address crises and tackle certain regional or international

(26) We refer to those listed in the section on the Commission's support for SSR.

(27) The Treaty of Rome of 1957 provided for its establishment in order to grant technical and financial assistance, initially, to the African countries, which at the time continued to be colonised and with which some states had historic ties. However, at the petition of the European Parliament, the Community budget has been setting aside a heading for the Fund since 1993. The EDF is subject to its own financial regulations, and is directed by a specific committee. The assistance granted to the ACP countries and OCTs will continue to be financed by the EDF during 2008-2013.

challenges: humanitarian assistance, macro-financial assistance (MFA) and the instrument for stability.

The Instrument for Pre-Accession Assistance (IPA) integrates preceding structures for assistance to candidate and potential candidate countries in pre-accession and stabilisation and partnership, respecting their specific features and the particular processes of each (28). The European Neighbourhood and Partnership Instrument (ENPI) replaces the assistance previously provided through various geographical programmes including TACIS (for Eastern European neighbours and Russia) and MEDA (for Southern Mediterranean neighbours), and thematic programmes like EIDHR (European Initiative for Democracy and Human Rights) (29). The financing instrument for development cooperation (Development Cooperation Instrument, DCI), by bringing together the different geographical and thematic instruments in a single instrument, is an improvement on the Community's previous development cooperation framework. The geographical programmes cover five regions: Latin America, Asia, Central Asia, the Middle East and South Africa (30). Lastly, the aim of the new Instrument for Stability (IfS) is to provide an appropriate response to instability and crisis situations and to long-term challenges until normal cooperation can be resumed through one of the general instruments of cooperation and assistance (31).

The Stability Instrument complements the financial geographical instruments. This will enable a rapid response to be mustered to urgent

(28) Council Regulation (EC) no. 1085/2006, of 17 July 2006 *OJ L 210* of 31.7.2006, p. 82/93. The IPA provides streamlined assistance to countries wishing to join the EU for the period 2007-2013 on the basis of the main lessons derived from previous external assistance and pre-accession instruments. The IPA aims to improve the efficiency and coherence of the aid provided in a single framework: the Instrument for Pre-accession Assistance.

(29) European Parliament and Council Regulation (EC) no. 1638/2006, of 24 October 2006, *OJ L 310* of 9.11.2006.

(30) European Parliament and Council Regulation (EC) no. 1905/2006, of 18 December 2006, *OJ L 210* of 31.7.2006, pp. 41-70. The regulation establishes that Community assistance shall be implemented through geographical and thematic programmes, and a programme of accompanying measures for the countries of Africa, the Caribbean and the Pacific (ACP) that are signatories to the Sugar Protocol.

(31) European Parliament and Council Regulation (EC) no. 1717/2006, of 15 November 2006, *OJ L 327* of 24.11.2006, p. 1/11. The Stability Instrument replaces and incorporates the following means of funding: Actions to aid uprooted people in Latin American and Asian developing countries, actions against anti-personnel landmines, rapid reaction mechanism, support for the United Nations Interim Mission in Kosovo (UNMIK) and for the Office of the High Representative in Bosnia and Herzegovina (OHR), north-south cooperation in the campaign against drugs and drug addiction and rehabilitation and reconstruction actions in developing countries.

policy challenges by applying measures not envisaged in the three general policy instruments. The IfS reflects the growing importance of security in the external assistance provided by the EU and is the only instrument that explicitly mentions the possibility of financing actions in support of security system reform. Article 3 includes, among the measures for assistance in response to crisis or emerging crisis situations, support for the development of good governance and law and order, «including non-military technical cooperation to strengthen overall civilian control and oversight over the security system». This does not mean to say that geographical instruments cannot finance measures in support of SSR, as we shall see further on. Indeed, according to article 2.1 of the IfS, Community assistance «shall be provided only to the extent that an adequate and effective response cannot be provided under those instruments». This instrument pertains exclusively to the first pillar, but its design takes into account the need to ensure operational coordination between Community actions and the measures adopted in connection with the CFSP/ESDP.

A clear limitation of the IfS that can undermine its envisaged effectiveness is that it excludes the possibility of funding military technical cooperation and complementary SSR measures like disarmament, demobilisation and reintegration, and the control of small arms and light weapons. This is a result of the negotiations of the Council and Commission on this new instrument. Instead of considering the need to work jointly towards the same goal in a spirit of inter-institutional solidarity, the negotiations were limited to legal arguments on the precise delimitation of institutional competences (32).

The Commission's ambition was to contribute to the coherence between security and development by improving the synergy between EU development assistance action and civilian crisis management in the context of the ESDP in areas like SSR. The proposal was based on the idea of the complementarity of Council and Commission actions in civilian management, which had been developed in a *grey area* in which both institutions could operate legitimately and legally. However, this initial tolerance of overlapping competences appears to have come to an end with the appeal filed by the Commission itself with the Court of Justice against the Council for encroaching on its powers. The Commission considered that combating the proliferation of small arms has become an integral part of its development cooperation and, accordingly,

(32) Vid. ISIS Europe, «*The Stability Instrument: defining the Commission's role in crisis response*», ISIS Briefing, 27. June 2005.

of its competences, whereas the Council was reluctant to coordinate its action with the Commission and to grant it competences in policies aimed at promoting peace and stability. Some Member States also feared that by adopting peace measures in its development programmes the Commission would overstep its competences (33).

The opinion of Advocate General Mengozzi delivered on 19 September 2007 in response to the Commission's appeal recognises the necessary link between security and development, acknowledging that the Commission and Council may engage in similar activities with different ends, the former to promote economic and social development and the latter to maintain peace and stability, and therefore suggests that the Court dismiss the Commission's petition (34). Above and beyond the legal implications, the problem raised is that, instead of recognising the overlapping of the different responsibilities and the necessary link between security and development and working jointly towards the same goal, the tensions between the two institutions prevail over the Union's objective of being more coherent and capable in the international sphere.

The EU's experience of SSR support reveals that coordination between the Commission and the Council is assumed or taken for granted, but in fact only occurs on rare occasions on a case-by-case basis (35). An example of coordination is the sending of Civilian Response Teams (CRTs) to assess the Union's support for SSR in the Democratic Republic of the Congo and in Guinea-Bissau (36). What is more, these are the only two examples—

(33) At the end of 2005 the Commission filed an application with the Court of Justice to annul Council Decision 2004/833/CFSP of 2 December 2004 implementing Joint Action 2002/589/CFSP with a view to a European Union contribution to ECOWAS in the framework of the moratorium on Small Arms and Light Weapons, and to declare inapplicable, because of its illegality, title II of Council Joint Action 2002/589/CFSP of 12 July 2002, on the European Union's contribution to combating the accumulation and spread of small arms and light weapons. The Commission argues that if the latter has a legal basis (ie the Cotonou Agreement), then the Council actions in the same field (in this case building ECOWAS' capacity to deal with small arms and light weapons) are an encroachment on the powers of the Commission. The Council argues against this by considering restricting the Commission's powers to non-CFSP areas.

(34) Opinion of Advocate General Mengozzi delivered on 19 September 2007, Case C-91/05.

(35) As GOURLAY, CATRIONA states, 'Under the pressure of producing a swift result and a political signal in response to a crisis, coherence with ongoing or planned EC actions is often assumed rather than explored'. Vid. GOURLAY, CATRIONA, «*Civil-Civil Co-ordination in EU crisis management*» in «*Civilian Crisis Management: the EU way*», Institute for Security Studies, Chaillot Paper no. 90, June 2006 p.105.

(36) A Civilian Response Team is defined as a rapid reaction capability for civilian crisis management that is flexible in size and composition, formed by experts from the Member States and, in principle, with the participation of the Secretariat. To ensure the

particularly Guinea-Bissau—of genuine Union action in pursuit of SSR (when the latter is taken to mean the reform of a «system» that affects all the state institutions and requires its consent, cooperation and full involvement). In any event, coordination is not common practice. The Commission's proposal to link its action to that of the Council through joint training programmes, methodologies for assessing needs and joint lists of experts remains a dead letter until the Treaty of Lisbon enters into force (37). With the exception of the two aforementioned cases, which we will deal with at the end of this section, EU action in support of the security sector has been delivered, on the one hand, in the field of ESDP and, on the other, as part of the competences of the Commission. However, this does not mean to say that ESDP missions in support of the security sector are not coordinated with the programmes of the Commission and with other field agents. The success of missions depends precisely on this coordination to a considerable extent.

ESDP missions in pursuit of SSR

SSR is one of the fundamental aspects of EU crisis management defined in the European Security Strategy adopted in December 2003 (38). The EU's objective of preserving peace and strengthening international security (Art. 11 TEU) establishes the foundations for the Union's participation in SSR in third countries. In recent years this has been backed by the spectacular development of the EU's crisis-management capability.

As a result of the Kosovo crisis, in 1999 the European Council decided to equip the EU with an autonomous military and civilian crisis management capability backed by the capabilities and structures required

consistency of the EU's external action, it has been decided to invite experts from the European Commission to take part, when appropriate. A Civilian Response Team is formed from a group of experts from all over the EU, previously selected by the Member States using established procedures and criteria. Vid. CHURRUCA, CRISTINA, «*Marco Institucional de gestión de crisis de la Unión Europea*» en *Marco institucional y medios civiles de gestión internacional de crisis en España: compromisos, alternativas y ventajas*, Documento CITpax no. 5, February 2006.

- (37) DOELLE, PATRICK and GOUZÉE DE HARVEN, ANTOINE, «*Security Sector Reform: A Challenging Concept at the Nexus Between Security and Development*» in SPENCE, DAVID and FLURI, PHILIPP, «*The European Union and Security Sector Reform*», London: John Harper Publishing, 2008, pp.55-56.
- (38) The draft constitutional treaty made explicit reference to these missions. The Treaty of Lisbon includes a general reference to «missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter.» (new article 28 A .1).

to direct and conduct operations in the field of the so-called Petersberg missions, which have been included in Art. 17.2 of Title V, on the Common Foreign and Security Policy (CFSP), of the TEU (39):

- humanitarian or rescue tasks;
- peacekeeping tasks;
- tasks of combat forces in crisis management, including peacemaking operations (40).

Since 1999, practically all the meetings of the European Council have attempted to develop the civilian and military capabilities of the Member States required to perform autonomous operations or for coordination with the United Nations and other international organisations and the contribution to these organisations. This process, which is an integral part of the CFSP, is what is called European Security and Defence Policy (ESDP). The ESDP is directed, revised and controlled by the Council. The adoption of the ESS, which states the EU's wish to improve and increase its crisis management capability as an essential element of its foreign policy, has given greater political impetus to the ESDP.

At Helsinki (December 1999) the European Council adopted the Headline Goal 2003, that is, the goal of providing the EU by 2003 with the capability of deploying up to 60,000 men (Rapid Reaction Force) within 60 days and for a minimum of one year, and a force catalogue of the military capabilities required for this purpose. In view of the impossibility of attaining this capability and as a reflection of the ESS, the goal was revised at the end of 2004. The new Headline Goal 2010 includes the commitment of the Member States to equip themselves by 2010 with the means required to provide a response to all the crisis management operations envisaged in the TEU, and its extension in accordance with the ESS to joint disarmament operations, support for third countries in combating terrorism and security sector reform.

(39) The Treaty on European Union (TEU) establishes that one of the Union's objectives is «to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the eventual framing of a common defence policy, which might in time lead to a common defence». (Art.2) The Common Foreign and Security Policy (CFSP) constitutes the so-called *second pillar* of the EU and its development is the competence of the Council. It is therefore separate from external policies of development cooperation and trade policies in respect of which the Commission is competent to propose and implement.

(40) The name Petersberg refers to the castle where these missions were conceived in November 1992, initially by the Western European Union. In order to reflect the subsequent enlargement, the Treaty establishing a Constitution for Europe proposes including joint disarmament operations, support for third countries in combating terrorism and security sector reform in this sphere.

The development of civilian crisis management capabilities was initially intended to accompany the development of military capabilities, on which the Member States' efforts were concentrated. The adoption of the ESS, which basically underlines the need to improve the military crisis management capability, and the subsequent establishment of the European Armaments Agency, cast doubts over the Member States' real commitment to reinforcing their civilian crisis management capabilities. However, in view of the fact that the vast majority of the operations launched since the end of 2004 are civilian, and the recognition (at least in theory) that the added value of the EU in crisis management matters depends on its ability to make rapid use of civilian and military means, the development of civilian capabilities has been given new impetus since 2005.

The Feira (1999) and Gotemburg (2001) European Councils identified four priority areas for developing EU civilian crisis management: police cooperation, consolidation of the rule of law, civilian administration and civilian protection. The Gotemburg European Council likewise established conflict prevention as a priority in the Union's external policy and as a fundamental element of all the Community's external relations.

Security sector reform is conceived not only as an instrument for conflict prevention in fragile states but also as a fundamental task in countries that are emerging from a conflict and is a core element of broader efforts to create and reform institutions in countries in a more stable context. Depending on the situation of the state in question, a broad range of different SSR measures may be necessary. What SSR seeks is to «increase the ability of a state to meet the range of both internal and external security needs in a manner consistent with democratic norms and sound principles of good governance, human rights, transparency and the rule of law. It concerns not only state stability and regime security of nations but also the safety and well-being of their people. SSR involves addressing issues of how the security system is structured, regulated, managed, resourced and controlled. It is also important to take into account external security in relation to the neighbourhood and regional stability» (41).

Since the ESDP became operational in January 2003, the Council has deployed 21 missions that include to a greater or lesser extent aspects relating to security sector reform. Three types of ESDP missions can be

(41) Council of the European Union, «EU Concept for ESDP support to Security Sector Reform (SSR)», *op.cit.* p.9.

distinguished: civilian, military and civilian-military (42). Civilian missions in turn can be classified into three types: 1) direct assistance to security sector reform, such as capacity building missions in the security sector, including training, advisory and technical and logistic support activities; 2) assistance in the judicial and civilian administration sector, or rule of law missions, which can also include training, advice and technical and logistic support; and 3) observation and supervision missions in which the Union's action is limited to observing and certifying compliance with certain standards or commitments. As of March 2008, nine missions had been completed and twelve were in progress, including the border assistance mission in Moldavia and Ukraine (43). Five of these missions were military operations and there was only one civilian-military operation: a civilian-military support action in the Darfur region in Sudan. The remaining fifteen were civilian crisis management missions: security sector reform, [2] police assistance and training, [7] rule of law, [3] observation [1] and border assistance [2]. These missions have been undertaken in Europe, Africa and Asia. As can be seen in the chart summing up the ESDP missions, they all include aspects of SSR in their terms of reference (44).

A feature common to all missions is that the prerequisite for launching a civilian ESDP mission is the existence of a formal invitation from the host state, authorisation of the United Nations Security Council or any other type of authorisation provided it is consistent with the United Nations Charter or international law. This is important, mainly for two reasons: on the one hand, the European Union ensures that its mission is not viewed as interference in the internal affairs of the country as there is an invitation; and on the other hand, there is a commitment on the part of this country to ensure that the mission is conducted under the agreed conditions. The objective is local ownership, that is, the European Union should not impose anything in its

(42) Civilian-military missions refer to missions in which civilian and military personnel take part. Civilian missions are those in which only civilian personnel take part and military missions are those in which military personnel are involved and the mission mandate is military (civilian protection, creation of a secure area, etc.).

(43) Vid. ESDP operations in: <http://www.consilium.europa.eu/cms3/fo/showPage.asp?id=268&lang=EN&mode=g>

(44) For an extensive analysis of these ESDP operations see: Ruiz, XIRA, «La evolución de las misiones civiles de la política europea de seguridad y defensa», in UNISCI Discussion Papers, no. 16, *Enero / January 2008*, pp.61-84 and by the same author «La Unión Europea y las misiones PESD», in UNISCI Discussion Papers, no. 11, May 2006, pp.14-26; GONZÁLEZ ALONSO, LUIS NORBERTO, «De las declaraciones a los hechos: las primeras operaciones de gestión de crisis de la Unión Europea», *Revista de Derecho Comunitario Europeo*, vol. 7 no. 15, May-August 2003, pp. 653-682.

missions—rather, the aim is to equip this third country with the instruments it needs to solve its own problems. The idea is to hand over all responsibilities to the local authorities within the shortest possible time (45).

The most common types of missions to date have been police training and advisory missions. These are furthermore those that have undergone the greatest development, as it has been possible to apply the lessons learned from some missions to others. Of these missions, three are complete: EUPOL KINSHASA in the Democratic Republic of the Congo (DRC) and EUPOL PROXIMA and EUPAT, both in Macedonia. The mission that has aroused the greatest interest and is considered the European Union's main civilian ESDP mission is the European Union Police Mission (EUPM) in Bosnia, one of the longest running and an example of the Union's commitment in the Balkans.

Although the implementation of a joint coordinated and coherent EU action in pursuit of SSR is not yet a reality, ESDP missions belong to the broadest framework of the Union's external policy and complement the assistance programmes of the Commission, for example in the context of the pre-accession process (as is the case of the support missions to Bosnia and Herzegovina) and the Stabilisation and Partnership process, and in the broader context of the international community's effort to support the different countries in their efforts to assume responsibility in establishing the rule of law and order.

ESDP Missions (46)

| Country/Mission | Dates | Description | Main SSR Focus | Approx. Personnel | Budget |
|--|--------------------|---|---|---|--|
| West Balkans | | | | | |
| Bosnia and Herzegovina EU Police Mission | January 03-present | 1 st ESDP mission, successor of the United Nations International Police Task Force (IPTF) for the implementation of peace in BiH | Police Reform Fight against organised crime Supervise the exercise of political control over the police | 330 police officers (2003-2005) Some 200 police officers (2006-2008) | 38 million (2005) 12 million (2006) |

(45) Vid. NOWAK, AGNIESZKA, (ed.), «*Civilian Crisis Management: the EU way*», European Union, Paris, Chaillot Paper, no. 90, June 2006.

(46) Adaptation from DAVID LAW and OKSANA Myshlovska, «The Evolution of the Concepts of Security Sector Reform and Security Sector Governance: the EU perspective» en Spence, David and Fluri, Philipp, /The European Union and Security Sector Reform/, London: John Harper Publishing, 2008, pp.14-15 on the basis on the Council ESDP Operations website http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=268&lang=EN&mode=g

| Country/Mission | Dates | Description | Main SSR Focus | Approx. Personnel | Budget |
|--|--|--|---|--|---------------------------------|
| Bosnia and Herzegovina EU Military Operation (EUFOR Althea) | Dec. 04-present Operation in progress | Implementation of the Dayton and Paris Peace Agreements; Contribution to a more stable and secure environment in BiH. Continuation of the NATO SFOR operation (performed with NATO assets and capabilities); the largest-scale military operation led by the EU. | Creation of a suitable environment for the local security forces. | 7,000 EUFOR troops 500 personnel from the Unified Police Unit | 71.7 million (2004-2007) |
| Kosovo EU mission for the re-establishment of the rule of law (EULEX Kosovo) | Feb. 08-present Operation in progress | Support for the Kosovar authorities in establishing a functional and sustainable rule of law. Until it is fully operational (120 days) the mission is implemented on the basis of the EU Planning Team (EUPT Kosovo) (47) | Reform of the police, judicial, customs and correctional services systems | Some 1,900 police, judges, prosecutors and customs officers | 205 million the first 16 months |
| Former Yugoslav Republic of Macedonia (FYRM) EU Military Operation (EUFOR Concordia) | March-Dec. 03 Operation completed | 1 st military mission to take over from NATO Operation Allied Harmony (Implementation of the Ohrid Agreement, 2001) | Creation of a suitable environment for the local security forces. | 350 military personnel | 6.2 million (2003) |
| Former Yugoslav Republic of Macedonia (FYRM) EU Police Assistance Team (EUPAT) | Dec. 05-May 06 Operation completed | Training and advice to local police | Police reform, training of border police, combating corruption and organised crime | 30 police advisors | 1.5 million (2005) |
| Former Yugoslav Republic of Macedonia (FYRM) EU Police Mission (EUPOL Proxima) | Dec.03-Dec.05 Operation completed | Training and advice to local police. Local management and confidence building with the population | Combating organised crime; development of the rule of law; reform of the Ministry of the Interior (including police); establishment of border police. | 200 international personnel | 15 million (2004) |

(47) The EU Planning Team (EUPT Kosovo) was established on 16 April 2006 in order to prepare the transition from UNMIK tasks and a possible crisis management operation in the field of the rule of law and other areas. In March 2008 the EUPT had approximately 70 international and 50 local members on the ground, divided into four groups: an office of the head of the planning team, a police team, a legal team and an administrative team.

