

Eden Cole, Philipp Fluri (Eds)

**DEFENCE AND SECURITY SECTOR
INSTITUTION BUILDING IN THE
POST-SOVIET CENTRAL ASIAN STATES**

Brussels/Geneva 2007

ISBN 966-626-388-2

Defence and Security Sector Institution Building in the Post-Soviet Central Asian States / Eden Cole, Philipp Fluri (Eds) — Луганск: “Книжковий світ”, 2007. — 112 с.

This edition comprises the findings of the studies focusing on the current security sector reform status and needs of the five Central Asian Republics. The findings concerned are the result of a series of activities organized by the Geneva Centre for the Democratic Control of Armed Forces on Partnership for Peace mandates from the Swiss Ministries of Defence and Foreign Affairs and are intended for the broad public.

Это издание включает результаты исследований состояния реформирования сектора обороны пяти Центрально-Азиатских республик. Данные были получены в результате исследований, организованных Женевским центром демократического контроля над вооруженными силами (ДКВС) в рамках программы “Партнерство ради мира” по поручению Министерства обороны и Министерства иностранных дел Швейцарии, и предназначены как для профессионалов, так и для широкого круга читателей.

ISBN 966-626-388-2

© Geneva Centre for the Democratic Control of Armed Forces, 2007

TABLE OF CONTENTS

Preface	5
Note	6
Introduction	7
Republic of Kazakhstan	10
Part A: Basic Defence Management Laws and Regulations	10
Part B: Defence Institutions within the General Government	11
Part C: Defence Institutions within the Defence Sector	13
Kazakhstan’s 2030 Agenda	16
Kyrgyz Republic	34
Part A: Basic Defence Management Laws and Regulations	34
Part B: Defence Institutions within the General Government	35
Part C: Defence Institutions within the Defence Sector	37
General Background	39
Republic Of Tajikistan	59
Part A: Basic Defence Management Laws and Regulations	59
Part B: Defence Institutions within the General Government:	60
Part C: Defence Institutions within the Defence Sector	62
General Overview	64
Turkmenistan	77
General Background	77
Republic Of Uzbekistan	95
Part A: Basic Defence Management Laws and Regulations	95
Part B: Defence Institutions within the General Government	96
Part C: Defence Institutions within the Defence Sector	98
General Overview	99
Conclusion	109

PREFACE

On Partnership for Peace mandates from the Swiss Ministries of Defence and Foreign Affairs, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) organised a series of activities in and for countries from the Former Soviet Union and the Western Balkans during 2006. The activities concerned comprised country profiles and needs assessments and various types of capacity building programmes for governmental and non-governmental experts (for details see the DCAF website at www.dcaf.ch).

Given the growing political and scholarly interest in Central Asia's reform processes, the programme directors decided to make available in this volume studies focusing on the current security sector reform status and needs of the five Central Asian Republics. Proceedings of the capacity building workshop (co-organised with the Austrian Defence Academy) held at the end of 2006 will be published later this year in the DCAF-LaVAk series.

The editors would like to thank the Swiss Ministries of Defence and Foreign Affairs for the mandates and substantial financial support. The opinions expressed in this volume are those of the authors and neither represent nor should be mistaken for official Swiss positions.

Thanks also go to Dr. Erica Marat for her diligent analytical work, and Melissa George, Laurence Durig and Alison Buchanan for preparing these texts for publication. Sveta Loboda and her team again took care of all printing aspects of this third volume in the DCAF Defence and Security Sector Institution Building series. Earlier volumes on the Western Balkans and Ukraine are available on the DCAF website.

Brussels and Geneva, Easter 2007

The Editors

**PARTNERSHIP ACTION PLAN — DEFENCE INSTITUTION BUILDING STATUS
AND NEEDS REPORT**

**CENTRAL ASIAN STATES: KAZAKHSTAN, KYRGYZSTAN, TAJIKISTAN,
TURKMENISTAN, AND UZBEKISTAN**

ERICA MARAT, PH.D.

Research Fellow at the Eurasian Studies Department, University of Uppsala

Visiting Researcher at the Central Asia - Caucasus Institute, School of Advanced

International Studies, Johns Hopkins University

NOTE:

In this report, I have tried to collect all existing military and security documents accessible through public venues. Documents from Kazakhstan and Kyrgyzstan are freely available online on public and private websites. However, I encountered substantial difficulties while working on documents from Uzbekistan, Tajikistan and Turkmenistan. Although Tajikistan and Uzbekistan have military doctrines, these documents are not posted on the Internet. For that reason, I contacted the embassies of Uzbekistan and Tajikistan in Washington, D.C. However, in both cases, I received negative feedback. Therefore, not having official documents, I researched policy articles produced by the Tajik and Uzbek governments. In Turkmenistan's and Uzbekistan's documents defence structures and institutions are vaguely defined. For instance, Turkmenistan's law "On Civil Defence" has many inconsistent statements and is often repetitive. Interestingly, I found some similarities between Kazakhstan's and Kyrgyzstan's documents, and between Uzbekistan's and Tajikistan's documents. Please note that statutes promulgated by these documents largely deviate from the actual behaviour of the Central Asian governments at times of terrorist outbreaks or border conflicts between violent non-state actors and national troops.

INTRODUCTION

REPUBLIC OF KAZAKHSTAN

Kazakhstan's military doctrines, which were adopted in 1993 and 2000, present different understandings of national security and the means to sustain this security. There is an obvious shift in security threat perceptions and in the understanding of the importance of the national Armed Forces in coping with security issues. Kazakhstan has been restructuring its forces into three branches – ground, air and naval – since 1991. In 2003, the General Staff was restructured into the Chief of Staff Committee, which allowed for the clarification of functions within the Ministry of Defence.

Importantly, Kazakhstan has been investing heavily in the development of its Naval Forces on the Caspian Sea. From 2004-2005, Kazakhstan actively cooperated with Turkey and Russia to build up its Naval Forces. According to the Kazakh Ministry of Defence, which is also the main coordinator of the development of the country's Naval Forces, Kazakhstan is developing its own military industries for its Naval Forces. The Naval Forces will include the naval infantry, coastal artillery, and military flotilla. Collectively, these forces work to prevent terrorism on the sea. Naval activities are also aimed at the protection of the region's oil mining installations. The Naval Forces Headquarters are located in Aktau.

Kazakhstan is the only country in the region whereby a small number of recruits are drafted on a voluntary basis. Though official data on the number of voluntary recruits is unavailable, these recruits usually serve in elite battalions. Annually, the Ministry of Defence organizes military drills for its elite forces. In 2003, Kazakhstan sent 27 soldiers to Iraq.

With its ample natural resources and fast economic growth, Kazakhstan is capable of reforming its military forces by converting them into a professional and well-equipped structure. However, the Kazakh Government and Parliament lack transparency. Most decisions on developing the security sector are taken by the centralized government under the strong control of President, Nursultan Nazarbayev, and the Minister of Defence, appointed in 2001, Mukhtar Altynbayev

KYRGYSTAN

Kyrgyzstan's recent constitutional reform process stripped the President of his major powers, including the ability to appoint ministers. The reform process enhanced the Parliament's role in government formation.. The constitution elevates the importance of parliamentary committees, whereby the Parliamentary Committee on Defence and Security has gained greater leverage over significant appointments within the various ministries. Furthermore, the new constitution places the National Security Service under the government's control, thus narrowing the President's ability to dominate in the security sector. Recently, the Kyrgyz Parliament proposed to establish a military ombudsman. Kyrgyzstan is also the first Central Asian state to develop a bill on civil-military relations and parliamentary control of the Armed Forces.

These changes were achieved largely thanks to the active participation of Kyrgyzstan's civil society organizations and independent mass media outlets. However, Kyrgyzstan's ambitions to restructure and professionalise its Armed Forces and secure a more democratic climate across its public structures are often undermined by its weak economy. Intentions to democratize are also undermined by a level of corruption which permeates all government structures. The Transparency International (TI) group rates Kyrgyzstan and Tajikistan as the most corrupt of the countries in the Commonwealth of Independent States (CIS).

Thus, there is an advanced understanding in Kyrgyzstan of what is needed for democratization and development of the national security sector. Nonetheless, economic weakness, soaring corruption, and a lack of experience in democratic governance impede the successful implementation of reforms.

REPUBLIC OF TAJIKISTAN

Although Tajikistan's military doctrine, which was adopted in May 2005, outlines a number of ambitious reforms in the military and security sector, the document significantly parts with the real ability of the government to introduce any meaningful changes. After being re-elected in the November 2006 elections, the Tajik President, Emomali Rakhmonov, sought to increase his political dominance by restructuring the government according to his own interests. Rakhmonov sacked Mirzo Zieyev, a representative of the opposition political party Islamic Renaissance, from the position of Minister of Emergencies. Zieyev was among the last members of the opposition to occupy a high position in the government. Further, Rakhmonov joined the Border Guard Service with the Ministry of Security, thus further centralizing control over security structures. The Border Guard Service is a key structure in the national security domain, especially after the Tajik side assumed control at the Afghan-Tajik border in 2004.

In the aftermath of the end of the Tajik civil war, the Tajik Army represented an entity scattered across the country and disloyal to the state. At present, control over the Armed Forces is in the hands of the executive and it, therefore, remains quite centralized. Such centralization of control over the Armed Forces has meant that the military doctrine was adopted almost a decade after the end of the civil war. Endorsing the document after 2000 was, however, virtually impossible because several figures within the government (ministers and deputy ministers) were unwilling to engage in power-sharing. Even the current document, which was approved after years of discussion, does not represent the existing informal division of control over the Armed Forces.

TURKMENISTAN

Information on Turkmenistan remains scarce. The Turkmen President, Saparmurat Niyazov, has replaced numerous civilian experts in public institutions with military personnel. These institutions include health and education domains. Niyazov's regime intensively indoctrinates national military personnel. Accordingly, the international community's involvement in the domestic affairs of the country is minimal

REPUBLIC OF UZBEKISTAN

Uzbekistan's security documents are closed to the public. Uzbekistan's intelligence service is the most active in the region. Uzbekistan has also established close ties with its Kyrgyz and Tajik counterparts in an effort to persecute opponents of President Islam Karimov's regime. Uzbekistan is becoming increasingly alienated from its neighbours as a consequence of its unilateralist security policy which does not facilitate the building of security relations on an inter-state level. Today, the leaders of competing clans from Samarqand, Ferghana and Tashkent are challenging Karimov. Should Karimov's regime weaken, the nation's military personnel are likely to submit to and protect influential leaders from their clans, rather than execute government orders. Such dynamics were noticeable in the May 2005 riots in Andijan, a city located in the Ferghana Valley, when Karimov deployed troops from Samarqand to suppress crowds. This was done to prevent the Armed Forces from taking the side of the civilian protestors. In the aftermath of the Andijan events, Uzbekistan closed down most international organizations, including the Soros Foundation and Freedom House. Virtually all local NGOs were also shut down. Although the Uzbek military doctrine promulgates the necessity to downsize military personnel, this is yet to be achieved.

REPUBLIC OF KAZAKHSTAN

Part A: Basic Defence Management Laws and Regulations

Government structure, reporting and management relationships are depicted in Kazakhstan's Constitution.