European Union support for security sector reform: the added value of the EU...

| Country/Mission | Dates | Description | Main SSR Focus | Approx. Personnel | Budget |
|---|--|---|--|---|-----------------------------------|
| South Caucasus | | | | | |
| Moldavia-Ukraine/ Border Assistance Mission (EUBAM) | Dec. 05-present Operation in progress | Training and advice to border police and customs officers | Reform of the customs service and border police; border control | 7 field officers 101 international personnel | 20.2 million (2006-07) |
| Georgia EU mission for the re-establishment of the rule of law (EUJUST-Themis) | July 04-July 05 Operation completed | Assistance in developing a coordinated approach in the reform process of the rule of law | Judicial system (particularly the system of criminal justice) | 10 international experts | 2.3 million (2004-05) |
| Middle East | | | | | |
| Palestinian Territories EU Police Mission (EUPOL COPPS) | Nov. 05-present Operation in progress | Implementation of the development plan for the Palestinian civilian police; training of the police and officers of criminal justice | Reform of the police and criminal justice | 30 people | 6.1 million (2005) |
| Rafah Crossing point in the Palestinian Territories EU Border Assistance Mission (EU BAM Rafah) | Nov. 05-present Operation in progress | Adaptation to the principles established for the border crossing between Israel and the Palestinian Authority | Training in customs procedures and control of goods | 80 people | 7.6 million (2005) |
| IRAQ EU INTEGRATED RULE OF LAW MISSION IN IRAQ (Eujust Lex) | June 05-present Operation in progress | Training of judges, magistrates, police commanders and prison officers | Support for the rule of law | 20 international personnel | 10.9 million (2005) |
| Asia | | | | | |
| Afghanistan EU Police Mission (EUPOL Afghanistan) | June 07-present Operation in progress | To contribute to establishing civilian police procedures under Afghan ownership and in accordance with international standards. | Monitoring, mentoring, advice and training at the level of the Afghan Ministry of the Interior, regions and provinces. | 195 international personnel (police and experts in justice and law enforcement) | 43.6 million until September 2008 |
| Aceh, Indonesia EU Monitoring Mission (AMM) | Sept. 05-Dec. 06 Operation completed | Monitoring of the implementation of the peace agreement | Demilitarisation, Demobilisation and Reintegration (DDR) | 130 people (from EU Member States) | 15 million (2005-2006) |

| Country/Mission | Dates | Description | Main SSR Focus | Approx. Personnel | Budget |
|--|--|--|--|----------------------------|---|
| Africa | | | | | |
| Darfur, Sudan EU Support to the African Union Mission (AMIS III) | June 05- Dec. 07 | Political, logistical and financial support for the African Union monitoring mission in Darfur | Advice on police reform | 60 international personnel | 1.1 million (2006) |
| Kinshasa, DRC EU Police Mission (EUPOL Kinshasa) | April 05 – June 07 Operation completed | Establishment of an integrated police unit (IPU) for the protection of state institutions and reinforcement of local security forces | Police reform | 30 international experts | 4.3 million (2005) 3.5 million (2006) |
| Democratic Republic of the Congo/ EU Police Mission (EUPOL DR Congo) | July 07- present Operation in progress | Succeeds EUPOL Kinshasa Support and assistance to the Congolese authorities in SSR in the field of the police and their interaction with justice. | Police reform Reform of justice Assistance to the judicial police Setting up of an national police operations centre | 39 international experts | 5.5 million |
| Democratic Republic of the Congo/ Security Sector Reform Mission (EUSEC DR Congo) | June 05- June 07 | Advisory and assistance mission in SSR | Advice for understanding what SSR is | 8 experts | 1.6 million (2005) 4.75 million (2006) |
| Democratic Republic of the Congo/ Security Sector Reform Mission (EUSEC DR Congo) | June 07- present Operation in progress | Continues the previous mission Comprehensive security sector reform. Coordinating role of international efforts in supporting SSR in cooperation with the UN | To complete the integration of the different armed factions into the army To restructure and reconstruct the Congolese army Technical assistance for the establishment of a chain of payments of the Ministry of Defence | 40 experts | 9.7 million |
| Republic of Guinea-Bissau (EU SSR GUINEA-BISSAU) | Feb. 08- Operational in May 08 | SSR advice and assistance mission Partnership with the government | Restructuring of the armed forces Reorganisation and restructuring of the police corps Criminal investigations Training of the judicial police | 15 experts | 5.6 million |

ESDP operations in support of SSR in Afghanistan (EUPOL AFGHANISTAN), the Democratic Republic of the Congo (EUPOL RD Congo and EUSEC RD Congo) and Bosnia and Herzegovina (EUPM) are part of the EU's global commitment to these countries and of a coordinated approach that includes political guidance in the local sphere through the figure of the EU Special Representatives and a reconstruction effort managed in particular through the delegations of the European Commission. In Afghanistan the Union supports the role of the United Nations Assistance Mission in Afghanistan (UNAMA) in coordinating the civilian efforts of the donors and, together with the UNAMA, the International Security Assistance Force (ISAF) directed by NATO, the USA and other key actors, including the international financial institutions, it is working towards efficient cooperation and coordination between the international community and with the Afghan government (48).

One of the key geographical areas of EU support for SSR has been and continues to be the Western Balkans. SSR in the Western Balkans is part of a much wider programme established at the Thessaloniki summit of 2003 as part of the stabilisation and partnership process. The EU has maintained its commitment through its ESDP operations in the region. The EU Police Mission (EUPM) in Bosnia and Herzegovina has achieved major successes in developing sustainable policing measures. Despite the huge difficulties the mission experienced during the initial years (2003-2005), including an excessively ambitious mandate, the EU's very lack of experience in civilian crisis management, coordination problems within the EU family, the role of prominent people, the slowness sometimes displayed by the EUPM in correcting mistakes, insufficient resources and personnel and the difficult local context (49), which even led to suggestions it should be ended and replaced by a new mission, the operation has achieved concrete results (50). Some of the mission's achievements to date are: transforming the state and the protection and investigative agency into an operational police agency with greater executive powers to combat organised crime; and the development of other state institutions, in

(48) Vid. EUROPEAN UNION, EU COUNCIL SECRETARIAT, «European Union fact sheet. EU Police Mission in Afghanistan (EUPOL AFGHANISTAN)» in: http://www.consilium.europa.eu/uedocs/cmsUpload/071212_%20factsheet_EUPOL_AFGH.pdf.

(49) Vid. on this operation: Gema Collantes Celador, «The European Union Police Mission: The Beginning of a New Future for Bosnia and Herzegovina?», *IBEI WORKING PAPERS*, 2007/9.

(50) Vid. International Crisis Group, «Bosnia's Stalled Police Reform: No Progress, No EU» *Europe Report* No.164, 2005.

cooperation with the EC, such as the Ministry of Security and the state border police. In this connection we should stress the development of local ownership of the reform process through the establishment of the police steering board chaired jointly by the mission and the local authorities. Also worthy of mention is the progress in reforming the police, in which the mission plays an advisory role: reinforcing policing practices of the communities; progress in the areas of accountability, professional competences and police management and the introduction of technical reforms in order to harmonise police standards and procedures so as to enable the police to cooperate effectively in the national sphere despite the complex political fragmentation of the system (51).

EU missions in support of SSR in the Democratic Republic of the Congo and Republic of Guinea-Bissau

The EU missions in the Democratic Republic of the Congo and Republic of Guinea-Bissau are the only two operations designed specifically to support the country's authorities in backing security sector reform from a holistic, integrated and partnership approach.

Following an official invitation from the government of the Democratic Republic of the Congo (DRC), on 2 May 2005 the Council adopted Joint Action 2005/355/CFSP on the European mission to provide advice and assistance for security sector reform in the DRC. Following the ratification of the Constitution of the Third Republic of the Congo in 2005, the holding of elections in 2006 marked the end of the process of transition and enabled a government to be formed in 2007, which envisaged in particular a comprehensive reform of the security sector, the drafting of a national concept and priority actions to reform the areas of police, the armed forces and justice. The United Nations has reaffirmed its support for the transition process and security sector reform (SSR) through various Security Council resolutions and is conducting the United Nations Mission in the Democratic Republic of the Congo (MONUC), which is contributing to the country's security and stability.

In addition to the development cooperation measures implemented by the Commission, the EU has shown its constant support for SSR by deploying other missions: both military (ARTEMIS and EUFOR RD Congo)

(51) COLLANTES CELADOR, GEMA, «The European Union Police Mission: The Beginning of a New Future for Bosnia and Herzegovina?», *op.cit.*, pp.11-24.

and civilian (EUPOL Kinshasa followed by EUPOL RD Congo), concerned with police reform in the framework of SSR. The goal is that the ESDP missions in the DRC, EUSEC RD CONGO and EUPOL RD CONGO, should develop joint synergies in pursuit of specific objectives (52).

With the agreement of the president of the Democratic Republic of the Congo, Joseph Kabila, the European Union decided to continue with its commitment towards the integration, reconstruction and restructuring of the Congolese army, broadening the mandate of the EUSEC DR CONGO mission. The mission has had its mandate renewed for a second time, a fact which attests to the EU's commitment to the recovery and stabilisation of the DRC. The extension entered into force on 1 July 2007 for a period of twelve months.

In close cooperation and coordination with other members of the international community, the EUSEC DR CONGO mission aims to offer sound support to the Congolese security authorities, providing advice and assistance in order to guarantee the security of the Congolese people and the possibility of national reconciliation and stability in the region. The mission is comprised of some forty people and has gradually spread its presence to the entire territory of the Democratic Republic of the Congo; the integration of all the factions of the former belligerents into a restructured national army is one of the key elements of the process leading to the stabilisation of the Congo and the region. Advisors are also present in the provincial administrations accountable to the Ministry of Defence (regional armed forces) (53).

The EUSEC DR CONGO mission is involved in a series of activities, among which the priorities are support for the payment of wages to soldiers and assistance in drafting a military statute and administrative and financial regulations, and technical and logistic support for a biometric census of all DRC troops. These measures, although essential, are clearly insufficient. The transition was a success to an extent. A divided country was unified and security improved throughout much of its territory. The six principal armed groups were integrated into a national army. However, the integrated army has become the worst abuser of human rights and the

(52) The joint action of June 2006 provided for the possibility of merging both into a single mission. Vid. Joint Action 2007/406/CFSP of the Council of 13.06.2007, *OJ L* 151/52.

(53) EUROPEAN UNION. COUNCIL SECRETARIAT, «The EUSEC RD Congo Mission», *Press Release*, October 2007.

corrupt administration is not in a position to provide the most elementary social services (54).

The reform requires a genuine political will to tackle the impunity of the army and police officers and officials of independent courts. The main problems are well known: security forces lacking in discipline, poorly equipped and often abusive; continued control of the vast eastern areas by the militias; and the risk of civilian rioting and repressive violence in the west, where the government has little authority. As a report of the International Crisis Group stresses, the donors have often dealt with security sector reform as a purely technical issue, but the management of public affairs and security problems are inherently political and should be treated as such. The logic of the transition was employed in purchasing peace by placing all the signatories to the operation in lucrative positions; the cost was the continued impunity of the violations of human rights and corruption, and left intact the patronage networks that are rife in the state and the army, undermining many necessary reforms (55). The way ahead consists of strengthening democratic governance. The donors should in turn link assistance (over half the budget) to a political framework and develop a new partnership with the Congolese institutions in order to address the peace priorities.

At the invitation of the government of Guinea-Bissau (letter of 10 January 2008), the Union has decided to deploy an operation in support of SSR which, following a preparatory stage beginning in March, will become operational early in May 2008. The purpose of the mission is to provide advice and assistance to the reform of the security sector in Guinea Bissau in order to contribute to creating the conditions for implementing the national strategy for security sector reform (adopted by the Guinea-Bissau authorities and approved by the international round table of donors for Guinea-Bissau at its November 2006 meeting) (56).

More specifically, the EU SSR Guinea-Bissau pursues the following main goals:

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- (54) Vid. INTERNATIONAL CRISIS GROUP, *Congo: Consolidating the Peace*, Africa Report No. 128, 5 July 2007.
- (55) Vid. INTERNATIONAL CRISIS GROUP, *Security Sector Reform in Congo*, Africa Report No.104, 13 February 2006. Vid. INTERNATIONAL CRISIS GROUP, *Congo: Consolidating the Peace*, op.cit.
- (56) Vid. EUROPEAN UNION. COUNCIL SECRETARIAT, «The EU mission in support of security sector reform in the Republic of Guinea-Bissau (EU SSR Guinea-Bissau), *Press Release*, February 2008.

- To advise and contribute to the development of detailed reorganisation/restructuring plans for the armed forces;
- To support the development of detailed plans for the reorganisation and restructuring of the police forces, including the definition of a legal framework and the incorporation of the fight against drugs;
- To advise on the planning and development of an effective criminal investigation capability;
- To advise on Interpol National Central Bureau in Bissau;
- To assist in planning and advice on the organisation of short-term training activities for the judicial police, as required.

The EU SSR Guinea-Bissau is part of a coherent EU approach that complements the activities performed in connection with the Stability Instrument and European Development Fund (EDF), and bilateral actions of Member States. Three experts are currently deployed for a 12 month-period in the framework of the Stability Instrument to provide strategic advice to the Ministry of Defence and the technical committee of the SSR process. This will be followed by more long-term support from the European Community in the framework of the EDF. The total appropriation for Guinea-Bissau in the framework of the 9th EDF amounts to 92.3 million euros, of which 19.5 million euros are for the rule of law. In the framework of the 10th EDF (2008-2013), support for SSR will continue with a potential sum of 27 million euros in the framework of the «conflict prevention» sector. This will encompass justice, administrative reforms and SSR (57).

Unlike the mission in the DRC, this operation has the commitment and full partnership of the Guinea-Bissau authorities, which could be a guarantee of success.

Community action in support of security sector reform

The EC has been backing security sector reform in relatively stable countries and regions, in countries in transition or involved in long-term democratisation processes, as well as in countries that have recently emerged from a conflict or are immersed in a long-term process of peacemaking and reconstruction. Of the more than 70 countries that received support from the Community through geographical and thematic programmes in the period from 2000 to 2005, over half were not in a crisis

(57) Ibid. Vid. INTERNATIONAL CRISIS GROUP, *Congo: Consolidating the Peace*, op.cit.

situation or at the post-crisis stage. Most Community assistance has been channelled in particular through the stabilisation and association process (SAP), which constitutes the political framework of the EU for the West Balkan countries until their accession, and the European Neighbourhood Policy (ENP) towards the neighbouring European and Mediterranean countries. The EC has likewise provided and currently provides support in the North Caucasus, Central Asia, Africa, the Caribbean and Pacific, and Latin America and Asia (58).

This support encompasses the reform of the law enforcement bodies, judicial institutions and the state institutions responsible for managing and overseeing the security systems. Also numerous are the activities aimed at contributing to reinforcing civilian control and democratic governance of the public sector in general, and at guaranteeing respect for human rights, which, to the extent that they also affect the security sector, contribute indirectly to the reform of that sector. In relation to these measures, the EC supports the reinforcement of the capabilities of the regional and subregional organisations responsible for the activities linked to the security sector, and the reforms necessary in the field of peace and security that may also have a positive repercussion on the efforts deployed in the national sphere in pursuit of security sector reform.

There are several significant policies and strategies for assistance in this field. Although the principles that regulate support for security sector reform should be identical for all forms of Community support in this field, the approaches adopted and the methods of implementation may vary according to the strategic frameworks and national contexts. The policies and instruments in question relate to development cooperation, enlargement, the stabilisation and association process, the European neighbourhood policy, conflict prevention and crisis management, as well as to the external dimension of the area of freedom, security and justice. The promotion of democracy and human rights is a cross-cutting issue that is part of development cooperation policy, the European neighbourhood policy and the association agreements, among others (59).

(58) Vid. Commission of the European Communities, «A Concept for European Community Support for Security Sector Reform», *op. cit.*, Annex 2. Areas of EC support for security sector reform – Examples of regions and countries.

(59) The bilateral agreements of the EC incorporate human rights clauses that are also included in all the development policy instruments. The European Initiative for Democracy and Human Rights is the main instrument of EU support for civil society initiatives in this area and will be succeeded by a new thematic programme 2007-13.

EU development policy and SSR

The promotion of human rights, democracy, the rule of law and good governance are seen as integral parts of the EU's development cooperation policy and constitute an area in which the Community is especially active, as is recognised in the «European consensus» on development. The latter stresses that security and development are important and complementary aspects of the EU's relations with third countries. Furthermore, it states that the EU must improve its response to difficult partnerships and those with fragile states, and step up its efforts in conflict prevention and support for the prevention of fragile states, for example through the reform of governance, the rule of law and the building of the institutions of a viable state (60). The Communication from the Commission on Governance and Development likewise underlines the fact that security system reform is an integral part of good public management. The objective of SSR as a development cooperation policy is to improve the security conditions of the population by boosting the efficiency and effectiveness of all the state institutions that play a role in the security of their population in a manner consistent with the criteria of good governance (democratic control, transparency, respect for human rights...).

Community action pursuant to the first EU Strategy for Africa, «The EU and Africa: towards a strategic partnership» adopted in December 2005, is the first integrated European political framework for improving coordination and the coherence of the policies and instruments of the EU and Member States. In accordance with this strategy, Community support is centred on the area of public-sector management, particularly peace and security, and on increasing support for post-conflict reconstruction, the United Nations' new Peacebuilding Commission, the strengthening of fragile states, DDR and SSR programmes in the African states; and the promotion of human rights, good government and support of Africa's efforts to improve governance, including support for the African Peer-review Mechanism. By adopting this strategy, the EC is not only committing itself nationally and regionally but also at the Pan-African level (61).

(60) Communication from the Commission on Governance and Development, COM (2003) 615 final.

(61) The EU and Africa: Towards a Strategic Partnership, Council of the European Union, (doc. 15702/1/05 Rev 1) adopted by the European Council 15-16 December 2000.

Enlargement policy and the Stabilisation and Partnership process in pursuit of SSR

The enlargement process is an important tool for achieving SSR in Central and Eastern Europe. It has also inspired substantial reforms in Turkey, Croatia and the West Balkans, which are all candidates or possible candidates for EU accession.

Security sector reform in the candidate or possible candidate countries is partly covered by the Copenhagen political criteria (which guarantee democracy, the rule of law, human rights, respect and protection of minorities) for EU accession. The prospect of EU accession also involves a series of very specific obligations in the areas of border control, migration, asylum and visas, police cooperation and judicial cooperation in civilian or criminal matters, which relates to the EU policy of freedom, security and justice. Fulfilment of the accession requirements in these sectors is not only about transposition into the national legislations related to the EU *acquis*. The countries must also demonstrate their ability to successfully put this *acquis* into practice along with other general aspects related to legislation and the provision of these services, in accordance with commonly accepted EU norms and best practices (62).

European Neighbourhood Policy and SSR

The European neighbourhood policy launched in May 2004 is particularly designed to promote good governance and economic development in its surrounding areas. Security sector reform and cooperation in threats to common security, and in justice and security affairs are among the priorities identified in the action plans already approved with seven partner countries (Israel, Jordan, Moldavia, Morocco, Palestinian Authority, Tunisia and Ukraine) and currently under preparation with Armenia, Azerbaijan, Egypt, Georgia and Lebanon. In order to support their implementation, a new European Neighbourhood and Partnership

(62) At the Thessaloniki Summit (June 2003), the Stabilisation and Association Process (SAP) was enriched by incorporating the European Partnerships, identifying in the short and medium term the priorities that the countries have to address in order to assist them with their reforms and the preparations for future accession. From 1 January 2007, the candidate and potential candidate countries will be covered by the Instrument for Pre-accession Assistance, which will help the beneficiary countries progressively adapt to European Union standards and policies, including, when appropriate, the *acquis communautaire*.

Instrument (ENPI) has been adopted which provides a new approach to cross-border cooperation and the Community's ability to support a broader range of activities than is possible under the previous financial instruments (MEDA and TACIS) (63).

Conflict prevention and crisis management policy and SSR

The Communication from the Commission on conflict prevention stressed the need to adopt more specific measures in the areas of:

- The democracy of the rule of law and civil society, with emphasis on electoral processes, parliamentary activities and the administration of justice.
- Security sector reform, in which the Commission intends to play an increasingly active role.
- After specific conflicts, the adoption of measures like demobilisation, disarmament and reintegration; the identification of disarmament, demobilisation and reinsertion as an important dimension of SSR (64).

The EC, the Commission, likewise participates in civilian crisis management activities in crisis and post-crisis situations. The development of the ESDP and international experience in crisis management during the past decade has posed a twofold challenge to the Commission: to improve Community instruments and procedures for making them more flexible and appropriate to the need for response in the event of crisis; and to ensure the coordinated and coherent development of the Community instruments and the new instruments available in the framework of the CFSP/ESDP. The Rapid Reaction Mechanism (RRM) established in 2001 has proved to be an important mechanism for improving the ability to intervene quickly and efficiently in crisis or possible crisis situations (65). Based on the existing Community instruments, the RRM provided the speed and flexibility required to mobilise any Community instrument (except for humanitarian assistance, which has specific emergency procedures and is governed by the principle of impartiality and non-discrimination).

Although short-term in nature, it has proved to be an important instrument in reinforcing Europe's ability to intervene rapidly and

(63) Implementing and Promoting the European Neighbourhood Policy, Communication to the Commission SEC (2005) 1521.

(64) Vid. Commission of the European Communities, «Communication from the Commission on conflict prevention», *op.cit.*

(65) Regulation (EC) no. 381/2001, *OJ L 57 of 27.2.2001*, p. 5.

effectively in crisis or potential crisis situations. It has demonstrated its usefulness in providing the initial impetus in supporting security sector reform, which is then followed by long-term assistance through regional budgets, ensuring that the EC commitment is not short term but has a long-term perspective in the pre- and post-conflict periods. The Stability Instrument, which replaced the rapid reaction mechanism in 2007, provides short-term financing and allows the Community to act rapidly and more flexibly in supporting the initial stages of the reform process, paving the way for the EC's more long-term assistance (66).

External dimension of the area of freedom, security and justice

The external dimension of the area of freedom, security and justice refers to all the third countries with which the EU maintains relations, both the partners who aspire to join the EU and therefore have the obligation of adapting to its *acquis* and the EU's best practices and other countries that may benefit from the EU's experience and models. The dimension of freedom, security and justice is an increasingly important part of relations with third countries through stabilisation and association agreements or partnership agreements. Sharing the values of freedom, security and justice with third countries will contribute to promoting the EU's external relations by furthering the objectives of the rule of law, democratic values and sound institutions. Examples of cooperation with third countries in the area of freedom, justice and security are: border management, migration and asylum, as well as readmission agreements, the fight against corruption and organised crime, including trafficking in humans and drugs and money laundering; police and law enforcement, judicial cooperation and justice-related matters; and the fight against terrorism. Community assistance is offered through various programmes and external strategies in these areas, which encompass, for example, institutions and capacity building. In December 2005, the Council adopted a strategy for the external dimension of justice and home affairs, which stresses as key priority issues that the Union must respond to the security threats posed by terrorism and organised crime and to the challenge of managing migratory flows for the mutual benefit of the partner countries and the EU (67).

(66) Regulation (EC) no. 1717/2006, OJ L 327/1 of 24.11.2006.

(67) Vid. MONAR, JÖRG «Chapter 6: Justice and Home Affairs: Security Sector Reform Measures as Instruments of EU Internal Security» SPENCE, D. and FLURI, PH., «The European Union and Security Sector Reform», op. cit. pp.126-140.

CONCLUSIONS AND RECOMMENDATIONS: THE ADDED VALUE OF THE UNION AS GLOBAL SECURITY ACTOR

The EU's challenge is to be capable of making coherent use of the full range of capabilities and potential resources, both civilian and military, at its disposal (Community, CFSP/ESDP, Member States) by selecting the most appropriate for responding coherently to all crisis management operations such as conflict prevention, peacekeeping missions and missions of combat forces for crisis management, including peacemaking missions and post-conflict stabilisation. A good SSR programme requires a combination of military, civilian, financial, diplomatic and development assistance efforts and competences, which are currently dispersed among the EU's various staffs and bodies, not to mention the national capitals. In many aspects, the EU is among the institutions with the greatest potential for undertaking a modern and ambitious SSR, though it is not the easiest option.

The fact that the EU is not a military power with strategic ambitions in most of the world makes it a good bearer of the message of the need for SSR. The European Union has a genuine interest in promoting rules for peaceful co-existence at regional level and not in seeking allies and military protégés in different parts of the world. The pursuit of peace and regional stability through the promotion of democracy, the rule of law and human rights is an objective of Europe's external policy.

The EU has much to offer in the field of SSR. Since its beginnings, the EU has been an important player in the development cooperation field and is currently the biggest donor of development assistance (the Community and its Member States). As a result of the Union's growing experience in civilian and military crisis management operations, the EU is emerging as an important promoter of security on the international scene. In order to steer its external policy, the EU has created, or rather «innovated», programmes and methodologies, of which SSR is undoubtedly one of the most promising instruments of its external action. The EU has a broad network of cooperation that extends to national governments, international organisations and non-governmental organisations and makes it a global player. This particular feature is of crucial importance in an area where coordination is essential.

Security sector reform underlines the need for synergy between civilian and military instruments of the ESDP and Community activities. In

particular, the correlation between action relative to EU development assistance and civilian crisis management in the framework of the ESDP is essential. In this connection, the streamlining of the instruments of external assistance in the framework of the 2007-2013 financial perspectives is an opportunity to foster the synergy between EC, bilateral and ESDP crisis responses. Complementarity and coherence between the action of the Union and the policy of the Member States is also vital. For this purpose, clear political objectives, so far absent, are required.

EU actions in support of SSR in the framework of the ESDP have been a response to the international situation and political priorities of the Member States, but have not been part of a broader EU strategy involving existing Community programmes and actions, and their contribution to crisis prevention through long-term conflict prevention programmes. The adoption of specific goals for the Union's external action as a whole could contribute to coordinating political priorities and competences between the Council and the Commission. It would likewise help alleviate the problem that missions are shaped from what the Member States are willing to contribute, and not by their actual objectives. The broadening of the competences of the Union High Representative who will be responsible not only for developing the CFSP/ESDP in the Council but also of the Commission's competences in foreign relations, introduced by the Treaty of Lisbon, could largely solve this problem (amended Art. 18 of the TEU). The Treaty of Lisbon will allow the European Union to express its opinions to its international partners with greater clarity and make the Union a more coherent actor on the global scene by combining the instruments at the disposal of EU external policy when drafting and adopting new policies (68). The High Representative of the European Union for Foreign Affairs and Security Policy, who will also be the Vice-President of the Commission, will lend greater weight, coherence and visibility to the EU's foreign action. He will be assisted by the new External Action Service.

SSR embodies the nexus between security and development. The concept requires an integrated response. The fragmentation of SSR poses many challenges to donors in general and to the Union in particular.

(68) On 13 December 2007 the EU leaders signed the Treaty of Lisbon, marking the end of negotiations on institutional affairs that had dragged on for several years. The Treaty of Lisbon modifies the EU and EC treaties now in force, but does not replace them. The new text will provide the Union with the necessary legal framework and instruments to address the challenges of the future and provide a response to citizens' demands.

Evidence suggests that the coordination and sustainability of SSR support operations have been undermined by lack of foreseeable and long-term funding and by the existence of many channels of financing that have often led to poorly coordinated and incoherent support. In this connection, coordination within and between organisations is essential to the effectiveness of SSR. The question of coordination has led to the development of so-called «whole of government approaches» (WGAs) at state level—that is, approaches that integrate all the government departments and sources of common financing (69). In the case of the Union, the division of its external action into pillars under the TEU makes it particularly necessary to appeal for ensuring «the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies». (Art. 3, Common Provisions). However, in our opinion, the need for a holistic and integrated response in SSR shows that to the challenge of the three Cs (coordination, coherence and complementarity of external action) should be added the challenge of the three Ds (the combination of defence, development and diplomacy in a common approach). This is the challenge for the future. This model places emphasis, priority, on horizontal thought. However, the challenge of coordination is huge and, in view of the experience acquired, effective assistance requires the designation of a leader institution and a hierarchic management structure, in addition to the adoption of frameworks for assessment and comprehensive development approaches. The EU's experience in the Democratic Republic of the Congo, where the EU has been prepared to assume the role of coordinating all international efforts to support the Congolese government in cooperation with the United Nations, is a precedent.

Today's crises require a comprehensive and multidimensional approach that combines emergency relief with measures to protect human rights and rehabilitation measures, and with long-term strategies that address the ultimate causes of conflicts. In this respect, the added value

(69) Recognition of these problems led the OECD to adopt its handbook on SSR in 2007. The purpose of the handbook is to ensure that donor support for SSR programmes is both effective and sustainable. Vid. *OECD Handbook on Security Sector Reform. op.cit.* Some of the leading Western donors have developed initiatives for this purpose, such as Canada with its Human Security Programme and the United Kingdom with its security sector reform strategy. These initiatives encourage planning and coordination between departments devoted to international cooperation. Vid. in this connection, FITZGERALD, ANN, «*Addressing the Security-Development Nexus: Implications for Joined-up Government*» op. cit.

of the EU is twofold: on the one hand, it has military and civilian crisis management capabilities; and on the other, it can guarantee continuity between emergency-rehabilitation and development measures during all the stages of a crisis (early warning, prevention, crisis management and post-conflict reconstruction). It is the only organisation in the world with the structure, mandate, decision-making process and financing required to address the challenge of crisis management in the broad sense of the word. The adoption of the ESS was a clear sign of a new political will of the Member States. Let us hope that the new consensus among Member States for ratifying the Treaty of Lisbon translates into fresh interest in asserting the Union as a global security actor.

CHAPTER FOUR

SCOPE AND MODES OF NATO ACTION IN SECURITY SECTOR REFORM (SSR) AND GOOD GOVERNANCE

SCOPE AND MODES OF NATO ACTION IN SECURITY SECTOR REFORM (SSR) AND GOOD GOVERNANCE

LUÍS PERAL FERNÁNDEZ

FEATURES OF SSR ACTION PERFORMED OR SPONSORED BY NATO: IMPLICIT NORMATIVE NATURE, *DEMOCRATIC CONDITIONALITY* AND DEFENCE REFORM

NATO has found action in support of the SSR and good governance of states that aspire to replicate the Western model of democracy to be a full justification of its existence in the post-Cold-War period. This link between security and democracy, which progressively blurs and expands the boundaries of the concept of security, is also reflected in the jargon employed by specialists: a few analysts are now adding a G for governance to the initials of security sector reform, and the acronym SSR/G is beginning to enjoy success. There is, in fact, an underlying problem of priorities, or perhaps of approach. According to the OECD Development Assistance Committee, donor support for SSR seeks «[...] to increase the ability of partner countries to meet the range of security needs within their societies in a manner consistent with democratic norms and sound principles of governance and the rule of law». But it sometimes seems—and this is certainly sometimes the impression one has of NATO action—that governance and democracy are security requirements instead of vice versa.

Whatever the case, it could be claimed in NATO's defence that the order of factors does not always alter the end product. When NATO requires of states wishing to join its structure that the national parliament and judges exert effective control over the action of the armed and security forces, or when it encourages through its partnership agreements the armed forces' knowledge of and respect for humanitarian law, it is contributing to the establishment and effective enforcement of international legal standards in SSR and democracy. No organisation

today has more of an impact on the implementation and content of SSR processes—at least in this perspective in which democratic security is the primary concern—undertaken by those who aspire to membership. However, aside from the cases in which the Alliance leads international operations on the ground—for example, KFOR in Kosovo and ISAF in Afghanistan—or promotes specific SSR frameworks (Iraq being the most recent case), this implicit regulatory task is not well known by public opinion, at least compared to that performed by other actors like the EU.

The international organisations and bodies whose action involves SSR either design and implement specific support programmes or contribute to setting international standards; and a few, like the EU, even perform both functions simultaneously. Furthermore, international organisations can contribute to establishing international standards either through a formalised process—as generally occurs with standards *ad intra*—by repeating a series of actions over time, which make up the so-called *soft-law* and may or may not include guidelines initially without formal legal value, which may give rise to the crystallisation of international customs. To date NATO's main action in the field of SSR and good governance belongs to this latter category. Through dialogue and conditionality, NATO effectively performs an implicit normative task that is less visible but sometimes more effective than that conducted through classic development cooperation projects.

Only a few characteristic principles of SSR are explicitly enshrined in the official documents of the NATO summits, such as the need for the executive to «cooperate» with parliament and the security forces or to carry out «effective supervision», together with parliament and the judiciary, of the actions of the security forces. In contrast, organisations like the OSCE (Code of Conduct on politico-military aspects of security) and ECOWAS (Code of Conduct for armed and security forces of West Africa, which is inspired by the latter) have drawn up explicit guidelines on SSR. These guidelines, including those that are implicit, contribute to establishing a common general framework or *approach* to international support action which leads, through SSR, to democratic requirements, the violation of which would allow conditionality with respect, for example, to the membership of regional organisations—and could even be grounds for expelling the offender.

The scope of action that we could describe as SSR linked to good governance effectively contributes to defining a set of emerging legal standards and principles that are rapidly expanding through the

accumulation of precedents. SSR is largely an embodiment of the democratic principle in the framework of international law (vid ad ex «Human Development Report 2002: Deepening Democracy in a Fragmented World»), one of the most recent visible manifestations of which was the establishment of a Democracy Fund in 2005 on the occasion of the UN Reform Summit. But, for the same reason, SSR merely provides a new perspective and a new specific objective to institution-building actions performed, particularly since the end of the Cold War, in fragile states and in states undergoing transition towards democracy with the support of the international community.

If the approach advocated by NATO consists in subjecting the state's armed and security forces to democratic control, for which it is necessary to establish democratic institutions in that state or reform the existing ones, we would be reaching a hardly novel conclusion by a different—and longer—route. To maintain this approach and not apply conditionality in situations of serious human rights violations in which the state security authorities are not involved would be illegitimate at the least in the framework of international law. However, it is not easy to imagine a situation of collective and serious violation of rights in which the state's armed and security forces are not involved, whether by action or omission. The emphasis on democratic efficiency and control of the actions of the state's armed and security forces as an ultimate guarantee of respect for human rights—rights that must be respected by them and which it is their duty to enforce—provides an interesting practical perspective. Indeed, the emphasis on security understood as such is linked to the effective application of the concept—which could thus begin to be shaped—of *human security*; that is, it allows the members of the state's armed and security forces to be identified as primary and concrete targets of international cooperation actions aimed—for no other purpose is conceivable—at effectively guaranteeing the fulfilment of the population's human rights.

This, in my opinion, is the conceptual context in which NATO's implicit normative action should belong, despite the objections that may be raised to the all-embracing underlying concept of security. One of the most frequent criticisms—and in this case NATO action has a special symbolic nature—is that SSR is simply the result of a consensus of developed Western states that has become an imposition on the rest of the states. This criticism is not new, but it does underline the need for greater involvement of the UN in this normative dimension, so that less developed states participate in the shaping of consensus on an equal footing and not just as beneficiaries of actions in support of SSR. NATO has also been

criticised for not having given priority to the active participation of local actors in designing the reforms—a trend that became widespread in development cooperation at the end of the 1990s in order to ensure local ownership of the international guidelines in SSR and good governance matters. The imposition of models—albeit with the appearance of ownership—and conditionality, even though in this case it is a conditionality limited to accession, are certainly not the best instruments of international cooperation. Only efforts to place SSR-related normative and support actions in the context of the effective promotion and protection of human rights—as a concrete embodiment of human security—would help neutralise these criticisms. And it is essential to effectively involve the beneficiary states in the process of establishing standards and designing programmes for implementing SSR. Otherwise, conditionality with respect to compliance by the candidate state's armed forces with «NATO standards»—implicit standards that are not always clear nor are they always applied with the same yardstick—amounts to a use of discretion that is perhaps legitimate but paradoxical and worryingly alien to the normative process of enshrining the democratic principle on which the concept of SSR is based and the very idea of conditionality.

Together with this task of fostering the shaping of general principles in the security environment, NATO performs a more concrete task of promoting the adoption and implementation of defence reform plans, including the establishment and reform of institutions related to defence and the control thereof. NATO has developed this contribution that is more in accordance with its traditional mandate through requirements of (civilian) democratic control of the armed forces and of *transparency* and accountability; by promoting the professionalisation of the security sector, which includes the adequate size of the armed and security forces and the rights of the main actors; and by stressing cooperation between the significant agencies and states in the security field.

The Prague Summit of 2002 represents the point of departure of NATO's major adaptation, which is officially called *transformation*, to the new times. The Declaration adopted at this Summit is of crucial importance with respect to the broadening of the NATO-sponsored conception of SSR in its two basic dimensions: on the one hand, technical and financial support and political impetus for the widest ranging reforms of the candidate and partner countries; and, on the other, specific contributions of the Member States to NATO's international missions. At Prague, for example, the basic structure of the Action Plans for the accession of candidates was

established, which in fact contain SSR-related commitments that must be respected throughout the transition period. Even though the entire declaration is concerned with the new scope of the concept of security, express mention is only made of SSR (para. 6) in connection with Albania (increasing the assistance provided) and Macedonia (through the presence on the ground of NATO). As for Croatia, whose candidature was recently accepted at Bucharest, after mentioning its progress, the declaration appealed to the country's own efforts to carry out the reforms that would enable it to comply with its obligations in this field, and particular mention was made of its obligation to cooperate with the International Criminal Court for the former Yugoslavia.

As a complementary measure to SSR, as it determines how NATO acts on the basis of states' military and civilian contributions, the Prague Summit established the Allied Command Transformation (ACT), which has its headquarters in the United States and is made up of working groups created from 2004 onwards. Prominent among its aims is the pursuit of «coherent effects» of NATO actions (1). The main challenge of Prague was to foster the building of the capabilities required to perform new missions in response to the threat of terrorism and the proliferation of weapons of mass destruction and their means of distribution. And since then, SSR has had a new objective, even though substantial progress has not been achieved in this respect in the NATO framework—in particular, the Action Plan against Terrorism has hardly translated into practical terms, aside from simply providing cover to the NATO armed intervention in Afghanistan as an antiterrorist operation.

The Member States therefore need to improve their own capabilities in order to effectively comply with the goals established at the Alliance summits. For example, NATO attributes itself the goal of rapidly deploying forces on the ground to the source of the threats, including external terrorist attacks, in order to protect the population of Member States. These forces must be operational, even in situations where there is a threat of use of nuclear, biological or chemical weapons (2). In particular, NATO has set up the NATO Response Force, NRF, made up of army, navy and air

(1) For this purpose two teams have been set up, in this case devoted respectively to «effective involvement» in operations and «effective cooperation» between the military and civilian dimensions of crisis management.

(2) In particular, at Bucharest NATO undertook to develop capabilities in this area of SSR to support Member States who so wish to prepare to address the consequences of terrorist attacks with chemical, biological or radiological weapons directed at the civilian population or at essential infrastructures (para. 45, d).

force personnel, which is intended to be a catalyst of progress in the military sphere and must be flexible, based on the full interoperability of its components. In other respects, the Bucharest Summit Declaration reiterates a message of hope with regard to effective cooperation with the EU beyond the weakened *Berlin Plus* Agreement: the NRF and EU Headline Goal must be mutually reinforced, while respecting the autonomy of both organisations—Summit Declaration, para. 4 a) and vid also c) on concrete proposals for improving security and defence capabilities (3).

NATO FRAMEWORKS AND PROGRAMMES THAT INFLUENCE THE SSR/G CARRIED OUT BY CANDIDATE AND PARTNER STATES AND SPECIFIC DEFENCE REFORM PLANS AND PROGRAMMES

Partnership for Peace (PfP) and action of the Euro-Atlantic Partnership Council

NATO has formed partnership agreements with non-member states since 1991 in order to promote security by assisting the states concerned in building a sound democratic framework, maintaining political stability and drawing on the organisation's experience to modernise its armed forces, in addition to allowing the states to meet their own security goals (Bucharest Summit Guide, NATO's Euro-Atlantic Partnership, p. 1; at «<http://www.nato.int/docu/comm/2008/0804-bucharest/presskit.pdf>»). The Alliance's Strategic Concept, adopted at Washington in 1999, already recognised that partnership is one of the keys of NATO action in security matters, but it should furthermore be recalled that of the 30 NATO partner states, 10 have become members and two more are on their way to doing so.

The EAPC, established in 1997, is the successor to the North Atlantic Cooperation Council, which was set up in 1991 simply as a forum for dialogue with the countries of the extinct Warsaw Pact. The members, who can meet at different levels, exchange consultations on arms control, terrorism, peacekeeping and defence issues, particularly economic, and also deal with research, the environment and emergency response planning. In 1998 the EAPC set up a Disaster Response Coordination Center, which has acted in response to 30 emergency situations. The

(3) The Prague Declaration furthermore specifically mentions the need for NATO, the EU and the OSCE to cooperate closely in achieving greater effectiveness in preventing conflicts and managing crises (paras. 11 and 12).

areas of long-term cooperation are laid down in the EAPC Work Plan and in turn constitute areas of PfP cooperation, as the Council is but the institutional framework of the Partnership for Peace.

The 1994 PfP is merely a framework document outlining a potential Partnership for Peace which envisages, for example, the development of «cooperative military relations with NATO, for the purpose of joint planning, training, and exercises in order to strengthen their ability to undertake missions in the fields of peacekeeping, search and rescue, humanitarian operations, and others as may subsequently be agreed» (para. 3, d). Although this framework, established in 1994, specifically mentions the importance of SSR, at the time interest was focused on the possibility of partner countries taking part in international NATO operations. But what this cooperation specifically entails depends on the subsequent bilateral agreements progressively signed on the basis of the activity menu contained in the EAPC Work Plan; these activities may fall strictly into the category of SSR, as they do not affect good governance except with respect to the management and control of defence.

Bilateral agreements (Individual Partnership Programmes, IPPs) are reached in this framework on issues of mutual interest, along with enhanced bilateral agreements (Individual Partnership Action Plans, IPAPs) in cases where the partner state wishes to establish closer relations with the Alliance and to receive specific support for its SSR efforts. Such special agreements have been reached with Armenia, Azerbaijan, Georgia, Kazakhstan and Moldavia, and will soon be signed with Bosnia Herzegovina and Montenegro. Partners are likewise offered the possibility of agreeing on a Planning Revision Process, PARP, which is aimed at identifying and assessing their own military capabilities in the manner NATO does. This mechanism in particular has allowed the partner states to take part in NATO-coordinated operations in the Balkans and Afghanistan, but furthermore facilitates the development of sustainable and effective national armies and allows defence reform efforts to be channelled.

As for the financial aspect of the PfP, NATO set up a trust fund mechanism in 2000 which was designed above all to support efforts to destroy stores of anti-personnel mines, and was later extended to light weapons but can currently even finance operations related to defence reform in general, such as the conversion of military bases. These funds voluntarily contributed by states party have succeeded in implementing projects above all in the Balkans, the Caucasus and Central Asia,

prominent among which is the destruction of over 1.5 million light weapons in Ukraine over more than a decade.

Of the multiple initiatives that belong to this partnership framework—Political-Military Framework for NATO-led PfP Operations, Training and Education Enhancement Programme, Partnership Action Plan Against Terrorism—special mention should be made here of the fact that NATO adopted a new mechanism for providing specific support to SSR at the Istanbul Summit: The Partnership Action Plan on Defence Institution Building (PAP-DIB), which is aimed at supporting partner states' efforts in carrying out reforms, even structural, of the defence institutions in all aspects covered by the PfP and—note the indirect normative effect—the OSCE Code of Conduct on politico-military aspects of defence. Professionalisation and democratic control of the action of the defence institutions is the twofold aim of all the measures that can be financed in this framework, which will most likely concentrate its programmes on the Caucasus and Central Asia, as well as on Moldavia.

The PAP-DIB centres its attention on the following aspects of security and defence (with respect to them all, the documents mention *effectiveness* and *transparency* as essential requirements of the procedures to be established): democratic control of defence institutions, including the adoption of legislative provisions; the promotion of civil society's involvement in the design and implementation of security and defence policy; supervision of the legislature and judiciary over defence action; procedures for determining national defence risks and the conditions for addressing them; administrative management of the ministerial departments and defence agencies, including inter-institutional cooperation; compliance with internationally established standards and good practices in defence matters; management of human resources and formation of workforces; procedures for financing, planning and managing defence resources; management of expenditure; and procedures for international cooperation and good neighbourly relations in the field of security and defence.