The defence sector

Key laws referring solely to the armed forces (organisation of the Ministry of Defence, mobilisation, military service, acquisitions, requisitions in times of war, territorial defence):

- Law "On National Awards" (December 1995)
- Law "On Mobilization Training and Mobilization" (July 1997)
- Decree "On Authorization of Rules of Usage of Arms and Armaments" (September 2002)
- Decree "On Authorization of a List of Classified Military Towns Armed with Defence Technologies" (July 2004)
- Decree "On Some Issues of Permission of Activities in Development, Production and Supply of Military Technologies" (July 2004)
- Law "On Military Police Structures" (February 2005)
- Law "On Military Duty and Military Service" (June 2005)
- Decree "On Authorization of Rules of Military Transport Responsibilities in the RK" (July 2005)
- Law "On Defence and Armed Forces of the RK" (December 2005)
- Decree "On Authorization of Rules and Provision by State Structures of Preparation of Civilian Population for Military Service" (May 2006)
- Decree "On Authorization or Rules of Military Duty Registration" (May 2006)
- Decree "On Authorization of Organizational Rules of Conscription of Civilians into Military Service" (June 2006)

Political documents detailing the country's defence policy (Governmental programme, national security strategy or concept, white papers on security and defence etc.)

- Strategy of RK's Development until 2030
- National Security Strategy (1999)

The defence planning documents made public or with unrestricted access (military strategy, procurement strategy, doctrines, defence planning directives, budgets, programmes etc.):

- Law "On Border Service of the National Security Committee" (January 1993)
- President's decree "On Republican Guard" (December 1995)

- Law “On Civil Defence” (June 1997)
- The Military Doctrine of the RK (February 2000)
- Law “On National Defence Order” (January 2001)
- Law “On State of Military” (March 2003)
- Decree “On Issues of Protection of the National Border” (July 2005)
- Law “On Preventing Extremism” (February 2006)

Part B: Defence Institutions within the General Government

Table 1 – Structure of General Government Decision Making on Defense Policy

Topic of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
National Defense Policy	Military Doctrine of the RK	Ministry of Defense	President	1993-2000	The first doctrine was issued in 1993 by the MoD; the current doctrine is in an ongoing update
				2000-2030	
National Security Strategy or Concept	National Security Strategy	MoD	President	1999-2005 ¹	Was designed before the military doctrine and contains overarching directives about national security
National Defense Strategy or Concept	RK’s law “On Defence and the Armed Forces of the RK”	MoD with a strong emphasis on the RK’s Constitution and existing international security agreements	President	January 2005-ongoing	The law delineates the powers and responsibilities of the government, president, and parliament in the defense sector
Other national level defense policy documents	RK’s law “On Preventing Extremism”		President	February 2006	
White Paper	Strategy of Kazakhstan’s development until 2030	The government, president	President		The strategy is all encompassing, it includes economic, political, military and cultural developments of Kazakhstan

¹ More recent version of this document is not available

Topic of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency Time Spent	Status
Procurement Strategy	Procurement strategy is depicted in the law “On Defense and the Armed Forces of the RK”			December 2005-ongoing	
Defense Planning Directive	The military doctrine differentiates between three types of conflicts: low, medium, and high intensity. Some directives are also listed in the RK’s law “On Defense and the Armed Forces of the RK”				
Defense Budget	Defense Budget	MoD’s Budgetary Board under the chairmanship of deputy Defense Minister and Finance Minister	In accordance with the medium-term fiscal policy of the government of the RK	2006-2008, 1-1.2% of the GDP	The MoD budget will form during 2006-2008

The Parliament alone has the power to endorse or reject defence policy documents which are submitted for its approval. The Parliament follows party or coalition lines in deciding on defence matters. The President chairs a national defence council where all defence decisions at the presidential level are taken. The President has an independent body/staff of experts on defence working solely for him/her. The role of the Prime Minister is not explicitly defined in the constitution or the relevant legislation. The Prime Minister observes the decisions taken by the Council of Ministers without independent analysis.

The Minister of Defence issues defence policy documents that are submitted to the President for his/her approval, after the endorsement of the Council of Ministers. The Minister of Defence has an independent body/staff of defence experts working solely for him/her.

Before any strategic document on defence policy is issued for endorsement, it is unclear if there are any legal or customary provisions for formal guidance administered by a higher authority.²

Both the defence procurement and the general government procurement systems are transparent for industry, business and the public.

² Answering this specific question was not feasible given time and resource restrictions. The issue requires more in-depth analysis based on process-tracing methodology.

All contracts are authorised by the Minister of Defence.

The current financial/budgetary arrangements are introduced primarily for the defence sector and they are subsequently extended to the general government. The defence budget is approved at the same time as the general government budget. The reporting system for the defence budget is similar to that of the general budget system.

The allocation of the portion of the defence budget from the general budget is managed at the executive level (the cabinet) with the participation of the Minister of Finance, while the distribution of budgetary allocations among the services, programmes and chapters is administered by the Minister of Defence.

The main sources of knowledge the general government authorities use to fulfil their obligations for formulating national defence policies are models and examples from other nations with a recognised success in good governance and/or sound national defence planning. Development of Russian legislature in the defence sector plays a leading role in the way in which RK formulates its own national defence policies. United Nations (UN) principles, the Organisation for Security and Cooperation in Europe's (OSCE) Code of Conduct and Partnership for Peace (PfP) cooperation are mentioned in the military doctrine as national defence sector priorities.

Besides the government's strategic research institute, there are a number of non-governmental research institutes working on defence matters. Public institutions have acquired the status of academic organisations. Private institutions are, in part, economically dependent on public funds and the Ministry of Defence may supervise their scientific research. Some private institutes are of a more general scope (security, international relations, transparency etc.) but they occasionally produce work on defence issues. The main products of those institutions are occasional papers and review series. Their publications have very limited relevance in the government's or parliament's work. There are no officially or privately commissioned surveys on defence issues. Occasionally, local mass media outlets publish review articles on the defence sector.

Part C: Defence Institutions within the Defence Sector

Table 2 – Structure of Decision Making on Defense Policy at Defense Sector Level

Type of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
Procurement Policy	Decree "On Some Issues of Permission of Activities in Development, Production and Supply of Military Technologies"			July 2004 – ongoing	Public

Type of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
Personnel policy	Law “On Military Police Structures” Law “On Military Duty and Military Service”			2005 – ongoing	
	Decree “On Authorization of Organizational Rules of Conscription of Civilians into Military Service”			2006-ongoing	
Military education policy	Issues of military education are depicted in the law “On Defense and Armed Forces of the RK”	Parliament	President	2005-ongoing	
Public information policy					
Other defense policy documents	Law “On Defense and the Armed Forces of the RK”	Parliament	President	2005-ongoing	
Military Strategy					
Force planning directives	Law “On National Defense Order”	Parliament	President	January 2001 – ongoing	
Training doctrine					

Defence sector policies are made public by being published online, on the Ministry of Defence’s official website and a number of other local websites.

Authorised divisions within the Ministry of Defence and the Minister of Defence itself participate in the drafting of defence policies.

Defence policy documents at the national level, such as the National Security Strategy and Kazakhstan’s 2030 Agenda, are used as sources in the establishment of strategies, policies and directives within the defence sector.

Assessment made on defence policy documents at the national level, such as the National Security Strategy and Kazakhstan’s 2030 Agenda, represent a base for assessing security and defence risks and threats mentioned in strategies, policies and directives within the defence sector.

Decision-makers at the political level decide on defence requirements upon the request and advice from the top military echelons. An internal debate at the military level is facilitated by input from civil service personnel.

Organisational charts approved by the higher echelons are the main organizational documents governing military structures.

There is a force planning system and a separate resources allocation system.

There is a top-down allocation system (higher echelons allocate resources they consider appropriate for lower echelons).

The defence planning system is organised according to departmental and service programmes and all programmes are listed with their order of priority (see law “On Defence and Armed Forces of the RK”).

There is no regulated requirement for defence planners to develop planning assumptions, recommendations or alternatives for the commanding officer or civilian dignitary before a certain course of action is determined.

The corps of defence planners is mostly composed of military experts. However, it is guided by a civilian president.

Republic of Kazakhstan (RK)

KAZAKHSTAN'S 2030 AGENDA

Since the late 1990s, Nursultan Nazarbayev has been actively promulgating the Kazakhstan 2030 Agenda, which describes Kazakhstan's developmental strategies and aspirations up until 2030. In particular, the agenda aims at (1) Kazakhstan's active integration into the international economy; (2) Modernization and diversification of Kazakhstan's domestic economy; (3) Effective social politics; (4) Development of the country's education system; (5) Democratisation and modernization of democracy in Kazakhstan; (6) Building a national security strategy that would correspond to modern threats and challenges; (7) Enhancing international cooperation.

Kazakhstan's military doctrine, as well its law "On Defence and Armed Forces" largely follow the guidelines set by the 2030 Agenda. In particular, the documents officially refer to its 6th section which defines national security strategy priorities. In his state of the nation speech on 1 March 2006, Nazarbayev emphasized the following issues in the national security strategy, which are to be undertaken within the framework of the 2030 Agenda during the remaining period of Nazarbayev's presidency (2006-2012)³ :

- Strengthening the national sovereignty and territorial integrity of Kazakhstan on the basis of the military doctrine. The military doctrine must stipulate the formation of a professional army that would be compatible with international standards. The army must be equipped with modern military technologies that will correspond with the existing security threats and challenges. To achieve these goals, the defence budget must be increased.
- International cooperation to fight terrorism, organized crime, and trafficking in arms and illicit drugs must be strengthened. Kazakhstan must increase security cooperation with the Central Asian states within the Collective Security Treaty Organization (CSTO) and Shanghai Cooperation Organization (SCO), as well as joint activities with NATO's anti-terrorist initiatives and operations.
- Corruption in the state is defined as a national threat to social stability.

OVERALL STRUCTURE OF THE ARMED FORCES:

The current Armed Forces of Kazakhstan are managed by six levels of control agencies. The central executive agency is represented by the Executive Officers Committee within the Ministry of Defence which officially stands above the Supreme Command of the entire Kazakh Armed Forces. Both executive structures are followed by a four-levelled regional command.

The Kazakh military, which constitutes the region's strongest, encompasses a significant number and a great diversity of units. There are four military districts in Kazakhstan: "West" based in

³ A complete transcript of the speech is published in *Kazakhstanskaya pravda*, 1 March 2006.

Aktobe, “East“ in Semipalatinsk, “South“ in Taraz, and “Astana“ in Astana, which is the Kazakh capital located in the northern part of the country. According to the President, the primary goal of the Kazakh Ministry of Defence was to reorganize the National Armed Forces into three categories and two types of troops. Three reforms in the RK’s armed forces were announced in the late 1990s, together with the adoption of a new military doctrine. Reforming Kazakhstan’s Armed Forces included restructuring its Ground, Air Defence and Naval Forces, as well as separating missile and artillery armaments. Another aspect of the reform process was administrative in nature. It was aimed at the decentralization and redistribution of control over the military sector among governmental structures and the legislative branch. The country’s military districts were rearranged into regional commands, which potentially would be capable of enhancing operational-strategic problem solving at the district level. Another significant long-term element of the reform of security structures involved increasing the quality of professional training. The national system of military education is being transformed into specialized vocational training schools, with the intention of preparing cadres in various fields according to the specific categories of Kazakhstan’s security structures. Annually, the Kazakh government sends hundreds of students to military schools in Russia, the US, European and Commonwealth of Independent States (CIS).⁴

THE MILITARY DOCTRINE

Since gaining independence in 1991 and until 2006, Kazakhstan endorsed two military doctrines. The first doctrine was written over a two-year period following independence. It was adopted in April 1993. The early and the latter documents share similarities and differences with regard to threat identification, definition of a conflict, and military planning. Since Kazakhstan was a part of the Soviet nuclear complex, the principal distinction of the first doctrine was the country’s post-Soviet security approach in viewing its geopolitical role as being an indispensable actor in the bipolar struggle.⁵ At the same time, besides upholding the Soviet threat perception during the independence period, the country faced the task of forming an army capable of functioning under national control. According to the doctrine, the Kazakh armed forces were set to undergo a thorough restructuring, a process that was intended to lead to the establishment of a professional army by 2000. Such goals meant high military expenditures and professional expertise.