Dialogue and Cooperation with the Mediterranean: The Istanbul Initiative

At the Prague Summit of 2002, the Alliance's Member States established a direct link between stability in Europe and stability in the Mediterranean, and as a result reinforced the Mediterranean Dialogue—with express mention of the complementarity of the Barcelona Process—in the political and practical dimensions (Summit Declaration, para. 10).

In 1994 NATO had launched its proposal for a Mediterranean Dialogue open to all non-Alliance coastal states in order to contribute to stability and peace and prevent preconceived ideas on the Alliance's action. The Dialogue, which is actually a forum for political consultations and cooperation, was enhanced in 1997 with the establishment of the Mediterranean Cooperation Group, which not only includes bilateral relations but can also constitute a multilateral forum with all the Mediterranean partners. And it received fresh impetus at the Prague Summit, which endorsed the possibility of holding meetings at foreign-or defence-minister level. Finally, on the tenth anniversary of its establishment, the Istanbul Summit of 2004 set up a partnership framework that is complementary, as it is not aimed in principle at all the Mediterranean partners: the Istanbul Cooperation Initiative which, like the PfP, actually consists of a set of bilateral cooperation agreements with the Middle East countries (in the «broader Middle-East Region», not excluding the Palestinian Authority), which establish priorities and *à la carte* actions in respect of which NATO provides an *added value*, but always with the goal of contributing to global and regional security.

The Istanbul Cooperation Initiative (ICI) is based on the mutual interest of NATO and each of the states that can take part in it, and in particular offers a menu of activities in six areas that perfectly define SSR as it is conceived today in its strict sense: advice on defence reform, defence planning, budgetary management and relations between the civilian and military dimensions of defence; military-to-military cooperation to promote interoperability and joint participation in military manoeuvres and education and training activities aimed chiefly at the future development of NATO-led operations; combating terrorism, including collaboration of intelligence services; control and destruction of weapons of mass destruction, including distribution networks; cooperation in border management, particularly in relation to terrorism, light weapons and illegal trafficking; and planning for civilian emergencies, including participation in exercises and courses for improving assistance in the event of disasters.

The ICI therefore complements the Dialogue and can be considered to fall entirely within the category of SSR, particularly in fields in which NATO considers that greater efforts should be made in this region. To effectively implement it, NATO has set up the Istanbul Initiative Cooperation Group in which the political counsellors from the 26 delegations—soon to be 28—of the Member States take part. The Group reports to the Senior Political Committee or to the NATO Council and prepares proposals for the

decisions to be adopted by the latter. The first offer was extended to the Member States of the Gulf Cooperation Council to negotiate the bilateral agreement enshrining the ICI; and this has already been done by Bahrain, Qatar, Kuwait and the United Arab Emirates, while six other states have shown great interest in joining the initiative.

The main instrument of this framework for cooperation with the Mediterranean is the Annual Work Programme that has existed since 1997 and lays down the areas of cooperation that can give rise to bilateral actions. In principle, these actions are not financed by NATO, although possible requests for financial support are studied on a case-by-case basis; nonetheless, the PfP trust funds have been extended to the Dialogue in relation to the destruction of light weapons and anti-personnel mines. Furthermore, partner states that so wish—so far Israel and Egypt—agree on Individual Cooperation Programmes with NATO specifying the partnership goals in the short and long term. This partnership framework has also allowed Egypt, Jordan and Morocco to take part in NATO-led peace operations in Bosnia Herzegovina and Kosovo.

NATO Membership Action Plans and Intensified Dialogue

At the Prague Summit held in 2002 NATO invited Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia to join its structures, making it clear that the door was open to all European democracies—in a reference to the OSCE Member States or PfP partners—that were able and willing to assume the responsibilities and obligations derived from accession in accordance with article 10 of the North Atlantic Treaty (Summit Declaration, para. 2). The Action Plans signed by each candidate country were variable in content but always covered five main areas: political and economic affairs; security, defence and strictly military affairs; reporting; legal affairs; and mechanisms and institutions responsible for implementation.

The invitation to Albania and Croatia at the recent Bucharest Summit to join the Alliance was extended after both countries signed MAPs in 1999 and 2002 respectively—Macedonia, which has not managed to join the club of the chosen few, signed its MAP in 1999. The MAPs are only offered to states that already belong to the PfP and, in particular, have implemented the PARP, and their content even includes specific assistance in respect of NATO action. However, in turn, the candidates assume far-reaching political and economic commitments with respect to the peaceful resolution of international and internal disputes—including, for

example, ethnic tensions—respect for the rule of law and human rights, and the democratic control of the armed and security forces of the state. Defence talks furthermore include the aspirant's specific contribution in the NATO framework, both to collective defence and to international missions.

NATO's plans and proposals with respect to the accession candidates affect both the armed forces and the three basic powers of the democratic states and civil society—though in these last four cases the standards and principles are generic—but for the time being exclude, except in international peacemaking or peace building operations, specific commitments regarding the police, and other coercive law enforcement mechanisms such as border control systems and intelligence services (Myshlovska, Oksana: 'Overview and Typology of IGO Norms for Security Sector Reform and Governance', in David M. Law (ed.), *Intergovernmental Organisations and Security Sector Reform*, DCAF/LIT, 2007, pp. 33 and 36).

Of the examples that can be cited, the NATO-Ukraine Action Plan contains specific goals in the field of SSR, such as reforming the defence economy, strengthening coordination between the state agencies of the Ministry of Defence, the Ministry of Industry, the border guards, the Ministry of Emergencies and Ministry of the Interior in order to address the consequences of natural and manmade disasters, including terrorist attacks, and the need for increasing transparency in defence planning and budgetary procedures (NATO-Ukraine Action Plan, 2002).

As in all these cases, taking as a basis the priorities identified by the candidate, the Plan merely establishes major goals in the five areas listed, as well as the strategic framework for achieving these goals. At this point Annual Target Plans are developed, which include concrete measures that Ukraine is willing to undertake, and joint actions aimed at achieving the objectives laid down in the Plan. In addition, two annual meetings are held in order to analyse the progress and an annual progress report is drafted. But responsibility for implementing these plans, which overstep the limits of SSR at least in its strict sense, falls chiefly to the candidate. Accordingly, although the allies expressed their willingness to continue to support the reforms through assistance and advisory programmes, at Prague the ministers of the NATO states required Ukraine to give determined impetus to the reform process, in order to strengthen democracy, the rule of law, human rights and *market democracy*.

Ukraine and Georgia, whose applications for membership—public opinion is divided over Ukraine's—were postponed at Bucharest, also

established an Intensified Dialogue with NATO in 2005, which allows more frequent and direct contacts in the SSR process and good governance, which will presumably lead to accession. Together with this initiative, a set of measures with an immediate impact on SSR were adopted, including improved institutional control, public opinion campaigns and fora for public debate. In the case of Ukraine, this is in addition to the adoption of a privileged partnership framework, the Charter on a Distinctive Partnership of 1997 establishing the NATO-Ukraine Commission, the body that adopted the NATO-Ukraine Plan at Prague.

DIRECT NATO ACTION IN THE FIELD OF SSR AND GOOD GOVERNANCE: AFGHANISTAN, THE BALKANS AND IRAQ

Once again, at the Bucharest Summit, the NATO Member States declared that Afghanistan is the Alliance's «top priority» (Summit Declaration, para. 6), and that Euro-Atlantic security is closely linked to the future of Afghanistan as a peaceful, democratic state that is respectful of human rights and free from the threat of terrorism (*ibid.*). Afghanistan today is, in practice, similar to the PfP partners, but NATO action is much more intense through the responsibility of coordinating ISAF. As for long-term commitments, in September 2006 NATO agreed on the content of a cooperation programme with Afghanistan (Framework for Enduring Cooperation in Partnership), which addresses defence reform, defence planning, the establishment of defence institutions and the military aspects of SSR, including the mechanisms for promoting interoperability between the Afghan national army (ANA) and the NATO states.

NATO also lends direct support to the ANA by offering equipment and training, as well as mentoring (generally for mid-ranking officers), particularly through the Operational Mentor and Liaison Teams (OMLTs) which work with the ANA brigades. On specific occasions ISAF troops have assisted the Afghan authorities in dismantling illegal armed groups—resulting from the hasty demobilisation of the Northern League—in accordance with the programme launched for this purpose by UNAMA, the UN mission in Afghanistan, though they generally perform support or intelligence tasks, as well as in relation to the eradication of opium cultivation, that do not involve direct international action. ISAF, although to a lesser extent, provides support to the Afghan national police (ANP), in this case more by completing the training programmes established by the United States and Germany and the efforts—still insignificant—deployed by the EU through EUPOL since

mid 2007 (4). As for border control and intelligence, NATO also works with Pakistan, through the Tripartite Commission and Joint Intelligence Operations Centre set up at the ISAF headquarters in Kabul.

But the outlook for Afghanistan is not encouraging. It is not certain, and only time will tell, whether the country will be able to financially sustain an army that is based on an imported model but which at least seems to be one of the few institutions that function according to minimum efficiency criteria. Furthermore, despite the proclamations contained in the official texts and the broader conception of security, and despite the fact that the NATO Secretary-General continues to state that the military solution in Afghanistan is not possible, the vast majority of financial and technical resources are still allocated to security in the traditional sense of military action, while the *human security* of the Afghan population has been neglected in practice. What is more, little or no consideration has been given to local structures and traditions when designing security reform in the still very weak Afghan state.

With respect to Kosovo, NATO has expressed its wish to continue to lead KFOR, the 16,000-strong international force established in 1999 under the mandate of the Security Council (Res. 1244) following the declaration of independence made in February 2008. Likewise, at the Riga Summit of November 2006, which also saw the announcement that the Response Force was operational, NATO stated its willingness to implement the security provisions established in a possible agreement on the status of Kosovo. But it is obvious that the Alliance and its most prominent members have always backed this independence, even implicitly. Following the demobilisation of the KLA, the Kosovo Protection Force (KPF) was established in parallel on the understanding that it would become the future security force of an independent country, although the possibilities of a negotiated solution did not appear to have been exhausted at that time. However, as for its role on the ground, NATO has not been capable of putting an end to the rioting in the area and in particular of preventing the persecution of the Serbian and Romany minorities.

As for Bosnia Herzegovina, the main problem SSR faced lay in *dismantling* the ethnic-based control of the armed and security forces, a process that has not been fully carried out with the police. NATO has participated actively in what may perhaps be considered the main

(4) Although NATO has no doctrine to this effect, ISAF troops have performed genuine policing functions even more than purely military talks, which are in the hands, or under the direct control, of the US-led Operation *Enduring Freedom*.

cooperation agreement in the field of SSR, which is designed to resolve, inter alia, this problem in Bosnia-Herzegovina. Fifty-five states, over 15 international organisations and bodies belong to the Peace Implementation Council, and NATO is furthermore a member of the smaller Board of Principals, which meets weekly to adopt general decisions related to reconstruction. It was precisely in relation to the situation in Bosnia that the British-inspired term SSR was precisely coined, particularly from 1999, in the attempt to shape an approach that combines development and security.

In Iraq NATO performs an action that complements the US military operation *Enduring Freedom*, and concentrates its efforts precisely on supporting SSR, but it lacks a direct operational capability. At the request of al-Maliki's government, NATO has involved itself in supporting SSR—once again, to alleviate the chaos caused by one of its members—through the NATO Training Mission Iraq, which was approved at the Istanbul Summit of June 2004 under UN Security Council Resolution 1546. This mission conducts above all classical operations to train the Iraqi army—10,000 troops have already been trained—in addition to offering military equipment. NTM-I, which has over 400 troops, provides training in and outside Iraq, particularly to middle- and high-ranking officers of the Iraqi army, and does so through the NATO Training, Education and Doctrine Center, the Iraqi Training and Doctrine Command, the National Defence College and the Defence Language Institute established by NATO on Iraqi territory, and through training programmes conducted outside Iraq both by NATO itself and by the Member States, which in this respect are coordinated by NATO. But in addition, the NTM-I, which channels these support actions, has begun to perform SSR advisory and monitoring tasks in Iraq.

At the Bucharest Summit the allied states undertook to reinforce this assistance and extend it to the naval and air forces—above all with respect to the education of middle-ranking officers—police training, border control, combating terrorism, defence reform and the development of the civilian institutions in the field of defence, and the development of systems for light weapons accountability (Summit Declaration, para. 17). NATO has also undertaken to lay the foundations for closer and lasting cooperation with Iraq through a partnership agreement similar to that signed with Afghanistan.

Lastly, it should be stated that NATO lends support to the African Union Mission in Darfur (Sudan), AMIS, in what is its first action on the African continent. NATO support consists basically of training AMIS troops and also, in cooperation with the EU, support for deployment planning, including transporting troops to the region. NATO has also provided

logistical support to the AU mission in Somalia (AMISOM), and there are prospects of general collaboration with the AU, particularly support to the setting up of the African Standby Force, Africa's first attempt to create specific and permanent peacekeeping capabilities.

Regarding this direct peacekeeping, peacemaking or peace building action, which is generally associated with—also direct—SSR actions, NATO has also offered and requested assistance and cooperation from the EU, although the results achieved to date leave much to be desired. The NATO-EU Declaration of 2002 on the European Security and Defence Policy (ESDP) and the *Berlin Plus* agreements of 2003 allowing the EU to use NATO resources—including command and strategic planning mechanisms—to carry out its own operations marked the start of a process of which the landmark achievement is the Concerted Approach for the Western Balkans of 2003, which crystallised in operations *Concordia* in Macedonia and *Althea* in Bosnia Herzegovina. We are currently witnessing the transfer of responsibility in Kosovo, where the EU will take over from KFOR, and of international civilian action in the new state. These still incipient developments are part of the concept of *interlocking institutions* launched by NATO in 1991, as an expression of the need for closer cooperation between international organisations in the field of peacekeeping and peace building. The latest development in this respect is the concept of *comprehensive approach* enshrined in the Riga Summit of 2006, precisely on the basis of an assessment of the unsatisfactory results of the action performed in the Balkans and, above all, in Afghanistan. Full, systematic interaction and cooperation between the civilian and military dimensions of crisis management and between the different international organisations, including non-governmental, is the keystone of this newly proclaimed—and still little practiced—vocation of NATO. The Alliance is currently preparing proposals on its own contribution to the proposal for concerted international action from the planning stage of the operation in question. At least it cannot be denied that NATO is willing to reflect on—and, one hopes, also to learn from—its own mistakes.

FINAL CONSIDERATIONS

On NATO action in the field of SSR

For most Member States of the extinct Warsaw Pact, the firm determination to join NATO and the EU has been the main incentive for

undertaking processes to reform the systems of public order and national defence. From the perspective of the states that are already NATO members, these enlargement-linked reforms contribute to regional stability and, by extension, to world stability. In this respect NATO, more than acting directly to support reform or lend technical assistance directly for this purpose, has become the main catalyst of the processes. But most analysts agree that SSR is not complete in the Central and Eastern European states; rather, they consider that reminiscences of authoritarianism live on, even despite the *break away* from the machinery of the former USSR. The risks of the enlargement process are furthermore regarded as a source of possible escalation of tension with Russia, which is reluctant to lose its hegemony to the gradual *Westernisation* of its former satellite states.

In the so-called post-authoritarian states, the emphasis on SSR leads irremediably to good governance. In order to achieve a democratic institutional framework that includes a new process for adopting decisions in the field of security, it is indeed necessary to reform the state almost entirely. Two aspects that should not be confused are mixed here. On the one hand, the *judgement* made by the Alliance on the democratic transitions of the accession candidates involves a highly effective normative task, although this work is not expressed in writing and its visibility is therefore low. However, the conditionality of this judgement is in turn conditioned by geostrategic considerations and by the potential vetoes of the members.

NATO furthermore offers financial and technical assistance in support of SSR, in this case in the strictest sense of the word, that is, in respect of reforms of the institutions in charge of national defence—from planning to control in parliament and the judiciary—and excluding, in principle, the police, intelligence services and private security agencies. This type of assistance is being progressively broadened as regards both content and beneficiaries and is being extended to NATO's partner states of the Partnership for Peace and Mediterranean Dialogue. The Istanbul Initiative is, in abstract terms, the most complete model of support for SSR in this sense. In addition, participation in joint NATO manoeuvres and operations is the chief stimulus of the processes of modernising the armed forces that are undertaken by both member and partner states and involve, in particular, reallocating material and human resources and improving transparency and accountability in the field of national defence.

These SSR efforts may, nonetheless, be considered scattered and even erratic, and have not always succeeding in ensuring that the state's armed

and security forces act with due respect for human dignity. The serious excesses—firmly condemned by the NATO Secretary-General—in the use of force committed by the Georgian police and army in Tiflis during the state of emergency decreed in order to put an end to the anti-government demonstrations in November 2007 are a significant example of the latter. What is more, the idea still prevails that only accession or partnership candidates need to make far-reaching adjustments or transformations, whereas the *consolidated* democracies—in this respect, by definition those that have already joined NATO—do not need to adapt their security apparatus to the new circumstances, and less so under international supervision or with international support. The need for coherence *ad intra* should therefore be added to the need to systemise efforts in support of SSR.

Lastly, NATO provides security directly, also in the sense of maintenance of law and order and, therefore, in a sense that could be close to the idea of *human security*, in respect of post-armed-conflict situations as part of UN operations—KFOR in the framework of UNMIK—or operations coordinated by the Alliance, such as ISAF. In this case, allied states *substitute* for the state that is unable or unwilling to guarantee the security of its own citizens and subsequently contribute to the process of creating and building democratic states by supporting the local authorities as soon as they have been democratically elected. In the currently prevailing perspective of peacebuilding through multilateral action, SSR and good governance are furthermore the sole possible *exit strategy* once an international armed intervention has taken place.

On international action in support of SSR

From a practical viewpoint—and perhaps more useful concepts may be drawn from this empirical or inductive method—NATO, like the Stability Pact and the World Bank, has specialised in financing and implementing projects in support of SSR, particularly defence, while exerting a particularly intense, though not always coherent, influence on the *democratic quality* of the states that aim to join the organisation and, unlike the OECD for example, it contributes only indirectly to normative development in this sphere. Its capacity for action is therefore less broad than that of the EU, the UNDP and the OSCE, which perform both types of actions. But the problem of putting international action into practice is perhaps heightened in the field of SSR: in addition to the different conceptions and perspectives of action, there is a regrettable mistrust between the actors that need to cooperate and a total absence of

coordination and complementarity, which ultimately amounts to a huge squandering of resources and experience.

For the time being, fragmented agendas and diverse perspectives are predominant. For example, NATO does not take advantage of the normative work—particularly directives on donations or on coherence in the conception and implementation of projects—of the OECD and, conversely, nor does the OECD have access to NATO's practical experience in post-armed-conflict situations. The absolute lack of coordination between NATO and the EU is particularly striking. For example, during the enlargement processes of 2004, each organisation negotiated its own security agenda with the common candidates. And to cite an everyday example, suffice it to point out that the Secretary-General of the NATO Parliamentary Assembly complained not long ago of having been incapable of getting the EU to take part in a meeting organised by this body in Brussels in December 2006 in collaboration with DCAF, despite «strenuous» efforts (5).

SSR is nonetheless a privileged area of cooperation and coordination between European intergovernmental organisations, and particularly between the EU and NATO, when it comes to dealing with fragile states or states in a post-conflict situation. Perhaps support for SSR could act as a catalyst for the necessary conversion of the existing tension into complementarity and cooperation relations, and this requires prior consensus on concepts and language—a consensus that will no doubt be easier to reach through the normative action of the UN or through the OECD. And perhaps the only manner of achieving this consensus is to shape the concepts from specific field exercises in cooperation and complementarity. The pressing need for joint action can be appreciated with a question that is perhaps rhetorical: if these two organisations are not willing to engage in joint actions in support of SSR, would it be possible today to design integrated and well-defined SSR processes in accordance with local needs, and whose effective implementation is fully guaranteed?

The question is how to take advantage of the lessons of experience, while efforts are concentrated on establishing competitive relations. Indeed, everything indicates that certain new concepts and certain definitions are but the reflection of a struggle to assume leadership in international action—or, to put it another way, the attempt to exert ultimate

(5) The conference was expressively entitled «*NATO, the EU and the Challenge of Defence and Security Sector Reform: Building Peace and Stability, Together or Apart?*»; the bitter comment is from the keynote address by SLOCOMBE, W. B., cit.

control over SSR processes and international peace operations is also made through suggestive abstract proposals that stress the need for joint and coordinated action based on the actual conception of the problem. This struggle for international leadership is therefore ultimately inseparable from the debate on the concept of SSR. And the emphasis on security also expresses the rivalry between the predominantly civilian and military conceptions of the international response to crises, which translates into a fresh struggle for the leadership of each of these dimensions in the framework of the international response. Although there is evidence of a careful use of language that does not neglect the necessary links between development and security, what still prevails in practice is a militarised vision of the international response, which is expressed in particular in the priority granted—certainly in budgetary terms—to developing international means of response. Leaving aside the case of the United States, the most tangible progress achieved in the external action of NATO and EU in respect of conflict situations has crystallised in the creation of the Response Force and the Battle Groups. And the disproportionate nature of the efforts devoted to improving military capabilities influences the given response, which appears to be the sole possible response, to international crises.

The debate on action in support of SSR thus appears to be a concrete expression of the debate on security, development and governance, once the limitations of *humanitarianism* as conceived in the last decade of the past century are overcome. The Balkans and Afghanistan are palpable proof that, although security is necessary to the achievement of development and human rights, there is no sustainable security without development and human rights. This and similar assertions may be considered today as an integral part of the new universal consensus regarding the concept of peacebuilding, and yet we continue to find that the military play a predominant role in the external action of democratic states in crisis situations. If democratic governments and parliaments do not draw the line on how far tactical or logistical considerations are appropriate from the point of view of military strategy, most of the concepts employed in the field of SSR in the framework of peace operations will continue to be rhetorically devoid of content.

CHAPTER FIVE

SECURITY SECTOR REFORM: A PROPOSAL FOR ITS INCLUSION IN SPANISH DEFENCE POLICY

SECURITY SECTOR REFORM: A PROPOSAL FOR ITS INCLUSION IN SPANISH DEFENCE POLICY

FÉLIX ARTEAGA MARTÍN

Security sector reform (SSR) has been analysed in this study from different theoretic viewpoints and with respect to its practice within the main multinational security organisations. This chapter examines the instrumental value of SSR for states. For this purpose, it studies how the different components of SSR have been used in some states in order to collaborate bilaterally or multilaterally with allied countries in times of stability or with countries with difficulties in risk situations.

It begins by studying the traditional instruments of military cooperation in certain countries like the United States, the United Kingdom and France and goes on to describe the process whereby they have built on these traditional instruments to shape the instrument of SSR by integrating their components into a multidimensional instrument of cooperation in security matters. It then describes the conceptual trends in the content and use of the new instrument for external action and ends by suggesting a few options for incorporating SSR into defence policy and the possible scenarios of action of the Ministry of Defence, in order to contribute to the state's external action through a new instrument.

EVOLUTION AND PRACTICE OF NATIONAL INSTRUMENTS OF DEFENCE COOPERATION

The main strategic actors of the West depart from a tradition of military assistance which, as occurs with the United Kingdom, France and the United States, has been progressively broadened to encompass new components. This broadening has led to the integration, in varying degrees, of the agencies involved and to greater or lesser coordination with third

parties: international governmental organisations and countries, depending on whether the bilateral or multilateral approach is predominant in each country. Certainly, not all the international cooperation traditionally performed by states through their defence ministries can be integrated into the logic of cooperation and development that SSR will bring with it. Many of their elements of cooperation display different military operational, logistical or institutional aspects from those they will subsequently have with SSR—focused on development and post-conflict reconstruction in an increasingly less operational and more technical profile (1). The purpose of traditional military cooperation was, and is, cooperation between countries' armed forces by facilitating the exchange of information, training and experiences, without necessarily aiming to contribute to the development of either of the parties. The tasks traditionally assigned to military cooperation, be it bilateral or multilateral, are the signing of cooperation agreements, the exchange of attachés, students, liaison officers and visits, the provision of technical assistance and military equipment and the organisation of bilateral or multilateral training exercises, among many others.

A shift has been witnessed from this logic of mutual assistance and reciprocal benefit to another of unilateral assistance chiefly for the benefit of the recipient. Together with military collaboration between potential allies, another type of collaboration has been established aimed at catering to the needs of the recipients of SSR, which are related chiefly to subordination to civilian power, reorganisation and democratisation of the armed forces, allowing their integration into international organisations, facilitating their interoperability with third parties and ensuring that security and defence are a development instead of a destabilisation factor. The degree of specialisation in SSR-related missions is greater in countries that have been involved in international post-Cold-War missions, either directly or through their participation in international organisations (2), whereas the

(1) In the first non-military and non-combat international cooperation missions, the operational aspect was still prevalent, and they embraced a broad spectrum of activities in which military resources were assigned to purposes other than large-scale combat operations. They were operations with a still active military component aimed at preventing or settling conflicts (peacemaking, support for the counterinsurgency, evacuation of non-combatants, demonstrations of force, combating terrorism or peace enforcement) or providing security (humanitarian assistance, fight against terrorism or drugs, peacekeeping and support for the civilian authorities) according to the *Joint Doctrine for Military Operations Other than War* of the Joint Chiefs of Staff of the USA. A similar instrumental profile was coined with the term *peace support operations* employed by the United Nations, NATO and the United Kingdom.

(2) For example, NATO has led the SSR programmes in Bosnia-Herzegovina and has sent a NATO Advisory Team to the FYR of Macedonia to draw up its defence strategy and system.

rest continue to perform their traditional missions in areas where bilateral relations are losing their value compared to multilateral relations.

Another novel aspect of international defence cooperation was the shift from an institutional approach, in which programmes and priorities are defined according to their affinity and with corporate autonomy, to one subordinate to a supervisory parliamentary framework or to the leadership of a security strategy designed by foreign ministers. In this connection, prominent among the traditional cooperation programmes are those such as the International Military Education and Training (IMET) run by the United States. IMET has been used to transfer US doctrines, tactics and military equipment to third countries. Its broader or narrower scope, its continuity or interruption reflected its instrumental sense and the programme thus complemented the United States' foreign policy towards a specific country. In the case of the United States, the Department of State manages security assistance and the Department of Defense implements it, while Congress supervises both (3).

French military cooperation has also adapted to the changes in order to apply its experience in tradition military collaboration to other SSR-related aspects in the regional sphere, particularly in Africa, where these shortcomings are having a negative effect on development and stability. The operational approach has not been abandoned, but it has been redirected at the development of regional or, if necessary, international peace and security missions. Cooperation is geared to education (4), the implementation of projects in support of armed forces or gendarmerie-type forces and the building of the capacity to act in the framework of regional or subregional security organisations or in United Nations missions. All these initiatives, which have been progressively oriented towards SSR, are directed by the Directorate for Military and Defence Cooperation (DCMD) of the Ministry of Foreign Affairs, which has diplomatic and military staff. The United Kingdom has also refined its

(3) In addition to the aforementioned subordination of the Department of Defense to the government, another differentiating feature is the existence of a normative framework that regulates cooperation and its control mechanism, as in the case of the US Foreign Assistance Act of 1961 and the US Arms Control Act of 1976, which authorise cooperation programmes, and the Foreign Military Sales and Military Assistance Program which develop them. The budgetary details of the IMET programme in recent years: 4.255 billion dollars, 129 countries together with four regional organisations, are available at: <http://www.state.gov/t/pm/ppa/sat/c14562.htm>

(4) France received 768 African military and attended to 1,178 in 2006 with 14 training centres oriented to regional training in situ, which it began to deploy in 1998.

traditional instruments in order to create its own forms of military assistance and cooperation: the British Military Advisory and Training Teams (BMATTs) and the British Peace Support Teams (BPSTs), resident advisors, training teams and so many other figures that have been progressively extended to new strategic recipients and scenarios.

The traditional orientation of defence cooperation began to change with the international post-Cold-War operations owing both to the participation in stabilisation and reconstruction programmes stemming from the proliferation of post-war conflicts and to the need to train the armed forces of the new states and integrate them into international security and defence organisations. Centres were set up to address the main part of the reforms, such as the German-US George C. Marshall Centre for Security Studies at Garmish, devoted to training and assisting individual members, civilians and military, of the ministries and armed forces of the Eastern European countries for the purpose of democratic standardisation, and the doors of the NATO and Western armed forces' training centres were opened. Major politico-military structural reforms were tackled through the various programmes set in motion by NATO, from the Partnership for Peace (PfP) to the Partnership Action Plan Defence Institution Building (PAP-DIB). The programmes provide participants, on the one hand, with operational training with a view to taking part in military operations with NATO or joining the organisation one day (defence reform) but, on the other, foster confidence and transparency among participants, their contribution to peace and international security and compliance with the standards of human rights, and international humanitarian law and international law (security reform), two sectors that are constantly evolving (5).

Systematic assistance to reforms, with purposely designed institutions and programmes, was adopted by the United States Department of Defense. In the late 1990s it set up a network of regional centres to train the civilian and military elites who will command the armed forces of the countries with which it collaborates by bringing them into contact with the best democratic and functional practices and adapting the programmes to

(5) Termed *defense transformation* or *defense sector reform*, these new forms of cooperation attempted to reorganise traditionally communist defence structures. Nevertheless, awareness gradually developed of the need to integrate these reforms into broader frameworks for political and economic development, and new, broader concepts such as *defense development* were therefore gradually coined. The change in concept is not a minor issue as it opens or closes the door to new missions. It explains, for example, France's opposition to NATO shifting from *defense reform* to *security reform* because it could allow NATO to assume tasks that France prefers for the EU.

emerging defence challenges such as terrorism (6). The permanent nature of these centres allows them to supply the US Department of Defense with a significant reserve of personnel and reform and capacity building programmes for preventive action in favour of security and stability and, if necessary, they can also be posted to SSR missions in situ after a conflict breaks out. This trend has been spurred by the reorientation of former peacekeeping training centres towards new aspects of assistance, the emergence of specialised centres such as the Cranfield University Centre for Security Sector Management (www.ssronline.org) and the sponsoring of specific or regional centres related to the new forms of assistance (7).

Traditional cooperation has been managed by defence attachés in the past. Their traditional mission has been to gather intelligence and information—a task devoted to national interests like that of encouraging the sale of materiel and arms, maintaining institutional liaison relations and so many others. Their mission has progressively evolved towards so-called defence diplomacy, which can include non-traditional missions like SSR, humanitarian and emergency missions, fighting terrorism or others that may crop up. Defence diplomacy preserves the bilateral sense of collaboration but is now coming to be recognised as a mission that is differentiated from the traditional one, with its own scope of action that extends defence cooperation to advisory functions typical of a services company. As in the latter, diversification applies not only to functions but also to officials, as new police, judicial and military security actors have been incorporated into the

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- (6) The Centre for Hemispheric Defence Studies was set up in 1995 to train the civilians and military who were going to lead the Latin American armed forces on the initiative of the Williamsburg meeting of defence ministers. It covers the American continent and is based in Washington DC (www.chds.org). The European Center for Security Studies (Marshall Centre) includes territories stretching from Greenland and Eurasia (www.marshallcenter.org), the Asia-Pacific Centre for Security Studies covers from Mongolia to Australia from Honolulu, Hawaii (www.apcss.org). The Near East-South Asia Centre for Strategic Studies encompasses from Mauritania to Himalaya (www.ndu.edu/nesa) and the African Centre for Strategic Studies (www.africacenter.org).
- (7) The Danish armed forces have developed subregional cooperation instruments to facilitate the integration of the Baltic states into the European security organisations, supporting the NATO Training Centre for peace operations in the Balkans and the International and Security Affairs Centre in Belgrade, where the Danish defence and foreign ministers support SSR programmes. Norway takes part in the Nordic Coordinated Arrangement for Military Peace Support (NORDCAPS) together with other Northern European countries and the Norwegian Defence International Centre specialises in logistics and command courses. In Germany, the Federal Government has the cooperation and development agency (GTZ) which in 2001 it commissioned to assess the new areas of SSR (<http://www2.gtz.de/dokumente/bib/05-0032.pdf>) and the Netherlands has subsidised the Centre for European Security Studies providing SSR training to the Central and Eastern European countries since 1993 (www.cess.org).

foreign service representatives to a country or specific institution in order to diversify bilateral cooperation or to a security organisation or international mission in order to reinforce multilateral cooperation.

Whether in their traditional missions or in the new relations with SSR, the efficiency of attachés or counsellors posted overseas depends not only on their presence but on the existing system of coordinating and supervising their activities. The supervision of the role of the defence attachés overseas varies from country to country and while some, like France, have a specific coordination structure (the Agency for Military Intelligence and International Relations), in others like Germany their action is coordinated chiefly by the ambassador, while in the United Kingdom attachés are functionally responsible to the Directorate for Political and Defence Relations and organisationally responsible to the Department of Defence and Diplomacy, both of which belong to the Ministry of Defence. In the case of the United States, the defence offices are coordinated with the embassy, the regional military command, the Office of the Defense Secretary, the Joint Chief of Staff and the Defense Intelligence Agency.

The United Kingdom was the first to recognise the importance of defence diplomacy and to set it apart from traditional defence missions (8). In addition to endowing it with autonomy and an identity of its own, it also included the participation of civilian and military components, cooperation between different government departments and an independent budgetary allocation to guarantee its functioning. Designed to allow the non-military contribution of the armed forces to conflict prevention and settlement in a broad sense, the creation of defence diplomacy was accompanied by a team devoted to supervising the development and application of the new concept in order to make the most of the lessons learned.

This monitoring led the United Kingdom, a pioneer in the gestation of the concept of defence diplomacy, to replace this concept by the more recent «defence «relations» in 2003 (9). The new, broader concept

(8) Defence diplomacy was one of the eight basic defence missions in the United Kingdom and encompassed three of the 28 possible military tasks: contribution to security (control of armaments, disarmament, confidence-building measures), outreach of SSR tasks to the new post-Cold-War actors and scenarios and a third that served as a catch-all. None of the missions was operational except, for example, for the participation of defence attachés in missions to evacuate civilian nations in third countries. For details, see the reports of the British Ministry of Defence «Defence Diplomacy» http://www.mod.uk/NR/rdonlyres/BB03F0E7-1F85-4E7B-B7EB-4F0418152932/0/polpaper1_def_dip.pdf or the «Strategic Defence Review» http://www.mod.uk/NR/rdonlyres/65F3D7AC-4340-4119-93A2-20825848E50E/0/sdr1998_complete.pdf

encompasses the non-operational activities with which the British armed forces contribute to the security of the United Kingdom and its territories, international peace and security missions and the generic support of British interests. Working on this concept, the Ministry of Defence has designed a strategy that selects, by priorities, strategic objectives (peace and international security, conflict prevention and resolution, territorial security and British interests in a broad sense), generic objectives (good governance, confidence and security, training, interoperability, support for exports, access and support for third countries), geographical scenarios and coordination with other ministries. The strategy spans from conflict prevention to arms control and counter-proliferation missions, the fostering of confidence-building and security measures, security sector reform, defence training and peacekeeping. It also includes missions related to the fight against terrorism. It is a proactive approach to defence diplomacy that is in keeping with the new post-11-September international security context, which requires shoring up fragile states vis-à-vis terrorism. The wish to prevent the emergence of more failed states made it necessary to adopt an approach to intervention that is comprehensive, in order to integrate its main dimensions, and proactive, in order to act on the causes and solutions of the problems as soon as possible.

For its part, the United States Department of Defense also diversified its offer of external assistance by taking on new, non-traditional missions such as humanitarian, stabilisation and post-conflict reconstruction and counterterrorism operations, which went from accounting for 5.5 per cent in 2002 to 21.7 percent of total US assistance in 2005. In 2004, the Department of State created the post of the Coordinator for Reconstruction and Stabilization in situations similar to those which activate SSR measures. The office employs staff from different departments who coordinate conflict responses and the monitoring of stabilisation operations. In addition to participating in the programmes of the Department of State, the Department of Defense has progressively increased its resources for acting in situations where it is more dangerous for civilian actors (10). However, despite the good results achieved by mechanisms like the Provincial Reconstruction Teams

(9) Of the documents supporting the White Paper «*Delivering Security in a Changing World*», the United Kingdom Ministry of Defence produced an essay, the fourth, which records the changes that have taken as a result of defence diplomacy.

(10) The seriousness of armed conflicts leads to greater budgetary flows towards defence departments than towards development departments in conflict situations. This disparity creates an imbalance in the competition for resources, which adds tension to relations between the civilian and military components and hampers their integration. The

(PRTs), an assessment of the latter shows that their military predominance limits their possibilities (11). The military contribution to SSR missions should be taken as subsidiary, when civilian intervention is not possible, but not as an alternative owing to the difficulties military leadership poses (12). If these assessments were to be taken into account, the model of US non-military assistance would evolve towards the integrated and mixed models described.

SPANISH BILATERAL COOPERATION IN THE FIELD OF DEFENCE

Spain has a substantial body of bilateral agreements in the field of defence. At the end of 2007, the Ministry reported a total of 440 bilateral and 26 multilateral agreements of different legal nature (technical agreements, memoranda of agreement or understanding, covenants, protocols, declarations, among others), and six bilateral agreements and 16 bilateral cooperation protocols were being revised. Many are consistent with the usual aspects of SSR-type missions (13). Spain has been providing bilateral military cooperation focused on institutional cooperation between the armed forces and specialising in the field of technical-military education. This pattern of cooperation was initially applied to the Latin American area (14)

allocation is justified when there are no civilian actors able to perform SSR-type missions, as occurs with the US PRTs in Iraq and those of NATO in Afghanistan, but on other occasions the tension stems from the reallocation of funds earmarked to development aid to finance security assistance programmes.

- (11) The lessons learned in US SSR in Iraq have underlined the difficulty of planning to adapt to contingencies, the difficulty of imposing coordination, the scarcity of non-military resources, the imbalance between short- and long-term priorities and the difficulty of achieving Iraqi ownership of SSR programmes (Rathmell et al, RAND, 2005). Other studies point to the absence of an inter-agency doctrine, the limited strategic planning, shortcomings in the rule of law, the limitation of the civilian component, difficulties in collaborating with NGOs and other civilian actors and the difficulty of assessing their performance as the main problems relating to the implementation of assistance programmes led exclusively by military actors, as stated in the report of the Centre for Strategic and International Studies (CSIS) to Congress in 2007.
- (12) As recognised by the United States Defense Secretary in the annual report on the implementation of his department's Directive on Military Support to Stability, Security, Transition, and Reconstruction operations, April 2007.
- (13) Among others, by way of an example, it has agreements on exchanges of personnel, training courses on humanitarian demining, technological-industrial cooperation, technical assistance and the provision of materiel (the complete list updated on 29 December 2006 is available at <http://www.mde.es/descarga/acuerdo.pdf>).
- (14) The results of Spanish defence and security cooperation in Latin America are very positive, although it cannot compete with that provided by the United States nor is it as diversified as that of France. An analysis of European and Spanish cooperation with Latin America up to 2005 can be found in RODRÍGUEZ F (Monografías del CESEDEN, 2006) and CHINCHON J. (OPEX, 2007).

but has progressively been extended to the Mediterranean (15) and Central Europe (16). Managed by the Deputy Directorate General for Cooperation and Civil Defence, Civil Defence department, the ministry also provides humanitarian assistance in collaboration with the Spanish Agency for International Development Cooperation (Agencia Española de Cooperación Internacional para el Desarrollo, AECID) and the Spanish Red Cross, by transporting humanitarian assistance in the event of natural disasters (20 missions between 2004 and 2007) or structural situations of necessity (sending of medicines, foods, health workers or patients). It also provides training at the Hoyo de Manzanares International Demining Centre (Centro Internacional de Desminado de Hoyo de Manzanares; 9 courses between 2004 and 2007).

This corpus has not had—nor does it currently have—specialised instruments specifically designed for SSR, although Spain possesses some of the necessary elements should it so wish. It began to embrace the reform approach in the 1980s, when the transition to democracy spurred the implementation of some of these reform processes in the Spanish armed forces. The democratic reforms of the armed forces therefore fall into the category of civilian-military relations, one of the theoretical fields of knowledge from which SSR stems, together with development (17). Subordination to civilian power, reform of the military structure and membership of international security organisations, among other mechanisms of SSR, were applied to the reform of the defence sector—and

(15) For example, as part of the Action Plan 2007 of the 5+5 Initiative, a maritime command post exercise, two seminars on environmental protection and airspace security were organised and the development was continued of the Virtual Regional Maritime Traffic Control (V-RMTC) centres proposed by Italy, the 6+5 Defence College proposed by France, the Euro-Maghreb Centre for Research and Strategic Studies proposed by Tunisia and the Centre for Research on Humanitarian Demining.

(16) The increase in bilateral cooperation following the accession of the new NATO Member States made it advisable to suspend the bilateral mixed commissions in 2007 in order to improve on an institutional format that was too rigid and limited. These commissions should not be confused with the bilateral councils which, on the contrary, allow a more advanced format for bilateral cooperation, such as that of the Spanish-French and Spanish-Portuguese Security and Defence Councils, and the Bilateral Committee with the United States.

(17) Sociology in general and military sociology in particular were the fields of study from which the internal transformation of the armed forces was approached. The process was structured around fora for dialogue such as the Armed Forces-Society Research Committee (CIFAS); the International Sociology Association (ISA) fostered the Spanish process with the South American processes from its third Congress in Madrid in 1985 onwards and with the European processes through the European Research Group on Military and Society (ERGOMAS).

not so much to that of security—in Spain, without any intention to export them until the model was changed. Subsequently, and up until the present, defence sector reform is a good practice within the good practice of the country's transition to democracy, which can be exported, although its conceptual development has been surpassed by the rise of SSR.

Spain has collaborated in security sector reform in Bosnia-Herzegovina as part of collective NATO programmes and by contributing individual resources. The first is almost a necessity, as it is the international organisations that are in charge of assessing, designing and implementing SSR programmes. Furthermore, in the absence of a capacity to lead complete programmes or complete sectors of SSR, participation is performed individually by civilian, military or police representatives. Participation is generally the result of a personal initiative of the party wishing to participate, either because the vacancy is advertised through an institution or because it is the person who seeks a vacancy in order to contribute, but there is no ministerial or interministerial mechanism that chooses the programmes or coordinates the selection and monitoring of the participants.

Spain's embracing of SSR began with the international projection of the armed forces in international missions. Among other lesser missions, the first were related to demobilising and disarming the Nicaraguan armed forces during 1989-1991 (ONUCA), observation of elections and police in Angola (UNAVEM II) in 1991-1993, advice on the reform and downsizing of armed forces, the creation of police forces and judicial and electoral reform in El Salvador between 1992-1995; and demobilisation of the irregular armed groups in Mozambique (OMUMOZ) during 1992-1995.

Although this chapter deals with the defence sector's contribution to SSR, it is also worth examining the security sector in order to show its possibilities (18). There is less of a tradition of international cooperation in the security sector, though in recent years it has become more widespread both in relation to classic cooperation problems—exchange of officials and students, courses, work experience contracts, study trips, etc.—and to those applicable to SSR (19). The Spanish police

(18) Including data available from DIGENPOL and the International Cooperation Secretariat of the Civil Guard Directorate General. For the rest of Spanish contributions to SSR-type missions outside the defence sphere, see the international cooperation sources of the ministries of Foreign Affairs and Cooperation, the Interior, and Justice.