The first military doctrine did not provide any precise definitions of a threat to Kazakhstan’s national security, nor did it describe the types of military actions in which the country may be politically or militarily involved. This inconsistency triggered criticism from civil society institutions. In 1994, Kazakhstan’s Institute for Strategic Studies accused the doctrine of “being based on outmoded Soviet precepts that did not fit present day realities. The institute’s experts suggested that the doctrine, instead of focusing on military actions with another state, should target the national security structures constructed to fight smaller scale conflicts at border areas, in particular on Kazakhstan’s frontier with China.

⁴ Laimulin, Murat. Presentation at a seminar organized by the Geneva Centre for Democratic Control of the Armed Forces (DCAF), Geneva, November 2003.

⁵ “Kazakhstan Failed to Fully Implement First Military Doctrine,” excerpts from report by Kazakh Khabar TV on 14 February, accessed at <www.eurasia.net>.

The current Kazakh military doctrine was adopted in February 2000. Unlike the earlier version, the new doctrine was developed against the backdrop of general economic recovery in the late 1990s. Kazakhstan's annual GDP grew by 9.6% in 2000 and the country's external debt was paid back. Security structures were able to place greater reliance on domestic financing and move away from Russian dependence. Local military scientific institutions also witnessed new developments. In 2001, the Kazakh government issued a decree to create a Higher Naval School to protect oil platforms on the Caspian Sea. According to Kazakhstan's second military doctrine, the main goal and rationale for the formation of the National Armed Forces and other military structures in Kazakhstan lies in the provision of defensive mechanisms against external aggression and military threat from another state.

Another salient difference between the two doctrines lies in the fact that the current military document provides more detailed definitions of threats and response mechanisms in cases where national stability is challenged. It rigorously differentiates between various degrees of possible instabilities at the local, regional and global levels. The present doctrine recognizes new types of challenges emerging at the regional level, which are capable of potentially provoking domestic insurgencies against the local civilian population, as well as the ruling regime.

The current military doctrine includes three interconnected parts: the military-political basis, the military basis of the protection and defence of the country, and military-economic procurement in relation to the military defence structures of the RK. The military doctrine states that any external military conflict is inadmissible as a means for resolving interstate and intrastate disagreements.

In providing national military security, the RK abides by the following principles:

- Recognition of sovereignty, inviolability of national borders, territorial integrity of other states and non-interference into their internal affairs;
- Sustaining friendly relations with all states on the basis of mutually beneficial cooperation and understanding;
- Provision of security of the RK without damaging the security of other states and universal security;
- Increasing the level of trust and openness in the region's military sphere;
- Peaceful settlement of interstate disputes;
- Deployment of the Armed Forces, military and martial units in accordance with international regulations and a national legal system;
- Compliance with international obligations and reaching the goals set in international agreements in which the RK is a member;
- Participation in global and regional security systems that are directed at conflict prevention, peacekeeping and peacebuilding;

- Building the Armed Forces, military and martial units along the lines of RK’s political “Strategy of Developmental until 2030;”
- Assisting the global non-proliferation regime;
- Abiding by the global regulations of arms transfers, military equipment, and military and dual-use technologies, as well as abiding by the international agreements in this field.

International cooperation for conflict prevention, strengthening international security and stability includes:

- Cooperation with the CIS states under the aegis of CST on a bilateral and multilateral basis. At the regional level, with the states of the Central Asian region and member-states of the SCO;
- At the global level, with the UN on the basis of international legal norms.

Threats to the military security of the RK

External:

- Ongoing and potential sources of armed conflict in the direct proximity of the national borders;
- Possible infiltration of armed gangs, extremists, and international terrorists on the national territory;
- Possibility of regional destabilization due to excessive military build-up of some states;
- Expansion of WMD in the Asian region and the possibility of acquisition of WMD by terrorist groups.

Internal:

- Declining military readiness and capacity of the Armed Forces to conduct rapid mobilization, or to provide adequate deterrence to military threats;
- Insufficient development of military-industrial potential, dependence of the Armed Forces on military-technological procurement from other states;
- Attacks by armed gangs and terrorist groups on public and military sites;
- Illegal transfer of arms, armaments, and explosives;
- Formation of armed gangs for the purpose of undertaking sabotage and/or terrorist acts on the territory of RK;
- Propagation of extremism and separatism.

Administration of military security matters

Military security matters are administered by the President and government of the RK on the basis of the Constitution and legislation.

This includes:

- Establishing the structure, determining the necessary capacity of the Armed Forces, other military and martial units, support of the required level of military and mobilization readiness;
- Providing for the protection and defence of the national border of the RK, preparing and conducting activities aimed at civilian and territorial defence;
- Executing all issues pertaining to military-technical aspects, developing armament programs, military technology and science;
- Conducting activities related to mobilizing the national economy and the public sector, as well as ensuring overall functioning during times of war;
- Preparing the population and state infrastructure for defence activities;
- Generating supplies of material assets for public and mobilization reserves;
- Preparing citizens of the RK for military service by reinforcing mobilisation and human resources in the event of war;
- Coordinating activities of the public sector in the event of war;
- Implementing procedures that ensure environmental protection during military activities in times of peace;
- State inspection of the Armed Forces, other military sectors and martial units.

The President of the RK is the Commander-in-Chief of the Armed Forces of the RK. The Security Council of the republic is a consulting and advisory body dealing with issues of defence and security. It also contributes to the decision-making process with the President particularly on issues pertaining to the security provisions for civilians, the society and the state.

The government, as such, is responsible for the following: developing defence capacity provisions; aspects related to military security; organizing the activities of the subcommittees dealing with the military security provisions; mobilizing national economy; procurement of the Armed Forces; military and special technologies, financial and material procurement, the provision of strategic equipment in accordance with the national defence interests; organizing civilian and territorial defence.

Other public structures, local representatives and executive bodies are responsible for the implementation of functions entrusted to them by the law of the RK in provisions pertaining to the military defence.

Control of the Armed Forces is carried out by the Ministry of Defence through the Central Command of Armed Forces. The Ministry of Defence takes decisions on issues related to: national defence; the development of strategies devised for building the capacity of Armed Forces and other military

and martial units: implementing a unified national military-technological policy; developing national programs on military-technological procurement and on national defence acquisition and evaluation of defence needs; coordinating public structures on issues of defence.

The Central Command of the Armed Forces, being the main component of the Armed Forces' operations during peace time: coordinates the development of strategies of army build-up; Reinforces strategic, military and mobilization readiness; organizes and implements the strategic planning of Armed Forces' deployment; as well as plans the deployment of equipment over the national territory for defence purposes.

Administration of other military and martial units is carried out by the respective commanders in accordance with the laws of the RK. Implementation of the military defence provisions during war time, the functioning of public structures and military commandership is regulated by the relevant normative legal acts of the RK.

Types of conflict and military defence

The 2000 doctrine divides conflicts according to their intensity into three types in relation to any potential role and reaction the RK could have in response to the various scenarios.

The first type is described as a global conflict involving the world's military and economic superpowers. The rationale for Kazakhstan's participation in the resolution and prevention of such conflicts is explained by its increased resistance to the use of nuclear weapons on a global scale. Despite the low probability of such a conflict erupting in the foreseen future, Kazakhstan's deployment of peacekeeping troops to Iraq in 2004 falls within this national security strategy.

The second identified type of conflict involves one or more states that are militarily, economically and technologically advanced.. However, it is important to note that the above-mentioned divisions/descriptions of conflict are rather vague and still reflect the ex-Soviet perceptions of what constitutes sources of war.

In the doctrine, the spread of religions extremism is defined as an external threat which could be detrimental to the national security of Kazakhstan, especially if it involves violent acts targeting installations belonging to or representing the state. On the other hand, arm transfers and access to armaments by illegal formations on the territory of Asian states is considered to be both an external and internal problem for Kazakhstan.

The doctrine does not exclude the possibility of domestic armed conflicts. However, it assumes that such conflicts would not be inspired by external forces and directed against the government of Kazakhstan. In that regard, the Kazakh Constitution alleviates domestic tensions while deployment of armed forces during internal conflicts will aim at destabilizing internal public order in the country. The doctrine mentions that as a document representing an integral part of the national security strategy, it is subject to changes and further refinement contingent upon the regional and global security situation. It also states that the national security policy adopts a strictly defensive policy.

The regional imbalance of military power is identified as another potential source of instability on the interstate level. The doctrine states that in the instance that any neighbouring state accumulates “excessive military capacity and capability”, it will be regarded as a threat to the national security of Kazakhstan.

The doctrine’s third category is defined as low-intensity conflict, which can occur within the territory of one state or between various social groups or within two states or more. This category does not include inter-governmental disputes. Rather, It involves terrorist attacks or any armed actions by illegal movements. According to the doctrine, armed forces and other military formations of the country must be maintained in constant combat readiness for localization of low intensity conflicts: “The goal of the Republic of Kazakhstan in case of a low intensity conflict is to prevent the tensions from escalating into greater security problems with minimal costs for the state.”⁶

Conflicts along the border are classified as low intensity and are handled accordingly by the Border Committee (Prigranichnyi komitet) of the Nation Security Committee (Komitet natsional’noi bezopasnosti) with the support of other division of the National Armed Forces.

In sum, the military doctrine of Kazakhstan presumes that external challenges to national stability remain serious and that the security strategy is contingent upon regional developments. The main difference between Kazakhstan and other Central Asian republics in terms of threat perception and identification lies in the fact that the KR’s policy is oriented towards a broader security scope in Asia. In legal terms, this implies that Kazakhstan’s participation in Asian broader security agenda is as likely as its participation in Central Asian regional security arrangements. Accordingly, Kazakhstan’s economic development and more importantly military capability enable it to sustain multilateral approach on various translational levels.

The main approaches of the armed forces build-up

The main goal of the military build-up in RK is the establishment of well equipped and highly mobile Armed Forces that are able to provide protection for the strategic national interests of the country from potential military threats.

The main principles defining the military build-up are the following:

- Reinforcement of an effective civilian control mechanism over the activities of the Armed Forces, other military and martial unites in combination with the centralization of control over the military
- Maintaining military and mobilization readiness to the extent that it ensures the military security of the state
- Maintaining the ability and adequate military build-up necessary for responding effectively to military threats including the early preparations of mobilization reserves

⁶ Voennaya doktrina Respubliki Kazahstan (v izlozhenii) [Military Doctrine of Kazakhstan], at <<http://www.pmicro.kz/>>.

- Protection of civil rights and responsibilities and the provision of social protection to military personnel
- Benefit from existing global experience in the area of military build-up

The main components of the military build-up and reform process are the following:

- Improvement of the Armed Forces' structure by removing units that do not contribute to building the military capacity of the Armed Forces
- Prioritise the development of mobile forces that constitute the backbone of military readiness
- Improvement of the control system and the cancellation of overlapping and inefficient units
- Establishment of the Armed Forces' reserves while taking into consideration the experience of developed countries.
- Development of military infrastructure, building of storage bases for armament in strategic locations.
- Increasing the efficiency of strategic, military and mobilization units of the military and executive units.
- Creation of an effective mechanism for the material and technological procurement of the Armed Forces
- Improving the existing system for military education and training of military personnel and the creation and development of a national military-scientific database.
- The gradual transformation of the Armed Forces' type of contract and professional conscription system and the introduction of voluntary service.
- Increasing the military service's prestige and the creation of an effective social security system for military personnel, their family members and civil servants.
- Humanization of military-civilian relations

International cooperation on military-technological issues:

International cooperation on military-technological issues is conducted on the basis of a balanced problem-solving approach and the provision of a military defence for the RK and its allies. The following issues constitute a priority in terms of international cooperation for the RK:

- Development of mutually-beneficial military and technical cooperation with members states of the CIS and within the Collective Security Treaty [Organization] (CST[O]).⁷
- Widening cooperation in the military field with NATO, within the "Partnership for Peace" program

⁷ The Collective Security Treaty did not have the status of a transnational organization at the time when the RK's military doctrine was adopted.