(19) According to aggregate data up until 2006, Spain ranks fourth among the EU Member States—after Germany, France and the United Kingdom—in tendering for SSR projects in police matters (459) and in awards of contracts. (188)

contribution to SSR programmes is divided among preventive programmes designed to train the police of third countries to facilitate their accession to the EU, CARDS programme, and reactive programmes in which intervention takes place following a conflict. Nor does the Civil Guard have a specialised SSR unit, though the International Cooperation Section of the Civil Guard Directorate Office has coordinated several post-conflict missions. In addition to other missions not related to SSR, such as police, human rights or election observer missions and police functions within military missions or providing security to high-ranking Spanish officials on international missions, the Civil Guard provided technical assistance in Angola (MONUA) during 1991-1998; in El Salvador, as part of the international police mission ONUSAL during 1989-1995 and taking responsibility for police training in El Salvador during 1992-1997; and in Mozambique, initially as part of a police mission (ONUMOZ) between 1993 and 1994 and later by providing training to the local police (ATPRM) during 1995-2003. In 1995, the Civil Guard joined the United Nations Verification Mission in Guatemala (MINUGUA) and took charge of reforming the Guatemalan police between 1996 and 2002. In 1997 it also began to assist the Nicaraguan national police, that of Croatia in 1998, and that of Costa Rica in 1999. In 2003 it took part in the EU police mission (EUPM) to provide technical assistance to Bosnia-Herzegovina. It has also sent Civil Guard officers to the Commission's police assistance mission in Albania (PAMECA). In Palestine it has provided technical assistance with the EU missions (BAM RAFAH and COPPS) since 2005. In addition to these missions that can be classified as SSR, the Civil Guard has taken part in overseas missions related to the protection of embassies and prominent people, and civilian and military police, in addition to contributing to the EU gendarmerie (Eurogendforce).

International civilian cooperation has been projected through European programmes like Cards, Tacis and Meda, endowed respectively with 4.65, 3.138 and 5.35 billion euros, among many others designed to facilitate integration or collaboration with the EU. The projects, awarded through tenders, are designed to facilitate the EU accession of candidate countries by helping their police organisations and procedures to comply with the requirements of the European area of Freedom, Security and Justice, and therefore fall into the category of SSR. A similar aim is pursued by the so-called «twinning» that is fostered by the Commission to facilitate the integration of potential candidates or recently incorporated candidates together with the countries of the European

Neighbourhood Policy (20). In the police sphere, this involves the institutions of two countries, for example the Civil Guard and Polish National Police, collaborating to assist each other in policing and with financing from specific EU programmes managed by public bodies such as the FIAPP (21), a technical-administrative foundation similar to others like the France Coopération Internationale which act as cooperation intermediaries.

In the judicial sphere, the General Council of the Judiciary (Consejo General del Poder Judicial, GCPJ) runs collaboration projects with third countries in judicial assistance and development assistance, in addition to performing the traditional functions of judicial assistance and institutional relations (22). For its part, the Ministry of Justice takes part in cooperation programmes financed with European funds (23). The AECID develops SSR projects such as support for the capacity building of the Conflict Management Centre and Early Warning Unit of the African Union between 2000-2003.

THE SSR AS AN INSTRUMENT OF COOPERATION

The advanced states have integrated the traditional, chiefly technical, instruments of military cooperation into actions that fall under the concept of SSR. The instruments have been diversified and broadened and are now tailored to each cooperation project whose goal is not necessarily to build the operational capacity of the armed forces to whom support is lent but to foster their contribution to the stability and development of the country.

The United States, particularly its defence sector, has maintained its traditional approach but has added a few new instruments that combine

(20) A twinning project is a project of technical assistance in support of institutional reform in the police sphere, which is regulated through an agreement between the public administration involved, assistant(s) and beneficiary, and entails the sending of experts. The twinning and technical assistance projects of the Civil Guard and National Police managed by the FIAPP totalled 33 in 11 countries between 1992 and 2007.

(21) The International and Ibero-American Foundation of Public Administration and Policies (FIAPP) contributes to Spain's external projection by extending Spanish good practices to international institutions (www.fiapp.org).

(22) The Centre for Legal Studies (Centro de Estudios Jurídicos) of the Ministry of Justice also gives courses, for example, as part of the EU Training Programm in ESDP 2007-2009 on ESDP rule of law missions.

(23) As part of the CARDS programme, the Centre for Legal Studies of the Ministry of Justice has taken part with France in providing training to Croatian prosecutors and judges. For the assistance most similar to SSR in the CGPJ's assistance programmes, see (www.poderjudicial.es).

capacity-building with reform, in what are known as the Provincial Reconstruction Teams (PRTs), which act in an increasingly decentralised manner by combining civilian and military capabilities and emergency funds (24). To this non-traditional security instrument should be added instruments of assistance in training in combating terrorism and humanitarian disaster response assistance mechanisms. Meanwhile, the Agency for International Development (USAID) has developed instruments of police cooperation, the Department of State did so with instruments for peacekeeping and coordination between agencies and the Department of Justice tested out programmes for promoting the rule of law (25).

The United Kingdom conceives security as a public good without which development is not feasible. It views SSR as a broad concept that includes the efficiency of the security forces, subordination to civilian power of the system and complementary aspects related to post-conflict stabilisation such as disarmament, demining and reintegration (DDR), combating the proliferation of small arms and light weapons (SALW), and participation in peace support operations (PSO) according to OECD principles (globality, ownership, co-responsibility, civilian management and parliamentary and social control). The particular feature of the United Kingdom is that it has a governmental SSR strategy that is updated every two years (26). The strategic design of SSR includes a multidisciplinary analysis of the state, trends and lessons learned; and assessment of the recipients and co-participants, evaluation of the capabilities needed to modify the security sector in a sustainable manner, to foster the participation and coordination with third parties and to facilitate the horizontal and vertical mainstreaming of good practices among all those involved. All strategies require a supervisory body—steering group—in which the officials responsible for defence, foreign affairs and development take part, together with specific financial mechanisms (7 million pounds for 2006).

This integrating approach involves the sharing of strategies and resources by the communities of the Ministry of Defence (MoD), the Foreign

(24) For example, since August 2005, the Canadian PRT of the city of Kandahar has had 330 armed forces members, diplomats from the Department of Foreign Affairs and International Trade, experts from the International Development Agency, agents of the Prison Service and members of the Canadian Mounted Police, in what is known as a «whole of government» approach to action.

(25) As an example of this inter-agency approach, a team comprised of members of the Department of State, the development agency (USAID) and the European Command (EUCOM) was coordinated to update Mauritania's counterterrorism programme in 2007.

(26) <http://www.gsdr.org/docs/open/CON10.pdf>

and Commonwealth Office (FCO), and the Department for International Development (DFID). The shared financial mechanisms (pools) and coordination mechanisms described were generated from the revision of defence diplomacy in 2003, which ended up giving rise to the current concept of defence relations. Management should be interagency, even if each programme is tailor made or each agency is in charge of a sub-programme. Coordination is vertical, and horizontal within the agencies and with third parties, including the recipient country and the other donors. Each participating agency develops its functional specialisation, but coordination (cooperation) prevents duplication.

The British SSR structure reflects this vision and is comprised of:

- A management core (SSR Policy Committee) with the participation of the Cabinet Office of the Prime Minister
- The advisory core (Defence Advisory Team (27))
- Available funds (Global and Africa Conflict Prevention Tool, GACPT)
- Training: SSR courses given by the Defence Academy, Cranfield University and training teams such as those provided by the Central Police Training and Development Centre
- Monitoring: by the Global Facilitation Network for SSR (28)
- Integration with related instruments: SLAW, DDR, PSO, post-conflict reconstruction, maritime security, private security, rule of law ...
- Participation and evaluation in SSR missions

The interagency mechanism has been the United Kingdom Post Conflict Reconstruction Unit (PCRU) since 2004, called the Stabilisation Unit (SU) since 2007 (29), which reports to the Foreign Office and ministries of Defence and Development and assists them in the operations in which they take part. This assistance ranges from assessment in

(27) Since 2001 the United Kingdom MoD has had a multidisciplinary assistance team (Security Sector Development Advisory Team, SSDAT) which has defence and development members within its 13 members. It has been progressively expanding to take in representatives from the police, justice, intelligence, customs, finance, management and other sectors. Among other missions, it has designed the necessary SSR for Kosovo—an atypical assignment as there is no Albanian security sector to reform aside from defining Kosovo's new status.

(28) The Global Facilitation Network (www-gfn-ssr-org) compiles the database on SSR and publishes the lessons learned from each case.

(29) The PCRU arose in response to the difficulties encountered in Iraq in coordinating non-military actions among the different British departments and its action accompanies the projection of the British armed forces (www.postconflict.gov.uk). The PCRU—now SU—has facilitated British participation in Helmand, Afghanistan since 2005; in Lebanon and Nepal in 2006; and in Afghanistan and Somalia in 2007.

planning, such as the hiring of specialised personnel, provision of essential services and analysis of the lessons learned. The advice and assistance are provided overseas and financed from a pool of interministerial funds. The centralisation of the funds to be shared out is complemented by a joint analysis of activities, the planning of common long-term strategies and coordination with third parties in order to improve efficiency.

Canada has had the Stabilization and Reconstruction Task Force (START) belonging to the Department of Foreign Affairs and International Trade since 2005 for coordination with the Canadian International Development Agency (CIDA), the Royal Canadian Mounted Police (RCMP), Public Safety and Emergency Preparedness Canada (PSEPC), the Department of National Defence (DND) and the Department of Justice. The START performs missions similar to those of the United Kingdom Stabilization Unit, namely to mobilise Canadian capabilities to respond to international crises, as well as managing specific funds for these missions (30). For its part, France is beginning to study the possibility of establishing a similar mechanism, which could make the model widespread.

Spain has an interdepartmental mechanism for technical coordination: the Interministerial Commission for International Cooperation (Comisión Interministerial de Cooperación Internacional, CICI) that was last regulated in 2005 (31). Designed to integrate the main areas of development cooperation actions, a task which, pursuant to Act 23/1998, falls to the Ministry of Foreign Affairs and Cooperation, it coordinates SSR missions. The concept of SSR, with the title of security system reform, features in the Master Plan for Spanish Cooperation 2005-2008 (Plan Director de la Cooperación Española) as one of the various areas of development. Associated with good governance and human security, it is included in one of the seven priority strategic sectors for Spanish cooperation: that of conflict prevention and peacebuilding. As a result, the strategic guidelines contained in this sector of the Master Plan orient the planning of subsequent documents on geographical and sectoral strategy and the action plans

(30) The START has an executive office and four subgroups: conflict prevention and peacebuilding, humanitarian matters and emergency response, peacekeeping operations—where there is a person responsible for SSR—and demining and light weapons, which are responsible for the identification, approval, supervision, management and evaluation of the projects financed from the Global Peace and Security Fund (176 between September 2005 and September 2006 according to data available from www.international.gc.ca/fac/START-GTST).

(31) Set up in 1986, R.D. 451 of 21 February, its most recent regulation is R.D. 1412/2005 of 25 November.

derived from the latter. The CICI has accordingly drawn up the Special Action Plan 2006-2008 for Spanish cooperation in Afghanistan, where the Provincial Reconstruction Team of the province of Bahgdís operates (32). The approach of the Master Plan is comprehensive to the extent that it recognises the relationship between development and security, but not excluding, insofar as it acknowledges the existence of other instruments that help prevent conflicts (33). In the 2005 Action Plan 244,000 euros were allocated specifically to the management and reform of the security system, within the subsector of conflict prevention and conflict resolution, an amount that has practically been multiplied ninefold in the budget for 2006 (34).

CONCEPTUAL CONCLUSIONS FOR DESIGNING AN INSTRUMENT FOR SECURITY SECTOR REFORM

The approach to SSR must be comprehensive, as it is not possible to reform a state's security system without a reform process that makes governance possible, and because the objectives of SSR cannot be achieved without paying simultaneous attention to all the circumstances that influence insecurity. SSR does not have to be the primary instrument of action if it is not necessary, as the priorities of assistance depend on each situation and may call for previous structural reforms that cannot be dealt with by SSR programmes. The SSR instrument complements but does not replace the involvement of other state instruments such as development assistance policies or defence policies that are endowed with greater transformation resources.

(32) The Plan that describes the methodology followed in coordinating the politico-strategic Master Plan of the MAEC with the strategic planning of the related sectoral strategy documents (DES) and geographical strategy documents (DEG) and with the operational programming of the action plans can be found at http://www.aecid.es/03coop/2coop_paises/pae/03africa_asia_pacifico/ftp/PAE_afganistan_2006_2008.pdf

(33) Indeed, the aforementioned Master Plan for Spanish Cooperation 2005-2008 considers that development taken in its broad sense, including security sector reform, is a principal but not the only instrument for contributing decisively to conflict prevention and peacebuilding (p. 94), and the influence of other policies such as that of security and defence may therefore «have equal or greater effects on the developing countries» than official development assistance (p. 165).

(34) The follow-up report to the Action Plan for International Cooperation 2006 mentions an appropriation of 2.148,500 euros together with others earmarked to conflict prevention, post-conflict peacebuilding processes, demobilisation and control of light weapons, removal of antipersonnel mines and the prevention and demobilisation of child soldiers (pp. 161 and 240): <http://www.maec.es/SiteCollectionDocuments/Cooperación%20española/Publicaciones/SEG%20PACI%202006.pdf>

SSR can be considered in isolation, as a specific contribution, or in an integrated manner as a permanent cooperation tool that is part of the governmental resources for action. If considered separately, the instrument is set in motion for each specific intervention and is demobilised once the latter ends. If considered as part of a whole, the instrument remains permanently activated and is reinforced in order to be implemented in each specific case and returns to its usual size after the intervention project ends. If SSR is taken separately to be a set of instruments to be coordinated by one actor, the resulting organisation tends to develop coordination—not integration—mechanisms led by an agency. Such is the case of the US PRTs, where the armed forces operating on the ground, for example in Iraq, have resources to undertake small civilian SSR projects. If it is understood as an integral part of something larger, the path to follow is that of the British SU or Canadian START, with common funds and decision making processes, assisted by external mediators. In any event, the management of a multidimensional and interagency sector should not be monopolised exclusively by one dimension or agency. Lack of habit in collaboration in security cultures as different as the military, diplomatic, police, judicial, development, border control and penitentiary environments, among others, makes it unlikely that they will accept the imposition of leadership of one of them (except in extreme combat conditions). On the contrary, the experience of SSR makes it advisable to foster socialisation through mediators who facilitate interaction and externalise conflictive decisions in order to avoid tension between government departments.

As it is a composite instrument that includes police, military, civilian and development elements, neither the strategy nor the management can be developed in an improvised manner as they must share the same objectives and priorities. If there is no prior, integrated planning of objectives, there are no guarantees that certain objectives will not be duplicated, overlap or be contradictory (35). What is more, only integration enables the coherence and progress of each SSR project to be evaluated, preventing, for example, courses being given to students who do not have the skills necessary to assimilate what is taught, or delays in one dimension, such as the judicial and penitentiary reforms of SSR, from jeopardising progress in another, such as police reform. Therefore, advanced management models include strategies that facilitate the coordination of the different areas of planning

(35) Such is the objective of the comprehensive approach developed through the series of multinational MNE experiments. The concept is explained by GARCÍA F. (R. I. Elcano, 2007).

involved. As it is an instrument that can mobilise different military, police, development and other resources, only the existence of a strategy makes it possible to assess their alternative use and combination for achieving the same desired effects (effects-based approach). Therefore, the combination of security and development instruments allows stabilisation action to be undertaken by varying the components of both, without depending on just one of them. Another aspect to be considered, also linked to strategy, is the type of approach to adopt—reactive or proactive. The first mobilises the instruments available for taking part in a SSR mission following the outbreak of conflict, whereas the second uses them preventively before the conflict can emerge. The instruments are the same but the way they are used differs depending on whether we are dealing with limited, short-term reforms or sustained and structural reforms.

Generally speaking, multilateral management seems to be focused on post-conflict situations, stabilisation and transition, as in the case of the EU. If so, the same instrument could be split into two functions: preventive and reactive. The first seems better suited to bilateral action, as it is less complex to assist weak governments than failed governments, as when they fail the complexity and cost of the tasks involved in reconstruction surpass individual capabilities, be they those of the United States in Iraq and Afghanistan or those of France and the United Kingdom in Africa. Therefore, international security organisations orient their SSR concepts towards a reactive and post-conflict approach, which includes stabilisation instruments such as disarmament, demobilisation and reintegration and SSR instruments, whereas only the United Nations and the EU can adopt proactive approaches.

There are two models for integrating national instruments into SSR strategies: coordinated and comprehensive. The first refers to the usual pattern of assistance in which the various participants coordinate their conflict stabilisation contributions, as in the coordination of emergency humanitarian assistance. In the second, the aim is to improve the results of coordination by integrating the ideas, resources and actions of the participants to ensure that they work synergetically and using economies of scale. The first requires coordination mechanisms that are dissolved once the situation that creates them comes to an end. The second involves the setting up of permanent «facilitation» mechanisms that develop mechanisms and procedures for facilitating interministerial action.

Trends in integration are mostly moving in the direction of integrated and multisectoral models. On the one hand, each department tends to integrate

all its instruments applicable to SSR, while, on the other, departments that are already integrated tend to become further integrated under the leadership or facilitation of organisations specialised in managing integration. As we have seen in the cases of the United Kingdom and Canada, the emergence of these agencies that mediate between actors creates less resistance and corporate jealousy between the actors in the areas of defence, home affairs, and development than the traditional coordination models. Intermediation does not relate to the implementation of the technical and administrative aspects, where FIAPP- or FCI-type institutions manage the interministerial implementation of projects, but to the integration of strategic, operational and implementation planning of each of the actors involved.

Trends also point to the functional specialisation of these new mediation agencies, be it intraministerial or interministerial, as only specialisation makes it possible to undertake, participate in or lead projects on the basis of a previously established system that has the knowledge, resources and procedures necessary for carrying out missions. Only specialisation justifies investment in centres of excellence that afford a comparative advantage to the SSR capability and multiply this capability (for example it is pointless to set up a demining centre of excellence if there is no system to enable it to be used intensively or to enjoy a competitive advantage over centres in other countries). On the contrary, occasional participation prevents specialisation as it undermines the continuity of the effort and indiscriminate participation disperses efforts without achieving added value.

Assistance for SSR will increasingly continue to combine bilateral and multilateral instruments. The comprehensive approach with which international crisis management is addressed makes it necessary to integrate these instruments under either national or multinational control. Given that in the short and medium term the components will be national, the Member States may opt to obtain bilateral returns from these resources by integrating them into their own SSR instruments or making them available to third countries that can integrate and make full use of them (36). In such cases, these organisations are responsible for coordination, through it is feasible to

(36) For example, the EU concept of SSR does not, for the time being, provide for the generation of its own resources; rather, resources for a particular ESDP action must be requested from the Member States, although the assistance may be financed from the *European Development Program*. The EU would use its own SSR instrument by integrating the partial capabilities of its Member States under its own management; or management may in turn be delegated to another body as requested from the EU by the United Nations or regional organisations.

find nationally managed elements of SSR in an operation, in bilateral programmes, and elements that are managed multilaterally. Planning of the operations should also take into account the possibility of crossed SSR assistance such as, for example, when South Africa trains and equips Congolese police using Japanese and Swiss funds. This possibility of implementing the SSR instrument with various geometries gives the managers plenty of flexibility. In any event, the contribution to these complex schemes should not lose sight of the overall, end result of the project, for which revision instruments are required which do not exist if there are no follow-up bodies.

The required elements of the system include appropriate human resources. Whereas technical police and military assistance can provide police and judicial military officers and others not linked to governments (retired, private companies, regional or municipal police), other types depend exclusively on the government contribution: academic training, involvement in exercises, integration or collaboration with international organisations, participation in missions, etc. This means that some aspects of SSR projects necessarily depend on government collaboration as they are not available on the market. In order for assistance to be efficient, the resources need to be ready for use, but the availability of police, judicial and penitentiary human resources in active service is very limited and their international projection is detrimental to the security services they provide daily in their countries of origin (37).

Given the limited availability of personnel in the armed forces and security forces, their capacity to contribute human resources is decreasing, and alternative sources of recruitment therefore need to be found. The mobilisation of military and police resources in active service is difficult to achieve even immediately after conflicts, and therefore trends in recruitment are moving towards new groups such as professionals in reserve or retirement and communities of experts with training and experience in the various dimensions of SSR. This is the same recruitment system used by international organisations and private security companies to cover the projects put to tender (38).

(37) As borne out by the EU's difficulties in recruiting police personnel for the SSR missions it has undertaken, as occurs with the UN in its peacekeeping missions, when all the other resources are available, it is in the personnel aspect where the well-known expression of the means determining the mission is truest.

(38) In Bosnia-Herzegovina, the EU Police Mission (EUPM) comprised of EU national police in active service took over from a UN international police force in which retired, local, private and other police officers took part.

A novel aspect to consider in connection with the future of SSR is the participation of private actors. The potential source of collaborators in SSR missions spans a broad spectrum ranging from security companies to individual experts, think-tanks, universities and consultants, among others. With a greater reaction capacity and greater flexibility to act where states sometimes cannot, the private sector supplies human and organisational resources capable of providing assistance in the SSR sector. As NGOs have been doing in the field of development, governments and organisations enlist the support of private actors to implement their intervention projects and, for example, retired police or officers on extended leave are part of UN and OSCE missions in the Balkans. Private firms of consultants that tender for contracts to implement assistance programmes approved by governments and organisations also resort to experts, academics and freelancers to develop them. In addition to these occasional recruitments, drawn from databases and lists of experts, a few private security companies offer police, military or intelligence assistance services on a permanent basis. The presence of these private actors on the international scene arouses misgivings as to their legality and legitimacy, which are allayed when states endorse and answer for their participation. Accordingly, the OSCE Code of Conduct only questions the participation of private companies when they are not answerable to any authority, so that if the state that receives the support or the states that provide it authorise private assistance in such a manner that they are answerable in the event of failure to fulfil contractual obligations, their participation would be legitimised. The idea is not to form an open market for SSR, as the conditions of free competition are not met, but rather to bear in mind the complementary role of private actors. Nor is it intended to involve them in the planning work carried out by governments but in the implementation of programmes, alone if they are prepared to do so or in support of other field agents, providing the capabilities they lack (39).

The integration of private actors into SSR is not easy because they lack the government cover of official actions. Except for NGOs that have earned credibility for humanitarian reasons, the rest of the actors lack the legitimacy that is attributed almost automatically to the public or humanitarian function and are burdened by prejudices that associate them with professional encroachment, privatisation, profit or mercenary practices. With these

(39) Private security companies can perform many of the tasks included in SSR such as demining (Vietnam), training (customs officers in Mozambique and General Staff in Liberia) and election supervision (Afghanistan). The US Department of State subcontracted the training of the new Liberian army to DynCorp after UNMIL trained the police, as part of the SSR programme for 2006: <http://www.seesac.org/reports/Procurement%20guidelines.pdf>.

unfavourable starting conditions, private actors have to prove their worth by demonstrating better results in functional and economic aspects, in their flexibility and in their ability to deal with areas where states are unable or unwilling to. For both public and private actors, permanence in the SSR sector is essential to developing their training and to adopting habits of transparency and accountability that cannot be required of actors who are involved at some point in SSR but do not remain in the sector. Reluctance to regulate the participation of the private sector undermines the legitimacy and stability of the sector (40), and if the transition is not made from coordination and occasional regulation to integration of the private sector into SSR, the possibility will be lost of having a regulated, effective instrument that can complement governmental action in security sector reforms. As long as the instrumental approach to the private sector is maintained, and this sector is resorted to only when necessary, the conditions for regulation, stability and permanence in a market that requires its specialisation will not be fostered.

SUGGESTIONS FOR INCLUDING SECURITY SECTOR REFORM IN SPANISH DEFENCE POLICY

In order to be able to consider SSR among the available instruments of action for projecting Spanish defence policy, a strategy, a system and a SSR policy are required. Spain does not currently meet these requirements. This does not mean to say that it does not have elements of SSR, such as experienced personnel or assistance capabilities which—if well developed—both elements could provide, but rather that its state of development is currently precarious compared to the models of reference and trends examined earlier. It does not seem likely that a medium-sized country like Spain should require a very sophisticated strategy necessary to lead major international SSR projects, but it can lead some of the particular dimensions of a project or, over time, consolidate and diversify its own SSR capability.

The pending strategy

A basic problem is that Spain does not have a general security strategy (41) in which to frame the SSR strategy of the government or its ministries.

(40) Lack of regulation leads to the appearance of self-regulatory codes of conduct in the sector, such as the Sarajevo code of conduct for private security companies <http://www.seesac.org/reports/Procurement%20guidelines.pdf>.

(41) For a detailed argumentation, see ARTEAGA, F. and FOJON, E. (IUGM, 2007).

As a result, each ministry or agency is forced to draw up its own strategy without guidelines from above and it is therefore necessary to coordinate *a posteriori* what could have been integrated *a priori*. In order to design its SSR strategy, a ministry needs to adopt a vision of SSR that justifies its strategic development. The vision requires, in turn, awareness of the instrumental value of SSR for the state's external action in general and for that of the ministry in particular. The first step is therefore to define a new function that is differentiated from previous ones. Defining a new function or mission is a determinant for creating a specialised instrument, as without this separation the various dimensions will continue to be scattered among the different systems of defence, security, development or justice, without an identity of their own.

Nor does Spain have a conceptual underpinning to provide this identity. It began to embrace SSR in the 1980s, when the democratic transition developed a specific reform process for democratising and modernising the armed forces. Linked to civilian-military relations, one of the theoretical fields of knowledge from which SSR is derived, along with development (42), the transition provided the country with an experience of its own of subordination to civilian power, the reform of the military organisation and membership of international security organisations. The experience of the Spanish laboratory spread widely to other subsequent processes of democratic transition, but its heritage did not become an available instrument for the external projection of the state.

Within the sphere of defence, the initial approach to a vision similar to SSR appeared in the Strategic Defence Review of 2003 as a section of the mission of contributing militarily to peace and international stability. Under the heading «defence diplomacy», it lists a group of activities based on dialogue and cooperation that are performed by the armed forces in order to «create an environment of confidence and contribute to the emergence of conflicts or to their control and eradication», which coincide with some of the activities included in SSR. The concept of defence diplomacy has not been developed subsequently, either to be integrated into SSR or to shape an identity of its own. Although the National Defence Directive of 2004 mentions the intention of «intensifying defence diplomacy, including

(42) This period saw the establishment of a closer link between the South American and Spanish armed forces reform processes within the International Sociology Association (ISA), which held its third congress in Madrid in 1985 and is organised through the Comité Fuerzas Armadas Sociedad (CIFAS) and the European Research Group on Military and Society (ERGOMAS).

the fostering of mutual confidence with the armed forces of the countries in the areas of strategic interest», this guideline (a.7) has not yet been developed conceptually. Nor does the Organic Law on National Defence of 2005 refer at all to these missions, defence diplomacy or security sector reform by these names. Although it alludes to the possibility of addressing the reconstruction of security in peacekeeping and international stabilisation operations (art. 16.b), it does not define SSR—or failing that defence diplomacy (hereinafter SSR/DD)—as an autonomous mission or as part of conflict prevention, which is not considered a mission either but rather a type of operation (43).

Given the foregoing, any inclusion of SSR/DD in defence policy entails expressly recognising its importance to the ministry and defining the ministerial vision of SSR/DD: what is understood by security sector reform (or by defence diplomacy), the dimensions and actors it involves, whether it is autonomous or subordinate to other missions and mechanisms for defining a SSR/DD strategy, system and policy (44).

The System of Security Sector Reform

As has been seen throughout the chapter, nearly all the actors involved in SSR have had to shape mechanisms for supporting the development of their strategies and instruments, either by adapting traditional bodies and procedures to the new needs or by creating them *ex novo*. Spain's contribution to SSR missions in defence matters attests to the existence of elements from which a system can be built, but it does not yet have a system of reference. When such a stable, specialised body with its own funding is set up, the ministry will be able to contribute effectively and coherently to interministerial action and, meanwhile, will be able to

(43) The omission contrasts with the emphasis placed by the MAEC Master Plan, drawn up around the same time, on the «need to make Spain an active peace builder» as a «distinguishing feature of a project of foreign policy, security and cooperation» (p. 94). This well-defined vision of the MAEC contrasts with the vagueness of that of the Ministry of Defence, and this contrast is explained by the aforementioned lack of a security strategy, as the document itself points out when it calls for «conflict prevention and solution to be framed within a broader, longer range and inclusive strategy for external action» (p. 95).

(44) Consideration also needs to be given to the current conceptual inclusion of peacekeeping operations under bilateral assistance, without distinguishing between operational military aspects and those designed to reform the security sector. The lack of a definition of SSR makes it difficult to clarify them in order to assign them to the operational or reconstruction area.

broaden and deepen measures leading to the integration of its own capabilities, actors and activities in the field of defence.

The organisational trends described for the United States, Canada, the United Kingdom and others point to the emergence of interministerial coordinating bodies that are not led by a specific ministry in order to facilitate the integration of the objectives of all participants. Of the models described, it is not easy to recommend one that is easy to import, as each springs from a different national situation, though some of their main characteristics can be established. In first place, permanent, structured and specialised bodies prevail over *ad hoc* bodies, and those formed from a basic core that can be enlarged if necessary prevail over those that are staff- and resource-intensive. Second, they are bodies that can be integrated into multilateral organisations which, in turn, encompass several departments within their own sector. Third, they have adopted certain self-assessment procedures and monitoring mechanisms.

When establishing a system within the Ministry of Defence, it would be advisable to make use of the available elements and integrate them according to these patterns. An initial element required to underpin this system is the Directorate General for Defence Policy (Dirección General de Política de Defensa) that is part of the Secretariat General for this policy. Its central position, which allows it to integrate all the ministry's dimensions and departments both vertically and horizontally, grants it a central role in underpinning the system. Another element to be incorporated into the system—especially if it is decided to develop a defence diplomacy—is the network of embassy offices and representations in other countries, through which flow bilateral and multilateral cooperation projects.

The most recent regulation on the embassy offices dates from 2005 (45). The duties to be performed by the defence attachés—called counsellors in the permanent representations to the IGOs—are defined generically and do not specifically identify any of the dimensions associated with SSR/DD. It maintains the traditional missions laid down in earlier regulations, namely the provision of support and advice to heads of diplomatic missions, reporting on their activities, engaging in relations with the defence authorities of the host state, supporting the initiatives of the ministry and visits by military delegations. The attachés are functionally responsible to the Secretariat General for Defence Policy and the counsellors to the Chief of Defence Staff

(45) R.D. 916/2002 of 6 September, updated by Order DEF/769/2003 of 25 March and by R.D. 959/2005 of 29 July.

under coordination. Both maintain relations with the national military authorities under the leadership of the heads of missions (46).

In addition to the foregoing, the system requires a body devoted specifically to SSR/DD that can provide a reference point for the new identity. Therefore, until this integrating action inferred from our analysis is performed, the action of the Ministry of Defence in SSR matters should be oriented towards carrying out this integration within its sectoral sphere, establishing mechanisms that allow it to subsequently become integrated with the mechanisms of integration and coordination that are later decided on. In order to foster and give visibility to the new function, the ministry requires a stable organisation that deals with intraministerial and interministerial coordination. Intraministerially, the new body should integrate the planning and duties of all the defence agencies related to SSR or to defence diplomacy without duplicity, a risk run by all coordinating bodies. Interministerially, it should maintain relations with the rest of the ministerial bodies and agencies responsible for SSR.

So far, the Interministerial Commission for International Cooperation (CICI) has been the only available technical coordination mechanism for dealing with the interministerial coordination required by SSR missions (47). However, its current design grants the Ministry of Foreign Affairs a prominent role which it is advisable to avoid in the multidimensional environment of SSR in order to be able to make the transition from mere coordination through formal, limited periodic meetings—twice yearly in the case of the CICI—to more stable multidimensional mechanisms equipped to address the changes of situation that occur in real life and on the ground in SSR missions and projects. The predominance of the development dimension as opposed to other dimensions of SSR undermines the possibilities of the coordination mechanism as it orients synergy towards the generic, structural and long-term objectives of development, whereas SSR missions require a specific, tailored and short-term but above all integrated action. In the case of Spain, the Ministry of Foreign Affairs and

(46) Owing both to the need to uphold the principle of unity in external action and to the presence in missions of counsellors from ministries that can participate in SSR missions, their coordination is required to guarantee the integrity and coherence of the projects. Nonetheless, overseas coordination through the missions is not a substitute for compulsory prior coordination within the SSR management system.

(47) Apart from interministerial mechanisms, ministries can pursue bilateral agreements like the annual operational plans of the AECID and the Ministry of Defence that are part of the Framework Collaboration Agreement of 15 January 1996. However, SSR is multidimensional and its coordination requires a framework of this kind.

Cooperation has a comprehensive vision of cooperation which nonetheless disintegrates into partial components when it comes to translating it into concrete actions (48). Therefore, the coordination mechanism used by the CICI to integrate the overall vision of cooperation into strategic planning is not applied to operational management in the implementation stage. The foregoing is both a cause and effect of the lack of sectoral or comprehensive SSR strategies. The capabilities, experiences and visions of SSR are there but bodies, strategies, best practices and integration mechanisms to grant SSR an identity of its own have yet to be defined.

As currently conceived, the MAEC's leadership in the CICI strays from this criterion as it subordinates interministerial coordination to the goal of development instead of focusing it on a multidimensional goal. In the absence of a comprehensive approach geared to a SSR mission, the CICI as it is currently designed does not seem ideally suited to assuming the role of specialised facilitating body that is played by specific reconstruction bodies like the UK Stabilization Unit or the Canadian Stabilization and Reconstruction Task Force. The need for a comprehensive approach suggests the creation of a specific coordination organisation that could even be built on one of the working groups envisaged by the CICI itself, but with a different management focus. Its working method should be geared to the planning, management and supervision of the coordination of operations in the multidimensional sphere of SSR in order to foster specialisation in coordinating this sphere. The idea is not to specialise in coordination in general but in a specific type of coordination: that of SSR missions. The CICI seems appropriately designed for development in reconstruction missions where security and defence elements are secondary or structural, but not for reconstruction missions that embrace security and defence dimensions in addition to those of development.

Up until now, the coordination mechanism had generated a doubling up: the internationalisation of an internal function, whereby the person who deals, for example, with training the country's own security forces could accidentally deal with training foreign forces. Now, with the new function, international training programmes will have a permanent body responsible for coordination in order to overcome as far as possible

(48) For example, the Special Action Plan 2006-2008 mentioned for Afghanistan has taken into account, in the planning stage, the security situation in the province of Bahgdis, but when it came to establishing the goals only envisages those related to development, without identifying or integrating those related to the security of the forces that support the reconstruction tasks of the PRT.

compartmentalisation between internal and external, and between the defence officials involved, those of the other official bodies and agencies and the experts and non-governmental organisations involved. The comprehensive approach transforms the need for coordination into the virtue of integration: what has commonly been carried out in a fragmented manner becomes an interactive and synergetic instrument of cooperation.

The policy of Security Sector Reform

The policy to be pursued depends on the overall strategy previously decided on. The system merely expresses its criteria during the politico-strategic planning of the latter and develops the policy once the strategy has been decided. The system is responsible for translating the strategy into goals, personnel, resources and assessment mechanisms. The difference that having a prior SSR/DD strategy makes is that if it did not exist, the system would end up imposing its own goals. When there is a strategy, the system contrasts the possible projects with the criteria, goals and resources established in it, so that participation criteria are shaped. Participation is therefore systematised and the dispersal of efforts and squandering of human and material resources is avoided. Given the variety of SSR dimensions and the limited nature of resources, participation should be limited to projects in which the country has a comparative advantage or which provide the system with added value or experience. The ministry can, if necessary, progressively develop the dimensions required to lead projects of its own or to seek a specialised niche in the SSR/DD market, as other defence actors do.

Another option when it comes to intervention is for Spain to multilateralise its own programmes through international organisations, by seizing the opportunities offered by collective SSR operations to obtain particular benefits with respect to intelligence, leadership, business or influence (49). Conversely, if it lacks its own action strategy it is easier for third parties to take advantage of these benefits; however, in order to make the most of the collective effort and to prevent others benefiting from its effort for their own ends, it needs its own strategy and intervention criteria.

Human resources are one of the elements that are essential to the functioning of the body and the programmes. The adoption of a new

(49) If greater multilateral SSR/DD action is required, for example, in the Mediterranean area, Spain can activate the collective mechanisms available in the UN, NATO, the EU and the OSCE under the Partnership for Peace, Mediterranean Dialogue and other programmes. The same can be said of other priorities areas like Africa.

SSR/DD mission can establish a new professional profile for members of the armed forces if it becomes consolidated. The profile of the members to be recruited is no different from that which is found in invitations to tender for SSR missions: the military, police, judicial technical profile, etc.; or the communication profile: languages, work experience in multinational and interagency environments. Nor is it necessary for all the human resources who take part in SSR/DD missions to be specialised, as most are chosen for their original speciality. With this modular format—a permanent specialised core that can be enlarged with non-specialised reinforcements—there are two different types of problems. The permanent core needs a specialisation that can only be achieved through stable permanence in the sector, accumulating experience in the coordination and implementation of assistance missions. This profile clashes with the system of traditional postings that makes such specialisation difficult to achieve, and it therefore seems necessary to reduce the number of rotating posts to an absolute minimum. On the contrary, it is necessary to stabilise the greatest possible number of jobs in specialised management. Both in this case and in that of the civilian and military experts who take part occasionally in SSR projects, and given the rigid nature of the workforces of personnel in active service when it comes to coping with expanding missions, consideration could be given to including civil servants in the reserve in order to boost the recruitment base.

Another option to consider is identifying non-military experts willing to participate—either because they have already taken part in previous missions with the ministry and feature on its lists of experts or because they collaborate with non-governmental organisations or specialised consultancy firms. The outsourcing of assistance missions is not easy for the reasons stated above, even for countries where subcontracting or outsourcing is more widespread. In the case of Spain, civilian missions have a good potential recruitment basis among the NGOs, though it is progressively dwindling as missions call for personnel with a security or defence background. In view of the lack of regulation of private security companies, until the market opens up to consultancy firms (50) or private security companies, the solution in the short and medium term involves

(50) The Spanish market has consultancy firms specialised in civilian but not so much in police or military international cooperation programmes. An unusual case is Altair Asesores, which the European Commission entrusted with the task of implementing the tender for the State Reform Project in Paraguay between 1999 and 2001 (DG IB PRY/B7-310/96/333) that included a programme for reforming and democratising the Paraguayan armed and security forces, a typical SSR project of which the author of this chapter was in charge.

identifying and building a base of civilian experts or civil servants not in active service.

Administrative support personnel are also required to cope with the workload generated by the new instrument. International cooperation entails little known facets such as the monitoring of personnel posted abroad for administrative purposes (to maintain their links with the institution, professional career and working environment...), those related to the functional monitoring of projects (guidance, supervision and evaluation of the mission, standards, doctrine...) and institutional relations (relations with third parties, events and invitations to tender...). This workload becomes exponentially greater without the collaboration of a FIAPP-type management institution to which the more complex technical tasks can be delegated (51). The foregoing would provide the ministry with a new civilian component for intervening in the security and defence field—a component that does not comply with this profile when only military in active service are recruited.

The creation of the function, body and management posts should be accompanied by a specific budgetary appropriation. Either by establishing SSR/DD funds within a ministry or by allowing access to collective funds earmarked to SSR, budgetary autonomy is essential for backing the singularity of the new function. SSR missions of this kind generally receive external resources from international donors or organisations like the United Nations or EU, which contribute to reconstruction and stabilisation missions or to the programmes of international organisations described in other chapters. To budgetary autonomy should be added the possibility of establishing accounting criteria for assessment in the projects, as is done in development assistance programmes. Justification of the cost-benefit of each operation, and verification of its implementation, would help streamline the process of deciding on operations.

Scenarios for including SSR in defence policy

Depending on the degree of ambition and need for incorporating SSR/DD into the instruments available to the ministry, three scenarios can be identified: improvement, reform or transformation.

(51) In exchange for a commission on the overall cost of the project, outsourcing in institutions of this kind brings a saving in the human and material costs of the tender and technical relations with the institutions, and facilitates the centralisation of technical management. In the case of the FIAPP, it is an administrative and financial entity with the profile of a public foundation and the sponsorship of the presidency, the ministries of Foreign Affairs and Cooperation, Justice, the Treasury and other government departments.

In the improvement scenario, in order to ensure the implementation of security sector reform missions with greater guarantees, the human, material and management resources are increased. Participation in SSR missions makes it possible to incorporate lessons learned and good practices and to establish the ministry's strengths and weaknesses and devise a reform strategy.

In the reform scenario, given that it exceeds the current capability to take on new missions, the choice is to define SSR, devise a strategy and set up a body tailored to the needs. The intraministerial integration of ministerial and external resources available for taking part in military and civilian SSR operations of interest to the Ministry of Defence allows it to enhance its security profile and prominent role in conflict prevention and stabilisation operations.

In the transformation scenario, the focus is on integrating all international cooperation resources, including those of SSR, into a new mission under the concept of defence diplomacy or relations. Transformation gives rise to economies of scale allowing the establishment of a new professional profile, the generation of the capability to lead projects of national interest and contribute to the state's external action with a differentiated instrument.

CHAPTER SIX

FINAL CONCLUSIONS: AN ASSESSMENT OF THE PROGRESS MADE IN SSR FROM THE PERSPECTIVE OF SPAIN, THE EU AND THE INTERNATIONAL ORGANISATIONS

**FINAL CONCLUSIONS: AN ASSESSMENT OF THE PROGRESS
MADE IN SSR FROM THE PERSPECTIVE OF SPAIN, THE EU
AND THE INTERNATIONAL ORGANISATIONS**

PATRICIA ARGEREY VILAR

This publication in the *cuadernos de estrategia* series aims to provide a contribution to a concept, SSR, which is alive and thriving and permanently under construction. SSR is one of the most recent initiatives designed to enable everyone to live in a more secure world.

The permanent clashes between the Iraqi army and Shia militias symbolise a change in the nature of the armed conflicts that emerged following the end of the bipolar world which had been in place until the Cold War. The great majority of today's conflicts are internal. Many are waged in the so-called failed states and irremediably signify a cost to us all and a source of instability to the world.

The threats facing our world today are diverse in nature, less predictable and more complex than only a few years ago. And a new type of insecurity calls for an adaptation of the defence sector.

This new dimension of defence is imbued with the UNDP concept of human security, which arose in the 1990s. The concept of SSR emerged in 1998, its pillars being conflict prevention and collaboration between the defence sector and development cooperation sector.

The Western states underwent a shift from simple military assistance to much broader collaboration. The traditional, institutional approach that is more operational in nature was based on the logic of mutual assistance between allied powers. From this perspective, defining programmes and priorities was conducted with greater autonomy.

This conception was replaced by an assistance that links development and reconstruction and is based on a type of aid that is entirely beneficial

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to the recipient. In this new approach to international defence cooperation, decisions are submitted to parliaments for consideration.