- Strengthening bilateral cooperation with the Russian Federation, the United States, the Peoples' Republic of China, the Turkish Republic, the Federal Republic of Germany, and other states.
- Participation in military formations and international activities on peacekeeping operations under the aegis of the UN.

The RK coordinates its participation in the CST[O] in the following fields:

- Coordination in terms of the national military policy and military doctrine
- Advancement of a collective security system on the regional level.
- Joint protection of CIS's borders.
- Advancement of a collective system for border control.
- Reinforcing the collective fight against extremism and terrorism.
- Further development of military-technological cooperation.
- Training of professional cadres.
- Development of military science.
- Protection of the rights of the military personnel

The main principles defining the military-technological cooperation of the RK can be summed up in the following aspects: :

- Centralized activities in the field of military-technological cooperation.
- Adherence to the international responsibilities of the RK with regard to arm transfers, military industry, etc.
- Strengthening of national defence industry through international military- technological cooperation
- Mutual placement of orders at defence industrial sites.
- Mutually-beneficial and coordinated politics in arms export.

In the military doctrine's concluding part, it is stated that the doctrine has a strictly defensive purpose and is part of the National Security Strategy. Statements and approaches depicted in the doctrine will be specified in greater details in appropriate legal acts and other normative documents.

ON DEFENCE AND ARMED FORCES OF THE RK

The law "On Defence and Armed Forces of the Republic of Kazakhstan" contains overarching and all encompassing directives on the national security. The law was adopted on January 7, 2005.

It was signed by the President Nazarbayev but it is difficult to assess the role of the parliament and government in designing the law.

After the law was adopted, the law of RK from April 9, 1993, “On Defence and the Armed Forces of the Republic of Kazakhstan“ lost its effect.

The current law delineates powers of the president, parliament and the government; enlists the key principles of the national military politics, functions of local governments and executive bodies; defence procurement directives; applicability of national armed forces and their formation rationale; actions in cases of the state of war.

In greater detail:

Powers of president of the RK in the defence sphere:

- The President is the Commander-in-Chief of the Armed Forces of the RK
- Defines main directions of the RK’s military politics
- Authorizes the RK’s military doctrine, the development and planning or construction of the Armed Forces and other military and martial units.
- Authorizes the implementation of the Armed Forces’ provisions as well as their mobilization
- Carries out overall command over the Armed Forces and other military and martial units.
- Authorizes the structure, number and payment system within the Armed Forces.
- Takes decisions with regards to involving the dispatch of the Armed Forces for missions with the immediate notification of the parliament.
- Authorizes positions and awards ranks in the Armed Forces.
- Authorizes positions or discharges from post high command corps.
- Authorizes national military symbols, oaths, uniform, etc.
- Leads negotiations and signs intentional agreements in the defence and military cooperation.
- Takes decision in conscription, reserves, and military mobilization of the civilian population.
- Makes proposals on the mobilization of the Armed Forces, participation in international peacekeeping and security
- In accordance with the Constitution of the RK, introduces a state of emergency throughout RK or parts of the country, immediately informs the parliament.
- Puts into effect other state powers in accordance with the Constitution of the RK.

Powers of the parliament of the RK in the defence sphere:

- Enacts laws on the issues of defence procurement of the RK; introduces amendments
- Solves issues of war and peace⁸
- Considers proposals of the president on the use of the Armed Forces in fulfilling international responsibilities on peacekeeping and security
- Authorizes military ranks.
- Ratifies and denounces international agreements in the defence issues and military cooperation.
- Carries out parliamentary hearings on issues of Armed Forces.

Powers of the government of the RK in the defence sphere:

- Develops main directions of the national military policy while guaranteeing defensive capacity of the country.
- Implements state programs and oversees their fulfilment.
- Administers the activity of the Ministry of Defence, other central and local executive institutions.
- Determines proxy institutions for implementation of state policy in the formation, distribution and release of state defensive orders.
- Takes decisions on the construction, reorganization, and cancellation of military training institutions, military departments and higher military educational institutions.
- Establishes rules of military training at higher educational institutions (universities)
- Determines the system and conditions of labour compensation of non-public employees at state institutions of the Armed Forces, other military institutions and martial units.
- Organizes the material technical equipment of the Armed Forces, other military institutions and martial units.
- Establishes norms of material procurement and reserves.
- Organizes the development and implementation of the mobilization plan at the state level; establishes the order of formation, compilation and utilization of state's material reserves.
- Administers preparation of mobilization of state institutions and organization independent of pattern of ownership.
- Ensures strategic equipment on the territory of RK for defensive purposes.

⁸ As states in the law's article 6

- Authorizes rules on national register of reservists and draftees.
- Authorizes rules on regulation of military transports.
- Authorizes rules on local institutions with regards to military administration.
- Determines categories and number of citizens entitled for military service and the annual number of military professionals entitled for military service.
- Implements general administration of construction and preparation of military educational reserve; implements state orders on recruiting the Armed Forces, other military and martial units
- Plans civilian and territorial defence and control over defence activities.
- Determines the order of provision and utilization of land resources, forestry, water and other natural resources
- Establishes the order of delivery, distribution and utilization of vacant military assets, as well as leasing vacant defensive assets.
- Takes decisions on carrying out international negotiations on the issues of military cooperation and signing of international agreements.
- Determines the order of state reimbursement of costs of defensive property provided by individual or private enterprises
- Establishes the order of registers and dispositions of military assets.
- Organizes control over exports of arms and military equipment, strategic assets, modern technology and products of dual use.
- Implements other functions entrusted to the government by the Constitution and legislation of the RK and laws issued by the President of the RK.

Functions of central and local executive institutions:

Central executive institutions:

- Participate in mobilization of defensive reserves.
- Ensure compliance with the state defensive orders.
- Guarantee the sustainable functioning of the defence sphere at times of war.
- Guarantee mobility of equipment on the national territory.
- Organize and implement training with regards to civilian defence.
- Participate in preparation of civilian population for defence activities.
- Implement other functions in accordance with the legislation of the RK.

Rights and responsibilities of citizens of the RK

Rights:

- To voluntarily enter military service on a contract basis.
- To participate in activities directed at strengthening the defense sector.

Responsibilities:

- To serve in the military.
- To participate in activities on civilian defence.
- To allocate resources necessary for civilian defence at times of mobilization

Economic procurement of defence sector:

Economic procurement of the defence sector implies supply of the Armed Forces, other military and martial units with technical material and other resources; provide armaments and special technology in quantities that are sufficient for the protection of the RK.

Defence procurement aims at: meeting the financial, technical and material needs of the Armed Forces, other military and martial units; improving its scientific, technological and industrial bases for production; repairing and modernizing its armament and military technologies; creating efficient economic and civilian mobilization systems; improving the social welfare system for active and retired military personnel and their families; Strengthening international cooperation on a mutually beneficial basis through international agreements on military-technological issues.

Financing the defence sector:

Financing of the Armed Forces, military and martial units is done through the state budget. On the other hand, financing of military sites used in combination with or by foreign governments located on the territory of the RK is done along the lines of international agreements ratified by the RK and the legislation of the RK. Control over the defence budget is conducted in accordance with the legislation of the RK.

The Armed Forces and their rationale

The Armed Forces are intended to resist aggression, defend the territory and sovereignty of the RK, protect and defend military sites, protect the air space as well as implement international agreements that are ratified by the RK.

On the basis of decisions made by the President of the RK, the Armed Forces can be involved in emergency situations caused by natural disasters or other types of emergencies, as well as conducting anti-terrorist operations during emergency situations.

The Armed Forces are deployed in order to ensure the implementation of international agreements that are ratified by the RK. Accordingly, parts of the RK's Armed Forces might fall under the joint commandship in accordance with international agreements ratified by the RK.

General structure of the Armed Forces

The overall structure of the Armed Forces is as follows: military administration units, special and hinterland troops, military colleges and other organizations. During mobilization, internal troops of the Interior Ministry are deployed, as well as the National Security Committee Border Guards, the Republican Guard, administrative units and civilian defence agencies of the RK's central executive body for emergency situations, and other special formations.

Recruitment and the Armed Forces

The Armed Forces are staffed by both military and civilian personnel. Recruitment is conducted through civilian staffing on the basis of extra-territorial and territorial principles as well as through voluntary recruitment; civilian personnel along with the RK's labour and public service code. For the purposes of mobilization and deployment, a reserve of military professionals is formed.

Command and administration of the Armed Forces

The military-political administration of the Armed Forces is exercised by the President of the RK - High Commander-in-Chief of the Armed Forces of the RK. During times of war, the military-political administration of the Armed Forces is exercised by the High Command (General Headquarters). The General Headquarters administers the Armed Forces through the Joint Chiefs of Staff. Administration of the Armed Forces during times of peace is exercised by the Minister of Defence through the Joint Chiefs of Staff.

Functions of the Ministry of Defence

The Ministry of Defence is the central executive institution, which implements military-political and military-economic administration over the Armed Forces. The Minister of Defence carries out the following functions:

- Executes national defence politics;
- Formulates the military doctrine, the development and procurement of the Armed Forces;
- Establishes the structure, staff size and nature of the Armed Forces, as well as the staff size of public agencies under the Ministry of Defence's sub-committees, as defined by the President and Parliament of the RK according to the limits of staff size as determined by the Ministry of Defence and public agencies subordinate to the Ministry;
- Carries out integrated military-technical national politics;
- Organizes intelligence services for the purposes of national security;

- Determines strategic purposes and goals of the Armed Forces, military and martial units and special troops, their utilization in cooperation with other military and martial units, as well as the armed forces of other states in accordance with international agreements ratified by the RK;
- Supervises scientific research, engineering and other activities in the defence field; controls their quality;
- Oversees financial budget expenditures of the Armed Forces and inspects the Armed Forces;
- Controls the quality of military educational institutions;
- Coordinates military training of prospective and current recruits;
- Participates in the development of public programmes on military procurement and the defence industry;
- Oversees the rule of law and law enforcement in the Armed Forces and provides social and legal guarantees to military personnel and their families, as well as civilian personnel;
- Commensurate to own legal standing, issues normative legal acts on issues of defence and the Armed Forces, as well as control of their implementation.