The armed forces have had to adapt to and undertake new missions for which they were not prepared only a couple decades ago: civilian-military cooperation, long-term intervention for stabilising countries in a conflict or post-conflict situation, support for economic, social and human development and accompaniment in processes of democratic transition and consolidation.

The process of reconstructing Afghanistan marked an absolute recognition of SSR. The G-8 countries led the reforms of the army, police and judicial sector and dealt with the disarmament, demobilisation and reintegration of combatants and fighting drug trafficking. However, some of the problems posed by the SSR processes soon began to be glimpsed: lack of coordination and difficulty of dealing with long-term questions when immediate action is required, as occurs in a country in which security has progressively deteriorated.

The long-term view involves a strategic approach in which the goal is to boost a state's ability to meet its population's security needs. SSR that pursues peacebuilding is very closely linked to the concept of institution building understood as systematic changes in the structures of the state machinery which allow development and prevent conflicts.

SSR is a multidisciplinary, multi-actor and multi-activity concept and encompasses donor and recipient countries.

In the first group there are countries that apply a holistic approach and those that specialise in a particular sector (for example, the judicial sector). In any event, SSR reform is not possible without the political and economic commitment of donors—so much so that international organisations in themselves lack capacity for action without the financial resources provided by the donors.

But the developed and democratic countries have furthermore also had to adapt their structures to new international trends in security matters, as occurs in the case of Spain.

Also, in the framework of NATO, financial and technical assistance is provided to support the reforms of the institutions in charge of national defence, excluding, in principle, the police, the intelligence services and the private security agencies. This type of assistance to the former Soviet Union

satellites is being progressively extended to the NATO partner countries under the Partnership for Peace and Mediterranean Dialogue. The Istanbul Initiative is an excellent model of support to SSR in this modality. In addition, participation in joint manoeuvres and NATO operations is the chief stimulus of the processes to modernise the armed forces that are undertaken by both the Member States and partners and which, in particular, involve reallocating material and human resources and improvements in transparency and accountability in the field of national defence.

Within the second group, the recipients, the models to be adopted differ depending whether the country is developing, in transition or in a post-conflict situation.

NATO, specifically, has found in action in support of SSR and good governance of less developed countries full justification for its existence in the current multipolar environment.

A capital issue in SSR is sovereignty. When a mission is conducted in a third country, it is necessary to give much consideration to the principle of non-interference or, in other words, to endeavouring to ensure that the assisted countries own and lead their reforms. Sovereignty can constitute grounds for rejecting guidelines from abroad which can sometimes be alien to the national context.

At the same time, we need to be aware of the difficulty of striking a balance between conditionality and sovereignty. From a critical perspective, SSR could be the result of a consensus of the Western countries that aims to impose a series of criteria and not always accompany the reform processes.

NATO, for example, has also been criticised for failing to give priority to the active participation of local actors in designing the reforms. The imposition of models and conditionality (even if limited to the states that aspire to be members) do not seem the best instruments of international cooperation. In this context, efforts should be stepped up to place normative and SSR-support action in the framework of the effective promotion and protection of human rights. And it is essential to involve the beneficiary states in the process of establishing standards and designing programmes for implementing SSR.

If NATO advocates an approach consisting in requiring the state's armed and security forces to submit to democratic control, it would be illegitimate in the international order to maintain that approach and not apply conditionality in situations of serious violation of human rights.

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Before ending these remarks on the conceptual issue, mention should be made of two elements of the SSR debate: the gender approach and the participation of the private sector in the security sector.

There is a growing tendency to incorporate the gender issue into the development of OSCE actions and missions, although it is an incipient trend. This approach is oriented towards prevention and is based on the recognition of the existing ties between gender equality, global security and sustainable peace. In this connection, it is considered appropriate to include more women in operations and missions, thereby boosting their legitimacy and efficiency, and to strengthen the recruitment bases for women nationally, which entails increasing their presence in the armed and security forces.

Furthermore, reluctance to regulate the participation of the private sector undermines the legitimacy and stability of the sector and, unless a transition is made from coordination and occasional regulation to integration of the private sector into SSR, the possibility could be lost of having a regulated and extraordinarily effective instrument that can complement government action in security sector reforms.

But who is chiefly responsible for SSR programmes? First of all, states. Second, international organisations like NATO, the UN and the OSCE and, lastly, the EU, which aims to channel its leadership on the international scene through this path.

The international organisations and bodies whose actions influence SSR either design and implement specific support programmes or contribute to establishing international normative standards. Some, like the EU, even perform both functions. The normative work can be performed through a formalised process or can consist in repeating a series of actions over time, which shape the so-called soft-law and can give rise to a set of guidelines without formal legal value. NATO's principal action in the field of SSR and good governance falls into the latter category.

Organisations like the OSCE and the Economic Community of West African States have drawn up explicit guidelines on SSR. These guidelines, including those that are implicit, help establish a common general framework which, through SSR, leads to democratic requirements, the violation of which could legitimise conditionality with respect to membership of (or even expulsion from) regional organisations, as Peral states.

The Balkans and Afghanistan are palpable proof that, although security is necessary to the realisation of development and human rights, there is

no sustainable security without development, governance and human rights. This assertion is an integral part of the new universal consensus regarding the concept of peacebuilding in third countries, in which the military are set to play an important role.

Despite efforts to restrict NATO action to a very vaguely defined Euro-Atlantic area, today this organisation must inarguably act outside the region. NATO has realised that it must act globally and not only in legitimate defence, and that its action must encompass the state as a whole through support for SSR. In this perspective, as far as the states party are concerned, action in support of security and defence reform involves fostering the creation of new means of external action. The transformation of NATO is, in fact, a reflection of the transformation of the external action capabilities of the states party.

NATO influences the SSR developed by candidate and partner states and through specific defence reform plans and programmes like the Partnership for Peace (PfP) and the Euro-Atlantic Partnership Council (EAPC). This is the institutional framework for bilateral agreements (Individual Partnership Programmes, IPPs) on issues of mutual interest, as well as enhanced bilateral agreements (Individual Partnership Action Plans, IPAPs), in cases where the partner state wishes to maintain a closer relationship with the Alliance and to receive specific support for its SSR efforts. These special agreements have been entered into with Armenia, Azerbaijan, Georgia, Kazakhstan and Moldova, and will soon be signed with Bosnia Herzegovina and Montenegro.

At the Istanbul Summit, NATO adopted a new mechanism for providing specific support for SSR: the Partnership Action Plan on Defence Institution Building.

In a complementary manner to the Barcelona Process, NATO reinforced its dialogue and cooperation with the Mediterranean through the Istanbul Initiative, which consists of a set of bilateral cooperation agreements with the Middle East countries establishing priorities and concrete actions, in respect of which NATO provides added value, always with the goal of contributing to global and regional security.

Direct NATO action in the field of SSR and good governance has been centred on Afghanistan as a maximum priority. As for Bosnia Herzegovina, NATO has taken part in what could be considered a principal cooperation agreement in the field of SSR. In Iraq, NATO's action complements the US

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military operation Enduring Freedom and concentrates its efforts precisely on supporting SSR, but it lacks a direct operational capability. NATO also lends support to the African Union operation in Darfur (Sudan), its first action on the African continent. NATO has likewise provided logistical support to the African Union operation in Somalia (AMISOM), and there are prospects of general collaboration with the AU, particularly the provision of support to the implementation of the first African attempt to create specific capabilities permanently devoted to peacekeeping.

Lastly, NATO provides security directly, in the sense of maintenance of law and order in post-armed-conflict situations as part of UN operations (KFOR) or operations coordinated by the Alliance (ISAF). In this case, the allied states substitute for the state that is unable or unwilling to guarantee the security of its own citizens and, accordingly, contribute to the process of creating and building democratic states.

According to Peral, it is the responsibility of everyone to advance towards a SSR that involves creating and reforming mechanisms that effectively guarantee human security. The question is whether NATO should not then undertake a genuine transformation beginning with its own SSR.

In relation to the United Nations, although its vocation is universal, its action is regional and centred on Africa, Latin America, the Caribbean and Asia. Two of the missions carried out by this organisation have been especially paradigmatic: Burundi and Sierra Leone.

The case of Burundi underlines the fragility of the results obtained. Several projects have been carried out in this country in the priority areas of action (democracy and good governance, strengthening the rule of law, particularly the administration of justice, the penitentiary system and human rights, poverty and famine and security sector reform), and there are still pending issues.

The priorities in Sierra Leone are the employment and empowerment of young people, building democracy and good governance, strengthening capabilities, the energy sector and the reform of the judicial system and armed and security forces. The need to build the population's confidence in justice is of particular concern, as 80 per cent of citizens resort to the traditional system of justice based on the authority of community chiefs.

The Peacebuilding Commission (PBC) plays a central role in this whole process. The United Nations General Assembly and Security Council sit on

the PBC, a fact which points to a certain consensus on the need for means of preventing the collapse of a state.

The main problem the Commission faces is perfecting its approach to ensure the greatest possible influence on the ground, so that the United Nations peacebuilding architecture becomes an effective instrument of international collaboration in support of countries that are emerging from a conflict.

A great many of these conflicts are internal and in most cases the civilian population has become the target of violent groups, including the security forces. Peacebuilding involves restoring the population's confidence in its armed and security forces, so that they are not viewed as part of the problem but as a means of solving it.

In order for projects to have positive and lasting results, it is essential to keep up the economic effort and ensure the long-term presence of donors. It is furthermore necessary for civil society and other international organisations (the International Monetary Fund and World Bank) to involve themselves to the same extent as current donors.

According to Peral, the UN needs to be more involved in the normative dimension, so that the least developed states take part in shaping consensus on an equal footing and not only as beneficiaries of actions in support of SSR.

As for the OSCE, although it does not have specific competence in economic development, it is nonetheless more effective than the UN when it comes to security. Its chief contribution has been the Code of Conduct (CoC).

The CoC is considered one of the most important normative documents adopted by the OSCE. It is a coherent set of operational rules that apply to both international and internal conflicts. Political stability, democracy and the security sector are closely related in the Code. The general conditions it sets out include: a comprehensive concept of security (which encompasses respect for human rights, economic cooperation and respect for the environment) and security taken as an indivisible concept (the security of each state is linked to the security of the rest).

This code, a form of soft-law, is the result of experience acquired and can guide future actions. It functions on the basis of trial and error. However, the content of the CoC is sufficiently vague as to allow the

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commitment to be fulfilled in various ways. Irrespective of its legal nature, the document is one of the chief innovations introduced by the OSCE in relation to SSR, and inspires the subsequent practice of OSCE missions and also that of other international organisations like the UN itself. It is a dynamic reference that is constantly adapting to cases and developments in the security environment.

The OSCE's action has been focused on the Balkan region, Eastern Europe and the South Caucasus.

Some specific operations carried out by the OSCE have taken place in Bosnia, Serbia, Montenegro, Macedonia and Azerbaijan. Each of these missions has its particular characteristics and is adapted to the nature of the host country.

Montenegro is an example of success. The country's main problems revolve around the working of the judicial system and police in relation to aspects of crime, particularly organised crime. The mission is much more recent than most of those that are currently operating in the Balkans, as it was only established in July 2006. It was soon found that Montenegro was on its way to democratic consolidation and membership of the organisational structures of the Euro-Atlantic area. The adoption of a constitution marked significant process. In the field of SSR, Montenegro established a Ministry of Defence directed by a civilian, abolished compulsory military service and began to build up an army of 2,500 professional troops, dissolved the military intelligence services and Military Security Agency, adopted a national security strategy and passed laws on the army and defence, defence strategy and military doctrine.

Macedonia, for its part, has been an example of prevention. The mission has now been running for over 15 years and is the longest established in the region. Activity has been concentrated on teaching the Macedonian police democratic values. Now the authorities should be able to continue along the path of reforms by themselves.

Moving away from the multilateral context, we go on to focus on the European Union, which is a potential leader of SSR, among other reasons because SSR is not a new area of commitment for the EU, which has developed many of the principles that inspire SSR through its policies and enlargement itself.

Although the spirit that regulates support for SSR in Europe should be identical for all Member States, the approaches and methods of

implementation may vary according to the strategic frameworks and national contexts. The Union's policies and instruments of external action are development cooperation, enlargement, the stabilisation and partnership process, the European neighbourhood policy, conflict prevention and crisis management, and the external dimension of the area of freedom, security and justice. The promotion of democracy and human rights is a cross-cutting issue that is an integral part of practically all policies and agreements with third countries.

EU action in SSR matters is based on the OECD Development Assistance Committee's definition of SSR, which is the definition that has achieved greatest consensus in the international arena.

Actions that fall under the heading of SSR are distributed between the competences of the Council of Ministers and the Commission. As is common practice in the EU, an organisation with a very special legal and institutional nature, one of the main SSR needs is coordination, coherence and complementarity, not only with respect to itself but also to other organisations like NATO.

A coherent approach to SSR has been adopted only very recently. In 2003, with the Solana document, a framework for EU policy towards SSR began to be designed and was adopted by the Council in June 2006. This is the framework for promoting the goals of the EU's Common Foreign and Security Policy (CFSP). Of these goals, mention should be made of conflict prevention and settlement, support for fragile states, reduction of insecurity and eradication of poverty through the consolidation of good governance, democracy and the rule of law in third countries that are EU partners.

The EU's contribution to peacebuilding has been reinforced in recent years, as a result of the increase in crisis management capabilities made possible by the political impetus given to the ESDP. The adoption of the European Security Strategy underlined the need to improve its military crisis management capability. Since adopting the strategy, the EU has performed some twenty missions: military operations, civilian-military support actions, observation missions, support for the rule of law, border control assistance and police missions, among others.

The Council and the Commission have different approaches to SSR. The Council places greater emphasis on conflict prevention and civilian and military crisis management. The Commission has a more

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comprehensive vision based on recognising the link between security and development and centred on the governance approach, the predominant role of parliaments, the independence of the judiciary and freedom of the press. The Commission considers that SSR is the instrument that allows the structural causes of conflicts to be addressed with greater efficiency. Indeed, the Commission's instruments traditionally favour long-term action and allow the root causes of insecurity to be tackled. These two conceptions are in fact complementary.

The problem is the division of competences between pillars and the tensions between the Council and the Commissions. There are specific cases where there has been consensus and coordination, as in the Congo and Guinea Bissau, but greater headway still needs to be made towards greater coherence between their approaches. The Treaty of Lisbon could play an important facilitating role in this connection.

In any event, the Union's action in support of SSR has been performed, on the one hand, in the area of ESDP and, on the other, within the area of competence of the Commission.

EU action in SSR is chiefly deployed in the Balkans, the countries of the European Neighbourhood Policy, the Northern Caucasus, Central Asia, the ACP countries and Latin America.

Support embraces the reform of the organisations in charge of enforcing law and the judicial and state institutions responsible for managing and supervising the security systems. Numerous activities are likewise aimed at contributing to reinforcing civilian control and the democratic governance of the public sector in general, and to guaranteeing respect for human rights. In relation to these measures, the Commission supports the reinforcement of the capabilities of the regional and subregional organisations responsible for activities linked to the security sector, in addition to the reforms required in the area of peace and security, which can also have positive repercussions on the efforts deployed nationally to reform the security sector.

The aim is to provide, according to Churruca, coordinated support to the various sectors of the reform process. The Union should guarantee greater synergy between the bilateral support provided by the Community and that supplied by the Member States and furthermore improve coordination between ESDP missions and the action of the Community and Member States.

Arteaga analyses in detail the SSR situation in Spain, and puts forward a proposal for its inclusion in defence policy. His chapter is devoted chiefly to examining the instrumental value of SSR for states considered individually.

In the past cooperation was basically managed by defence attachés posted to overseas embassies and consulates. It has evolved towards defence diplomacy (DD), which encompasses many of the elements that make up SSR. DD preserves the bilateral sense of collaboration but has broader functions than those of the defence attachés. Among others, security and not only defence actors representing a ministry, the police or an agency to a third country, institution or international organisation are being incorporated into the foreign service.

The United Kingdom was the first to recognise the importance of DD. In addition to granting it an identity of its own, it included the participation of civilian and military components, cooperation between various government departments and an independent budget in order to guarantee its functioning. Designed to allow the non-military contribution of the armed forces in conflict prevention and settlement tasks, the creation of DD was accompanied by a team for supervising the development and implementation of this new concept. But in 2003 the United Kingdom replaced the concept of DD with that of defence relations. This is a proactive approach to defence diplomacy in accordance with the new international security context after the 11 September bombings, in which the need to shore up fragile states to prevent the emergence of more failed states called for an approach to intervention that acted equally on the causes and solutions of problems.

Focusing exclusively on Spanish bilateral military cooperation, we should point out that SSR, in our country, is linked to the period of transition to democracy. The adaptation of Spanish defence is, in itself, an example to be exported to third countries as a good practice. Nonetheless, even today we are far from having undertaken a thorough reform of the security sector. 2003 saw the first steps towards the embracing of a similar vision of SSR under the formula of defence diplomacy.

We have few SSR instruments. Our collaboration in this field is limited to action in the framework of international organisations and individual actions performed by civilian, military or police representatives.

But although Spain has less of a tradition of international cooperation in the security sector, this has become widespread in recent years in

relation to classic cooperation programmes and those applicable to SSR. A few examples are:

- The contribution of Spanish police to SSR programmes is divided between preventive and reactive actions.
- The Civil Guard does not have a unit that specialises in SSR, but the International Cooperation Section of the Civil Guard Directorate Office has coordinated several post-conflict missions. In addition to conducting missions related to policing, the protection of human rights and the protection of embassies, the Civil Guard has provided technical assistance in Angola, El Salvador, Mozambique, Guatemala, Nicaragua, Croatia, Costa Rica, Bosnia-Herzegovina and Albania.
- Within the catalogue of SSR actions, Spanish international civilian cooperation has centred on facilitating the accession of candidate countries to the EU and on carrying out twinning projects. We have also progressively evolved towards closer cooperation in the police, judicial and development fields.

Up until now Spain has not developed a conceptual underpinning for SSR, which needs an identity of its own in order to prevent the dispersal of missions and actions undertaken in isolation. It therefore needs a SSR strategy, system and policy.

Arteaga conducts a detailed study of the SSR models adopted by the United States, the United Kingdom, Canada and France. In principle, the Anglo-Saxon model seems to be the most advanced. It is based on vertical, horizontal and third-country coordination.

The characteristics required of an instrument of security sector reform could be, among others: a comprehensive, multidimensional approach, complementarity with other actions and initiatives, creation of intermediary bodies that facilitate the interaction of the different agencies and units, non-improvisation and design of a prior strategy, determination of the ultimate goals and implementation of a comprehensive approach. The instrument that facilitates and promotes SSR in Spain should have a preventive aim, which is generally more associated with bilateral than with multilateral action.

Lack of habit in collaboration between cultures as different as the military, diplomacy, police, judiciary, development, border control and penitentiary environments, among others, makes it difficult for them to accept the imposition of the leadership of a sole agency. Indeed, the experience of SSR makes it advisable to use mediators who facilitate their interaction and to externalise conflictive decisions.

Trends in integration are pointing in the direction of integrated and multisectoral organisational models. On the one hand, each department tends to integrate all its instruments applicable to SSR, whereas on the other, departments that are already integrated tend to become integrated in turn under the leadership of bodies specialised in managing integration. In the cases of the United Kingdom and Canada, it has been found that the emergence of these intermediary agencies creates less resistance among the actors belonging to the defence, home affairs and development spheres than the traditional models of coordination.

Spain does not have a general security strategy in which to frame the government's SSR strategy. As a result, each ministry or agency draws up its own strategy without any guidelines from above to go by.

With the establishment of a permanent, stable interministerial coordinating body with funds of its own, an effective and coherent contribution could be made to interministerial action and measures conducive to the integration of its own capabilities, actors and activities within the sphere of defence could be broadened.

Of the models described, it is not as simple as recommending one that is easily importable, as each relates to a different national context, though the characteristics most appropriate to the case of Spain can be listed:

- A more prominent role for permanent, structured and specialised bodies formed by a basic core that can be enlarged should the need arise.
- It should be possible to integrate the bodies into multilateral organisations that in turn integrate several departments within their own sector.
- it should be equipped with supervisory and self-assessment mechanisms, a fundamental requisite for remedying shortcomings and improving the strategy.

According to Arteaga, the Directorate General for Defence Policy of the Secretariat General enjoys a central position allowing it to integrate all the ministry's dimensions and departments both vertically and horizontally. Another element that needs to be incorporated into the system is the network of representative offices abroad (pertaining to DD).

Spain requires a body devoted specifically to DD that can serve as a reference point. The action of the Ministry of Defence in SSR matters should be geared to carrying out this integration within its sectoral area.

Final conclusions: as assessment of the progress made in SSR the perspective...

The Ministry requires a permanent organisation that deals with intra- and interministerial coordination. Intraministerially, the new body should integrate the functions of all the defence bodies related to SSR or to defence diplomacy, without overlapping. Interministerially, it should maintain relations with the rest of the ministerial bodies and agencies in charge of SSR.

So far, the Interministerial Commission for International Cooperation (CICI) of the Ministry of Foreign Affairs and Cooperation is the sole mechanism available for the interministerial coordination of SSR missions. However, its current design grants the Ministry of Foreign Affairs and Cooperation a leading role which, in the multidimensional environment of SSR, could be avoided in order to bring about a shift from simple coordination through periodic meetings to more stable comprehensive mechanisms that allow the challenges of SSR missions and projects to be addressed. The predominance of the development dimension to the detriment of the other dimensions of SSR undermines the possibilities of the coordination mechanism. The design of the CICI seems appropriate for reconstruction missions in which the security and defence elements are secondary or structural, but not for reconstruction missions that involve additional security and defence dimensions to those of development.

Both in Spain and internationally, we possess capabilities for SSR assistance, human resources and experiences, but bodies, strategies, best practices and integration and coordination mechanisms have yet to be fully defined in order to raise SSR to the status it deserves.

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