Functions of the Joint Chiefs of Staff

- Implements strategic planning, organizes, and administers military and everyday activities of the Armed Forces;
- Arranges plans on the construction and development of the Armed Forces and deployment of forces; coordinates and oversees construction plans and development of other military and martial units;
- With the participation of other interested public institutions, arranges plans on the deployment of the Armed Forces, participates in the arrangement of mobilization plans;
- Organizes and carries out events related to combat support and the mobilization readiness of the Armed Forces;
- Organizes and provides protection of the air space of the RK;
- Organizes and fosters the Armed Forces' interaction with other military and martial institutions, as well as plans strategic technological procurement of the national territory for defence purposes;
- Participates in the organization of the mobilization preparedness of the economy, public institutes and other organizations independent of their form of ownership;
- Coordinates territorial defence planning, organizes the activities of forces that assist in the provision of territorial defence;

- Organizes and carries out recruitment of the Armed Forces whereby personnel work on a contract or a compulsory basis;
- Participates in the development of planning of strategic deployment and coordination of the Armed Forces, other military and martial institutions with armed forces of other states in accordance with international agreements ratified by the RK;
- Assigns personnel and grants military ranks; in accordance with nomenclature, proposes cadre politics to the Ministry of Defence;
- Organizes on-going and prospective planning of armament, military technical ammunition and other types of material procurement of the Armed Forces, as well as plans their exploitation, preservation, accounting, disposition and utilization, as well as accumulation and placement of reserves at peace times for deployment at war times;
- Introduces proposals on the development of military science in the Armed Forces;
- Organizes activities on ethical and psychological training of the military personnel to form high martial and ethical values among them;
- Carries out activities on provision of ecological security and environmental control connected with the activity of the military;
- Fulfils other functions connected to planning deployment and administration of the Armed Forces;
- Armed Forces, their coordination with other military and martial units in accordance with the legal system of the RK
- During times of war, the Joint Chiefs of Staff becomes a working unit of the General Headquarters.

Public institutions of the Armed Forces have the right to receive and utilize donor and charity assistance, as well as assistance provided under the aegis of military-technological cooperation.

Deployment of the Armed Forces is carried out in accordance with the Armed Forces' deployment plan that was authorized by the President of the RK. Relocation of military units within national territories consigned for the Armed Forces is carried out in accordance with the planning scheme issued by the Ministry of Defence and authorized by the President of the RK. The deployment of Armed Forces outside the national territory of the RK is allowed on the basis of international agreements ratified by the RK.

Other military and martial units participate in planning: the operations of Armed Forces, state policies on defence issues; preparations on the joint activities of the Armed Forces; training citizens for military service; strategic procurement of the national territory for defensive actions; directives of the Joint Chiefs of Staff on strategic and mobilization preparations.

Oversight over the rule of law and legal protection of the military personnel is carried out by the Prosecutor General of the RK. The legal protection of the military personnel, consideration of civilian appeal and criminal acts of the Armed Forces and other military and martial units is carried out by courts. The military police is responsible for the rule of law and inquiries among the Armed Forces and other military and martial units.

State of War. Martial Law. Mobilization. Civil Defence. Territorial Defence

The state of war is announced by the parliament of the RK in case of an armed attack on the RK or other state (or a group or a coalition of states), as well as in during other situations that are elaborated in international agreements that were ratified by the RK.

The martial law on mobilization implies that defensive military activities are carried out by the internal troops of the Ministry of Interior, the Border Guard of the National Security Committee, the Republican Guards, civil defence units in the central executive agency, and special units.

Civil defence is designed to protect the population, construct sites on the national territory that defend against natural disasters and technological catastrophes.

Territorial defence is organized by the government of the RK to defend the population and protect communication means on the territory of the RK from hostile actions and terrorist acts.

International defence cooperation of the RK

The government of the RK cooperates with other states on joint defensive actions, peacekeeping and security operations in accordance with the RK's Constitution and international agreements ratified by the RK. With the RK parliament's decision and in accordance with the Constitution, the Armed Forces of RK participate in international obligations to sustain peace and security.

The period of mobilization for Armed Forces operating in foreign countries is determined by the RK's legal system.

ON PREVENTION OF EXTREMISM

The law on the prevention of extremism was adopted in February 2006. The law is intended to prevent extremism and accordingly the protection of human rights, freedoms, the constitutional order and national sovereignty of the RK, its territorial integrity and national security. The law presupposes cooperation among the various state institutions in order to prevent religious extremism. Those include the Ministry of Defence, Ministry of Interior and the Ministry of Education.

According to the law, state agencies managing relations with religious organizations should monitor religious attitudes that are prohibited by the RK's legal system. The agency makes proposals to the parliament with regards to the interdiction of any religious organization that is violating the legal system of the RK.

A special agency on mass media analysis is entitled to monitor the various mass media outlets to prevent the publication of extremist religious material. The agency also participates in publicizing material on interethnic and inter-religious cooperation.

The central agency on education should provide and authorize educational programs that adhere to the international rights and norms.

National defence agencies carry out intelligence activities with the aim of preventing the entrance of people with foreign nationalities illegally into Kazakhstan's territory especially if they represent a threat to the national security of the country.

Local executive agencies collaborate with civil society organizations and research the activities of religious organizations and foreign citizens involved in the dissemination of extremist or hateful religious views.

National security agencies and the Ministry of Interior agencies detect, persecute and investigate crimes related to religious extremism and/or terrorism. Prosecutors file petitions on cases of dissemination of extremist material in the mass media, through concerned organizations and individuals.

KYRGYZ REPUBLIC

Part A: Basic Defence Management Laws and Regulations

Government structure, reporting and management relationships are detailed in Kyrgyzstan's Constitution.

1. The defence sector

Key laws referring solely to the armed forces (organisation of the Ministry of Defence, mobilisation, military service, acquisitions, requisitions in time of war, territorial defence):

- Law “On Universal Military Duty of Citizens of the KR” (December 1992)
- Law “On the Status of Military Personnel” (August 1992)
- Law “On Amnesty of Absentee Military Personnel” (January 1994)
- Law “On War Veterans, Armed Forces and Workers of the Rear” (May 1995)
- Law “On Mobilization, Training and Mobilization in the KR” (September 1998)
- Law “On Disciplinary Order of the Armed Forces of the KR” (August 1998)
- Law “On the Order of Internal Military Service of the Armed Forces of the KR” (August 1998)
- Law “On Alternative Military Service” (October 2002)
- Law “On Alternative Non-Military Service” (July 2002)
- Ministry of Defence decree “On Organization of Acquirement, Order, and Storage of Training Arms and Armament” (April 2002)
- Ministry of Finance law “On Compulsory Life and Health Insurance of the Military Personnel” (August 2004)
- President's Decree “On Minimal Retirement Benefits to Retired Military Personnel” (October 2004)

Political documents stating the defence policy (Governmental programme, national security strategy or concept, white papers on security and defence etc..)

- Law “On Defence” (April 1994)
- Law “On State of the Military” (September 1998)
- Law “On Emergency Situations” (October 1998)
- Law “On National Borders” (March 1999)
- Law “On Armament” (July 1999)
- Law “On Civil Defence” (January 2000)
- Law “On National Security” (February 2003)
- Law “On the Fight against Terrorism” (January 2005)

- President’s decree “On Advancing the National Administration for defending National Borders” (May 2006)

Defence planning documents made public or with unrestricted access (military strategy, procurement strategy, doctrines, defence planning directives, budgets, programmes etc.)

- National Security Concept (July 1998)
- Government decree “On Military-Economic Concept of the KR until 2005” (November 1998)⁹
- The Military Doctrine (May 2002)

Part B: Defence Institutions within the General Government

Table 1 – Structure of General Government Decision Making on Defense Policy

Topic of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
National Defense Policy	Law “On Defense”	Parliament	Parliament	April 1994-ongoing	The law was amended almost on a yearly basis since its adoption
	Military Doctrine	MoD	Security Council	May 2002-ongoing	
National Security Strategy or Concept	National Security Concept	MoD	Government	February 1998	
National Defense Strategy or Concept	Concept on Development of Ministry of Defense	MoD	Government	July 1998-2005	
Other national level defense policy documents					
White Paper	Decree “On National Security	President	Parliament	February 2003-ongoing	
Procurement Strategy	On Military-Economic Strategy of the RK	Government	Government	November 1998-2005	Newer version of this document is not available
Defense Planning Directive	Law “On Civil Defense”	President	Parliament	January 2000 - ongoing	
Defense Budget					\$19.2 million FYI 2001

The role of the Parliament in endorsing defence policy decisions is restricted. The Parliament is allowed to make amendments only in consent with the executive powers. The Parliament is using

⁹ More recent versions of the current law are not available.

the system of questions, hearings and interpellations to make decisions on defence matters. The President chairs a national security council where all the defence decisions at presidential level are taken. The President issues defence policy documents that are submitted for approval to the Parliament, after the endorsement of the national defence council or similar. The President has an independent body/staff of experts on defence matters working solely for him/her.

The role of the Prime-Minister in formulating and/or endorsing defence policy decisions is not explicitly defined in the constitution or the relevant legislation.¹⁰

The Prime-Minister prepares his opinions on defence matters by having an independent body/staff of experts on defence matters working solely for him, though these experts are rather submitted to him informally.

The Minister of Defence issues defence policy documents that are submitted for approval to the Parliament, after the endorsement of the Council of Ministers.

The Minister of Defence has an independent body/staff of experts on defence working solely for him/her.

Before any strategic document on defence policy is issued for endorsement, there are legal provisions for formal guidance from the president after which it is made public. The main topics addressed in that guidance are threat assessment, national objectives and intended level of ambition for the size and the structure of the armed forces needed to accomplish any particular strategic missions.

Both the defence procurement system and that of the general government procurement are transparent for the industry, business and the public. All contracts are authorised by the Minister of Defence.

The current financial/budgetary arrangements for the general government were introduced simultaneously with those of the defence sector. The defence budget follows the same lines as the general government budget.

The allocation of the defence budget portion within the general budget is settled at the executive level (the Cabinet) with the participation of the Minister of Finance, while the distribution of budgetary allocations among the services, programmes and chapters is done at the level of Defence Minister.

The main sources of knowledge that the general government authorities use for fulfilling their obligations and for formulating national defence policies are literature, models and examples from Russia and Kazakhstan; as well as UN principles, OSCE's Code of Conduct and PfP statutes.

There are numerous non-governmental research institutes on defence matters financed by external organizations. Public institutes are affiliated with academic organisations and are completely dependent on government funds. Private institutes are wider in scope of their (security, international relations, transparency etc.) but cover occasionally defence issues.

The main products of those institutes are research papers, occasional papers, articles, press-releases, workshops and conferences.

The Parliamentarian commissions contract and participate in independent research on defence policy for both public and private institutes. The public debates on defence policy make reference to products of research institutes.

¹⁰ The ongoing constitutional reform is likely to change the balance of powers of the President, Prime Minister and Parliament. It is yet unclear which of these state structures will receive more powers

There are officially or privately commissioned surveys on defence issues from both official and private research institutes.

Part C: Defence Institutions within the Defence Sector

Table 2 – Structure of Decision Making on Defense Policy at Defense Sector Level

Type of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
Procurement Policy					
Personnel policy	Ministry of Finance law “On Compulsory Life and Health of the Military Personnel	MoD	Ministry of Finance	August 2004 – ongoing	
	President’s Decree “On Minimal Retirement Benefits to Retired Military Personnel”			October 2004 - ongoing	
Military education policy	Law “On Universal Military Duty of Citizens of the KR”	MoD	Parliament	December 1992- ongoing	The law “On Universal Military Duty: was amended almost on a yearly basis since its adoption
	Law “On alternative Military Service”			October 2002- ongoing	
	Law “On Alternative Non-Military Service”			July 2002 - ongoing	
Public information policy					
Other defense policy documents	Law “On State of Military”	President	Parliament	September 1998- ongoing	
	Law “On the Emergency Situations”			October 1998 – ongoing	
	Law “On the Fight against Terrorism”			January 2005 - ongoing	
	President’s decree “On Advancing National Administration of Defense of the National Border”			May 2006 - ongoing	
Military Strategy	Law “On Mobilization Training and Mobilization in the KR”	President	Parliament	September 1998 – ongoing	
Force planning directives	Law “On the Order of Internal Military Service of the Armed Forces of the KR”	President	Parliament	August 1998 - ongoing	
Training doctrine					

All policy documents are published on the official website of the Ministry of Defence. The authorised divisions within the Ministry of Defence, Ministry of Interior, Ministry of Justice and Ministry of Finance participate in or are consulted when drafting of defence policies.

Advice and recommendations from international or bilateral experts and defence policy documents at the national level, such as the National Security Strategy, serve as a source for defining objectives used in the strategies, policies and directives within the defence sector.

Assessments of security and defence risks and threats mentioned in the various strategies are published by international organisations such as OSCE, UN, EU or NATO.

There is an internal debate at military level and the results are forwarded to the political decision-makers. Civil servants' inputs and some public debates are important.

The main organisational documents governing military structures are job descriptions for commanding officers and their staffs. The systems in place include a management system, an evaluation system and a separate resources allocation system. The resource allocation system is a bottom-up system in which the lower echelons issue requests to the higher echelons.

The defence planning system is based on departmental and service programmes and the defence planners use all necessary information about each programme in order to perform their tasks: each programme is decided upon in light of existing defence policy.

The corps of defence planners is mainly composed of military experts, yet civil servant experts have a strong impact.

Kyrgyz Republic (KR)

GENERAL BACKGROUND

Kyrgyzstan has one of the most transparent policies in terms of access to documents and legal acts. All main legislative documents on defence and security related issues are available through the official web site of the Ministry of Defence.

During his reign, Kyrgyzstan's former president, Askar Akayev, promoted various security strategies based on the existing geopolitical orientations at the time. Several events played an important role in Kyrgyzstan's security policy orientations. Among them, the armed conflict in 1999 and 2000 in southern Kyrgyzstan, the 9/11 terrorist attacks, and the violent suppression of a civilian demonstration by the Kyrgyz militia in March 2002. Indeed, the Tulip Revolution in March 2005 altered the shape of Kyrgyzstan's international cooperation with regional super powers, bringing the country into heavier reliance on Russian political and military support. The ongoing constitutional reform is likely to change the existing balance of powers among the president, prime-minister, and parliament. It is yet unclear which of these state structures will receive more powers.

THE MILITARY DOCTRINE

The first military doctrine of the KR was endorsed in May 2002. It is intended to remain active until the year 2010. This remains the only security doctrine produced by KR since independence. For a decade after gaining independence, the activity of the Kyrgyz Ministry of Defence was coordinated by the National Security Concept document. After the armed conflict in Batken in 1999 the Ministry and Security Council were criticized by the local mass media and NGOs for having a loose control over national armed forces. Accordingly, the doctrine was adopted as a reaction to the general realization that there needs to be a better military management in the future. Two years after the document was drafted, the Security Council endorsed a fairly ambitious document that aimed at fundamental reforming the army.

The current military doctrine purports two main reforms in the security structures and is designed to be implemented in several stages. The principal change targeted by the doctrine aims at restructuring the army into small and mobile forces and the construction of a capital-intensive army that will be professionally trained and well-equipped. Another change to be reached within the next decade is converting the army into contract-based recruitment. The first stage was implemented during 2002-2003, when an effective legislative base was designed. The military legislation had been gradually evolving since the beginning of 1990s, but its practical effectiveness was questioned after the first armed conflict on the border in 1999. To remedy this issue, the new legislature takes into account a new type of military equipment distribution processes among security structures and the training procedures of Rapid Reaction Forces. Thus, the heaviest load was imposed on the first stage of reform until the end of 2003.

The Kyrgyz doctrine sees additional surplus available in an enhanced administration of the military units and a better control of state budget spending. The doctrine further explains how the government should gradually increase the levels of military spending in the next years in addition to enhancing

the scientific and engineering foundation of the military industry. The government is also entitled to encourage private manufacturers to produce goods for the armed forces. External financial support for the Armed Forces can be sought from bilateral and multilateral cooperation. The CSTO and PFP are the foreground auspices of favoured military collaboration. In terms of the type of conflict, it is predicted an armed confrontation will occur on the border involving the indigenous civilian population and might threaten to expand into an interstate conflict.

The doctrine identifies two types of conflicts: “just” and “unjust”. The difference between the two types is based on the general legal norms portrayed in the UN statutes, according to which armed aggression of one state against another is classified as an “unjust” conflict while the “just” one is an act of armed defence. Kyrgyz doctrine, similar to Kazakhstan, categorizes intensities of conflicts in the same manner: localized, regional, and international.

The Military defence policy of the KR

As the military doctrine states, in the medium term, the development of the international political environment will potentially include the following trends:

- Some states will attempt to enhance global peace and sustain the existing balance of power while on the other hand some states will attempt to attain regional and global dominance.
- Influential states will continue to struggle to maintain their existing influence on global relations and becoming new centres of world powers
- There will potentially be an increase in regional hostilities while international tensions will decline
- There will be a decrease in the probability of large-scale wars, while small-scale armed conflicts will potentially increase thus threatening the national security of the KR with sudden flows of refugees
- An expansion of new forms of extremism, anti-constitutional, criminal and other organizations
- Widening scope of international terrorism activities, extremism, and separatism which will be fuelled by ideological and financial support from radical terrorist movements and organizations operating outside KR.

In preserving its own national security, the KR adheres to the following principles:

- Respecting the basics of international law in dealing with inter-state conflicts including respect for the territorial integrity and non-interference into the domestic affairs of other states, etc.
- In cases of an armed conflict on the national territory, the state has the right to resort to unilateral and collective defensive measures.

On a bilateral and multilateral security issues the KR cooperates with the following agencies.

- The CIS member-states and member-states of the CST

- At the regional level: with CST and the SCO
- At the global level: with all states that have peaceful relations with the KR and do not contradict the principles of the UN in their actions.

System of military security provision

The system of military security provision is based on the unified control of the military units and cooperative actions of the Armed Forces, state agencies and local governments. Moreover, according to the legal system of the KR and the defence provisions should develop the military and economic potential of the state along with the interests of the Armed Forces.

The main principles for developing a national military security system are the following:

- An effective forecasting, timely recognition of a military threat coupled with an adequate and prompt reaction to the military-political situation
- Maintaining high levels of military and mobilization readiness, the preparedness of the military commandership and troops, military contingent and reservoirs.
- Advancing the security information system and integrating it in the defence sector.

Main priorities of the military security system development:

- Creating a unified system of military security system
- Creating and sustaining the necessary state of readiness for the rapid mobilization of resources and deployment of the Armed Forces.
- All-inclusive procurement of military units

Main components of the military security development:

- Advancing the mechanisms which allow for better state control over military-political decisions.
- Adjusting the composition, structure and numbers of the Armed Forces in accordance with the military, security and economic potential of the state
- Increasing the quality and accountability of the state and military commandership's functioning during peace and war times.
- Advancing the military and economic procurement of the Armed Forces on the basis of rational utilization of financial and material resources.
- Increasing the efficiency of professional training systems, military education and science, strategic and military trainings and education of military personnel
- Improving the recruitment system
- Increasing the efficiency of personnel and technological mobilization systems for combat readiness.

- Advancing information exchange mechanisms among the Armed Forces and executive structures.
- Enhancing the rule of law, military discipline, and respect for the rights and responsibilities among military personnel
- Increasing the public standing of military service and recruitment.
- Enhancing relation between the military administration on the one hand and public structures, civil society, and religious organizations on the other.
- Enhancing international military and technological cooperation.
- Enhancing the patriotic education among young people in order to strengthen national defence.

The main goals of the military security provision in the KR are the:

- Formation and implementation of a unified state policy in the military and security realms.
- Enhancing the rule of law in the military and security.
- The forecasting, evaluation prevention and suppression of military threats posed to the national security of the state.
- The construction, preparation and preservation of the combat readiness of the Armed Forces allowing for a rapid increase in defence capacity at times of military conflicts.
- Enhancing the national economy's mobilization readiness..
- Gearing the efforts of the population, military reservoirs, territory and infrastructure towards serving the interests of the Armed Forces of the KR during times of crisis.
- Protection and defence of the national borderline of the KR.
- All-inclusive procurement of the state military reform.
- All-inclusive fulfilment of the needs of the Armed Forces in peace and war times with armament, military technologies, arms, food products, etc.
- Creation, accumulation and distribution of military-technological assets for effective functioning of the Armed Forces at peace and war times.
- Enhancing the prestige of the military service, provision of social protection of the military personnel and their family members, as well as retired military personnel.
- Reinforcing patriotic education among young people in terms of the importance of national defence

In cases of an armed conflict:

- Timely recognition of an armed conflict, attack or a threat of a conflict and its localization and neutralization

- Provision of strategic deployment of the Armed Forces, civilian and territorial defence
- Coordination of the activities of state structures on the prevention, neutralization, and eradication of conflicts
- Activating the legal base on military deployment at war time
- Changing the national economy into the war-time mode within the shortest period of time

Control over military security provision

Control over the system of military security provision is carried out by the President and other state structures on the basis of the Constitution and laws of the KR.

The system of control over the military security provision includes:

- Organizing the construction, preparation and deployment of the Armed Forces
- Determining the necessary numbers of the Armed Forces and their structure, maintaining the required level of combat and mobilization readiness
- Provision of protection and defence of the national borderline; the preparation and execution of civilian and territorial defence
- advancement of military and technological capacities within the military.
- Securing the state of readiness of the national economy, state structures, and organizations for functioning at war times
- Preparation of the population and state structures for defence.
- Accumulation of material reservoirs for military mobilization.
- Preparation of citizens for military service, accumulation of human resources for war time.
- Coordination of state structures' activities in national military security sphere at peace and war times

The Defence Council functions on an on-going basis as part of the military-political administration of the military security provision system. Its functions are determined by the law "On the Defence Council of the KR".

The General Headquarters of the Armed Forces are the main working structure for the Commander-in-Chief (The President). The government of the KR is the only structure for military and economic procurement for the Armed Forces and is responsible for developing the national defence capacity and various aspects of military security; organization and execution of military reform within the Armed Forces; directing activities of other public structures responsible for military defence; preparation of the national economy for mobilization; furnishing the Armed Forces with military technologies, strategic equipment of the national territory in line with enhancing defence interests.

Other state structures and local government representatives fulfil their responsibilities in the defence sector as defined by the laws of the KR.

Control over the Armed Forces at peace time is carried out by the Ministry of Defence through the General Headquarters of the Armed Forces. The Ministry of Defence solves problems connected with the national defence and the development and implementation of the Armed Forces construction conception; carries out a unified military-technological policy; improves the national military development program; develops proposals on national defence order; carries out material and technological procurement for the Armed Forces and organizes relations with state structures responsible for defence issues.

The General Headquarters of the Armed Forces, being the main structure of administration for the Armed Forces at peace and war times, designs military plans and overlooks the development of the Armed Forces, their strategic, mobilization and combat readiness; organizes and carries out strategic planning of the Armed Forces deployment.

The transfer of control over to the Armed Forces at war time is carried in accordance with the laws of the KR.

The main goals of the military and political administration are the following:

- Coordinating the activities of state structures in the prevention, localization or eradication of conflicts
- Timely introduction of legal acts during war time and taking decisions on military actions
- Transforming the national economy, transport and communications into a war-time mode of functioning

For collective (coalition) troops created by member-states, special administrative units are established.

For the purposes of a centralized control over military security provision, a unified strategic planning of the Armed Forces deployment in the long-, medium-, and short-term is carried out along the interests of national defence.

The Armed Forces of the KR are constructed to resist any aggression against the country. They can also be deployed for protection against any anti-constitutional activities, illegal armament that threatens the territorial sovereignty of the KR and for the fulfilment of goals set by international agreements.

Cases in which the Armed Forces are deployed:

- In large-scale (regional) wars, in case a state or groups of states instigates an aggressive act against the KR

- In local wars and international conflicts - localizations of sources of tension, creation of conditions for conflict prevention and neutralization of conflicts
- In intrastate armed conflicts - elimination of armed groups and conflict regulation on the basis of Constitution and laws of the KR
- In peacekeeping and peacemaking activities - prevention of any further armed activities between conflicting parties, stabilization efforts, efforts to establish a just and peaceful settlements.

Mission, composition, and goals of the Armed Forces of the KR

The main mission of the Armed Forces of the KR is the creation of national defence strategy to protect against external aggression and other military threats at peace and war times. They are also designed to fulfill KR's responsibilities under international agreements.

During peace and war times the Armed Forces are comprised of political structures, the military administration, units and committees of the Ministry of Defence, the Border Guard, internal troops of the Ministry of Interior, the National Security Service, the Ministry of Emergencies, the National Guard, the National Service for Environmental Protection and military structures of the judicial branch of the KR.

Armed Forces are composed of military formations of general service, rapid deployment and rapid reaction units and the border guard.

Military formations are composed of administrative structures, units, corps and subgroups of reduced contingents which are constantly ready for expansion, rapid deployment to troubled areas of conflict in order to protect national borders and strategic sites.

The decision to deploy military formations can be taken unilaterally by the government of the KR or together with coalition groups and with the armed forces of other member-states.

The rapid deployment forces are comprised of mobile units and special operation corps within the Ministry of Defence, Ministry of Interior the National Security Service, the Ministry of Emergencies, and the National Guard. All those are maintained in an on-going state of readiness for the protection of national borders, facilitation of deployment of other forces, localization and eradication of armed groups or international terrorists along the border area.

The rapid deployment forces can act in support of existing anti-terrorist efforts or as part of the Collective Security Treaty Organization (CSTO) on the territory of the Central Asian states that are part of the CSTO.

The border guard is entitled to protect national borders and act according to the Kyrgyz laws. Border guards may participate in the rapid deployment forces efforts undertaking anti-terrorist operations and localization of conflicts, fighting illegal trafficking in arms, and drugs.

At peace time the Armed Forces fulfil the following functions:

- Timely action against potential military and political threats and attacks against the KR
- Combat and mobilization maintenance of commander and military staff at the level that will provide immediate localization of conflicts on the border or territory of the KR
- Maintaining rapid deployment forces and border guard units at the level that will provide an immediate response in mountain ranges.
- Protection of air space.
- Protection and defence of the state border.
- Protection and defence of strategic state sites.
- Full implementation of commander and military staff plans.
- Provision of mobilization and strategic deployment readiness in cases of an armed conflict
- Participation in anti-terrorist and peace-making operations in accordance with the international obligations of the KR
- Provision of civilian and territorial defence.

For the purposes of early warning and prevention of potential intra-state conflicts and other activities associated with armed struggle that could jeopardize the KR's strategic interests, the Internal Armed Forces should undertake the following:

- Protection and defence of strategic state sites
- Protection and defence of institutions, convoying of inmates as well as military prisoners.
- Provision of social order and the enhancement of the rule of law in times and zones of conflicts
- Participation in the elimination of illegal armed formations, terrorist groups and organizations and the destruction of their bases and communication facilities.
- Prevention of local armed clashes and the separation of conflicting parties
- Participation in disarmament activities and destroying of illegal armament among civilian population in times of conflict.
- Defending social order and the security locations that close to conflict zones
- Other military and armed forces can be involved in the implementation of the above in accordance with the laws of the Kyrgyz Republic, including the Ministry of Defence, National Security Service, Ministry of Emergencies, and the National Guard.

The civil defence and the Ministry of Emergencies fulfil the following functions:

- Carrying out intelligence investigations with regards to the presence of radioactive, chemical, and bacteriological materials in areas susceptible to those or armed conflicts and terrorist acts.
- Carrying out search and rescue operations in zones susceptible to conflicts.
- Humanitarian activities

The functions of the National Guard are the following:

- Defending national sovereignty and the territorial integrity of the state; the participation in anti-terrorist operations
- Protection of notational strategic sites as defined by the president - the Commander-in-Chief of the Armed Forces
- In collaboration with the Ministry of Defence's National Security Service, the provision of security in locations of official meetings between heads of foreign states and governments.

The Armed Forces of the KR may be involved in assisting the civilian population in the course of natural disasters and other types of emergencies.

In case of an aggression against the KR, the Armed Forces undertake the following functions:

- Partial or full strategic deployment.
- Localization and neutralization of border conflicts.
- Resist aggressor's attacks through the use of ground troops and/or air assault.
- Localization and prevention of conflicts independently or jointly with other states' troops.
- Resist aggression and eliminate the aggressor(s) from the territory of the KR
- Covering locations used for reservoir's formation.
- Protection of the population, economic sites, and infrastructure from the aggressor's and terrorist attacks.
- Maintenance and preservation of the state of the military.
- Direct resistance to external aggression and the prevention of military conflict by deploying the maximum means, resources, and equipment available.

Main components of Armed Forces construction

The main goal of the KR's military construction is the creation of small, compact and mobile Armed Forces, equipped with modern armament, the necessary military technologies and provided with material assets for carrying out military activities in mountainous locations. They should also be able to deploy within short periods of time and guarantee the protection of the territorial integrity of the state, the constitutional order, the sovereignty of the state and safety of its citizens.

The main principles governing the Armed Forces' construction are the following:

- Effective civilian control over the preparation process within the Armed Forces in combination with the principle of a unified and centralized administration of the troops.
- Concordance between the organizational structure, military composition and the size of military personnel with the size of the existing and potential threats, goals, as well as taking into consideration the economic capability of the state
- Provision of military and mobilization readiness for the military administration structures.
- Ability to adequately and promptly augment forces and means in times of increasing military threats. This can also be done through the early preparation of the mobilization reserves
- Studying and learning from other international experiences in military construction.

The construction of the Armed Forces of the KR is carried out in accordance and harmony with the national program and plans. The main principles governing the construction and reformation of the Armed Forces are the following:

- Advancement in the elaboration of the laws governing the functioning of the Armed Forces.
- The optimization, establishment, and advancement of the combat and numeral structures of the Armed Forces
- Prioritized development and preparation of the Border Guard and Rapid Reaction Forces at strategic locations.
- Creation of an effective and centralized state system for Armed Forces' material and technological procurement.
- Establishment of the Armed Forces' recruitment procedures at peace and war times.
- Enhancement of reserve's mobilization capacities for rapid deployment.
- Organization of the military service, development of the national system of military education and military-scientific complex.
- Coordination of military education programs at universities
- Locating troops across the national territory.
- Maintenance of armament and military technologies in combat readiness
- Creation of material assets reservoirs for the Armed Forces.
- Maintenance of constant military and mobilization readiness within the Armed Forces in order to guarantee the effective execution of reform.
- Enhancement of the Armed Forces' administration system.
- Contribute to the military personnel's psychological preparation

- Reinforcing the public prestige of the military service and the construction of an effective system for the social protection of military personnel.
- The Protection of the rights and freedoms of the military personnel and that of their family members and reserve personnel; the enhancement of military discipline

The basis for military and economic provisions for the Kyrgyz Republic:

The main goal of the military and economic provisions is to fulfil the needs of the national economy and that of the Armed Forces' units. Those include financial and material-technological need in addition to the provision of armament and military technology. Fulfilment of those needs should fall with the unified state programs during peace and war times.

The main principles governing the military and economic procurement are the following:

- Guaranteeing the effective financing of the Armed Forces of the KR.
- Effective use of financial, material-technological resources in the decision-making process.

The military and economic provision's functions are as follows:

- Timely fulfilment of the financial, material and technological needs of the Armed Forces.
- Development of a solid material/technological combat base and accordingly increasing the mobilization readiness of the Armed Forces and military infrastructure according to the military security interests.
- Advancement of scientific-technological research for military purposes.
- Accumulation, maintenance, and adequate distribution of material resources in ways that fulfil the needs of the Armed Forces during peace and war times.
- Creation of an effective system to mobilize the national economy and population at times of war.
- Increase the living standards of military personnel, members of their families and retired personnel.

The main components of the military and economic procurement are the following:

- Implementing a financial policy that satisfies the Armed Forces' needs.
- The financing should be given along the lines of the agreed strategic planning process.
- Enhancing the national system of administration, production, reparation, ordering of armament and military technologies in order to preserve the defensive potential of the state.
- State support for the various establishments that produce military equipment for the Armed Forces.
- Using state budget for modernization and renovation of armament, military technologies and other types of assets.

- Enhancing the production bases of Establishments that provide military products and equipment.
- Enhancing international military and technological cooperation.

The main components in preparing the economic mobilization process are the following:

- Creation of a legal basis for the mobilization process: strengthening the national economy in order to cope with crises like war like the creation of an efficient economic administration.
- Creation of a system of incentives to encourage enterprises and organizations to implement the state mobilization orders.
- Provision of reserve material assets.

The government of the KR is responsible for the preparation of the national economy for periods of instability like inter-state war or internal conflict.

International military and military-technological cooperation

The KR prioritizes the following components in its international cooperation:

- Development of a mutually-beneficial cooperation in the military and technological sphere within the CST
- Widening cooperation in the military sphere within the Partnership for Peace program
- Strengthening bilateral cooperation with the Russian Federation, the U.S., P.R.C., the Turkish Republic, F.R.G., and other states
- Increasing trust in the military sphere and mutual reduction of the Armed Forces within the SCO
- Participation in military formations in international missions of peacekeeping under the UN's aegis.

For participation in peacemaking missions, the Armed Forces contingent of the KR may be recruited on the basis of peacemaking unit within the Ministry of Defence of the KR.

The KR coordinates its activities with member-states of the CST in the following fields:

- Coordination of priorities set in the military doctrine and military policy.
- Advancing the regional collective security system.
- Collective protection of external borders of the CIS.
- Advancement of the joint air defence system.
- Joint fight against extremism, terrorism and other crimes.
- Further development of military-technological cooperation.
- Development of military infrastructure.

- Preparation of military personnel.
- Development of military science.
- Protection of the rights of the military personnel.

The main principles of national military policy of the KR in military-technological international cooperation are the following:

- Centralized nature of activities in the military-technological cooperation.
- Adherence to international obligations of the KR in the field of controlling exports of armament and other military assets.
- Military-political and economic coherence in the military-technological cooperation.
- Strengthening of the national military production industry through active international military-technological cooperation.
- Mutual placement of orders at military production sites.

Preparation of the KR for defence

The national defence system is built on the basis of the mobilization readiness principle. The system is based on the timely accumulation of general forces reflecting the magnitude of any given military threat. It is done through re-grouping combat-ready troops from various locations on the national territory, as well as on the basis of partial or full strategic deployment of the Armed Forces of the KR.

Preparing the citizens of the KR is important to increase their readiness to act in extreme situations such as armed violence, natural disasters, and industrial catastrophes.

Prioritized components in the preparation of the country's citizens are the following:

- Instilling a sense of patriotism, a sense of civil duty and love for the Motherland among citizens.
- Creation and enhancement of military patriotic education and pre-recruitment training.
- Increasing the psychological readiness among citizens to protect their national territory.

The Armed Forces Deployment Plan forms the basis for the Strategic procurement of armament on the national territory during exceptional circumstances. This plan is designed to strengthen the military infrastructure in times of emergency.

Military deployment over the national territory is based on the following principles:

- The creation of the appropriate conditions for the deployment and functioning of the Border Guards, the Rapid Reaction Forces, the Interior Ministry's, Internal Troops, Civil Defence, and the National Guard at threatened locations
- Enhancement of the aerial capacities at threatened locations.

- Creation of new military infrastructure sites along the national border to provide an efficient protection of the Border Guard and the Armed Forces
- Reinforcing the communication systems that are connected to border check points and to other strategic locations along the borderline.
- Developing existing administrative systems.

Conclusions

The military doctrine presumes the realization and existence of coordinated activities among all state and military administrative structures, organizations, and civil society formations that deal with the provision of national military security issues of the KR.

The views and perspectives stated in this military doctrine with regard to the military construction, preparation for the military defence, and the Armed Forces deployment will be specified according to changes in the military-political situation and the laws of the KR.

ON DEFENCE

The law “On Defence“ was adopted in April 1994 and amended in 1997 and 2005. The law determines the foundation and organization of the defence sector of the KR; rights and responsibilities of public structures, local governments, enterprises, agencies, organizations, public employees and citizens of the KR in the defence field; structure and organization of the Armed Forces of the KR; implications of violating the legal system of the KR on defence issues, as well as other legal issues related to national defence.

The defence sector of the KR functions according to the Constitution of KR and the existing military defence concepts. The KR Armed Forces along with the universal military service regulations were formed for the sole purposes of serving national defence. The defence sector includes military organizations, units and the Ministry of Defence’s institutions,, the Interior Ministry’s internal troops, the Ministry of Ecology and Emergencies, the National Guard, the National Defence Service, the Border Guard, and National Defence Service. The above list represents an all-inclusive list of military formations.

The organization of defence activities entails: Legal control over the military sector; forecast and assessment of military threats; design of the military policy and military conception; the construction, preparation, and preservation of the necessary military readiness of the Armed Forces as well as planning their deployment and that of strategic equipment of the territory of the KR; purchasing, development, production and advancing armament research and military technologies; preparing the national economy by developing a strategic plan covering public structures and control systems for its adequate functioning during war time, as well as preparing the population, territory and communication systems for defence purposes; accumulation of material assets in the state and mobilization reservoirs; planning and implementation of events to prepare for civilian and territorial

defence; provision and protection of public and military secrets; development of military science; coordination of activities of the public sector and local governments in the defence sector; civilian control of expenditures of the national defence as well as those of the Ministry of Defence; international cooperation for the purposes of collective security and joint defence; ensuring environmental protection during military activities; other activities in the defence sector.

The powers of the President of the KR in the defence sector

- The president of the KR is the Commander-in-Chief of the Armed Forces and Chair of the Defence Council of the KR.
- Presents projects on the military-defence conception of the KR.
- Authorizes plans for the development and deployment the Armed Forces, mobilization plan of economy, as well as plans for accumulating and mobilizing resources and deployment of strategic equipment over the national territory for purposes of defence
- Authorizes state plans and programs of arms proliferation and the development of military technologies.
- Schedules appointments with the Prime Minister who is under a direct submission to

President and the government

- Authorizes the composition, structure, and size of the Armed Forces of the KR; authorizes cadre lists in the Armed Forces
- Honours ranks.
- Authorizes plans on civil and territorial defence.
- Authorizes deployment plans for Armed Forces after they are approved by the Defence Minister.
- Leads negotiations and signs international agreements on joint defence, military cooperation, collective security and disarmament matters.
- Declares a state of emergency and partial, or universal mobilization in case of an attack against the KR. In such cases consultations are undertaken immediately with the parliament.
- In accordance with the law “On Martial Law“, introduces and calls off legal acts pertinent to the martial law; forms and withdraws public agencies involved in the military planning.
- Issues legal acts on recruitment and dismissing of citizens of KR to and from the military service.

The powers of the parliament

- Defines military policy and authorizes important decisions in military-defence matters.

- Exercises legal controls over the defence sector and ensures the legal protection of military servicemen, retired personnel and members of their families.
- Authorizes the content of the military oath, military symbols, etc.
- Scrutinizes and authorizes military budget by chapter.
- Establishes military ranks.
- Ensures law-enforcement with regards to defence issues
- Approves the appointment of the Defence Minister
- Ratifies and denounces KR's international agreements on joint defence and military cooperation matters as well as on issues of collective defence and disarmament nature.
- Makes decisions with regards to the deployment of KR's Armed Forces abroad in accordance with international regulations.
- Makes decisions on universal or partial mobilization, introduction or revocation of the state of emergency; on the formation and withdrawal of public agencies involved in military planning.

The Defence Council

The Defence Council is a military-political institution that implements general control over the defence of the KR, military policy, and military construction, economic procurement of defence and social protection of the military personnel. The composition and appointment of the Defence Council's members is determined by a decree "On [Defence] Council" and is authorized by the parliament.

Powers of the Government of the KR in the defence sector:

- Holds responsibility over the welfare of the Armed Forces.
- Administrates the activity of state subcommittees on defence issues.
- Makes proposals to the parliament on military budget.
- Organizes the provision of equipment for the Armed Forces and other military formations with armament, military technologies, material assets, resources and services in accordance with the orders of the Ministry of Defence.
- Ensures the implementation of state programs and plans on arms procurement, as well as military-related education of the civilian population.
- Ensures the construction of necessary infrastructure for the functioning of the Armed Forces of the KR.
- Determines the order of military conscription and prepares proposals for the President on conscription quotas.
- Organizes the implementation of mobilization plans and tasks.

- Takes decisions with regards to the creation, reconstruction, and building of state defence units, the improvement of scientific research and military education and the development of military departments at universities.
- Organizes the implementation of and respect of international agreements on defence issues.
- Authorizes the decree “On the Ministry of Defence.”
- Organizes the work of subcommittees catering to the social protection of the military personnel, retired personnel, and members of their families.
- Establishes subsidies to civilian personnel working in the Armed Forces and the defence industrial sites and organizations depending on their labour conditions.
- Organizes the general planning of civilian and territorial defence, as well as controlling the implementation of authorized plans.
- Organizes the leasing, sale and provision of military technologies, defence materials and other military assets.
- Controls export of armament and military technologies, strategic assets, modern technologies and products of a dual use.
- Leads international negotiations on military issues, reinforces mechanisms that increase trust between cooperating states and decrease military threats as well as improving collective security.

Powers of the Ministry of Defence

- Leads politics in construction of the Armed Forces in accordance with the policies and guidelines of the top state executive agencies.
- Participates in the development of military-defence proposals and presents them for President’s consideration.
- Develops proposals for the military budget and presents them to the government.
- Develops long-term public programs and annual working plans along national defence interests.
- Coordinates, finances, and controls works implemented to reinforce national defence interests.
- Orders and finances scientific research in the defence field, orders production and purchase of armament and military technologies and other products and services necessary for the functioning of the Armed Forces.
- Develops strategies for the deployment of Armed Forces and its mobilization plans, as well as plans for the provision of equipment over the territory of the KR in line with defence interests.
- Commands the Armed Forces.

- Carries out intelligence activities for the purposes of national security and defence.
- Secures the protection of KR's national secrets.
- Maintains the state of readiness within the Armed Forces.
- Carries out the strategic training for the troops and military units.
- Provides financial, technical, and medical support for the Armed Forces.
- In accordance with the laws of the KR, organizes military recruitment and provides social protection to active and retired military personnel and their family members.
- Cooperates with the military agencies of other friendly countries.
- Introduces proposals to the government on potential opportunities and the capacities of the Armed Forces in contributing to socio-economic development of the country.
- Develops and presents to the government and the parliament projects on military oaths.
- Publishes necessary literature and material on military issues.

Powers of other ministries and state committees

Ministries and state committees are responsible for providing the necessary products for defence and ensuring the mobilization readiness within the defence sector and its continuous functioning during war time according to the mobilization plan.

The Powers of local governments in the defence sector:

- Oversee the implementation of legal acts and other normative documents and provide social protection to active and retired military personnel and members of their families.
- Ensure effective communications for the purposes of defence.
- Organize military recruitment and preparation of citizens.
- In accordance with the laws of the KR, fulfil the all needs of military formations and units within the Ministry of Defence.
- Implement the mobilization plans and orders.
- Participate in the planning and implementation of events on civil and territorial defence.
- Make proposals to top state agencies on the organization of the defence sector.

The law also outlines the responsibilities of the citizens of the KR in the defence sector, such as the military service, mobilization during the war time, etc.

The Armed Forces' responsibilities:

The Armed Forces of the KR are intended to: protect the sovereignty, independence, territorial

integrity of the KR against external aggression; implement various defence tasks together with the CIS member-states in accordance with international agreements.

The Armed Forces of the KR are comprised of ground troops, sea forces, air forces, military units and educational institutes, in addition to local government agencies responsible for military control.

Overall control of the Armed Forces is exercised by the President and parliament according to the Constitution of the KR and the law “On Defence”. The Ministry of Defence exercises direct control over the Armed Forces.

The Joint Chiefs of Staff of the Armed Forces is the main agency for strategic control.

At peace times the Ministry of Defence together with the Border Guard, Internal Troops, the National Guard and civil defence units plans joint actions, organizes defence collaboration through joint trainings.

At war times other military structures involved in national defence are placed under the control of the Defence Council. Military deployment of military units and control over them is exercised in accordance with a unified plan developed by the Ministry of Defence.

Deployment of military units in areas other than those legally defined, is carried out only with the authorization of the parliament.

Deployment plan is developed by the Joint Chiefs of Staff with the approval of the Defence Minister, the government’s and President’s authorization.

Deployment of the Armed Forces is allowed only after the parliament’s authorization.

Limits on the involvement of civil society organizations into the activity of the Armed Forces of the KR

Non-governmental organizations that pursue political goals are not allowed to intervene in the activities of Armed Forces.

It is prohibited to use the funds allocated to the Armed Forces in supporting or creating any organizations and/or unions.

It is prohibited to use the territory and/or offices of the Armed Forces for propaganda purposes.

Control over the rule of law in the Armed Forces of the KR

Respect for and implementation of the rule of law in the Armed Forces is ensured by the Prosecutor General and the Military Prosecutor who is under his control. The military tribunal ensures the defence of military personnel in addition to considering the civil and criminal petitions within the Armed Forces.

The state of war, martial law, mobilization, territorial and civil defence:

The martial law is announced in cases of direct military aggression against the KR and/or a CIS member-state terminated a cease-fire agreement with a given state.

In cases involving an unprecedented military attack against the KR, the military forces and state institutions must undertake defence activities without waiting for the announcement of the state of war.

Defence procurement

Financing the defence sector is carried out by using the state budget to allocate funds for the Ministry of Defence in accordance with the laws of KR.

International aspects of the defence sector

The KR follows international regulations in the defence sector. International agreements on defence issues where the KR is a member are ratified by the parliament.

ON UNIVERSAL MILITARY DUTY OF CITIZENS OF THE KYRGYZ REPUBLIC

The current law was adopted in 1992 and had numerous amendments in 1994, 1999, 2002, 2003, 2004 and 2005.

The main statutes of the law are the following:

The law of the KR lists Military duty as an obligation for those eligible under certain circumstances.. Military service in the Armed Forces of the KR is an honourable obligation for the citizens of the Republic.

All males - citizens of the KR, over age 18, independent of ethnic background, material or professional standing, education, language, religion, type of activity, place of residence, political and other attitudes, and race, - are required to serve in the Armed Forces of the KR.

Women - citizens of the KR, between age 19 and 49, who have medical or other professional training, might be recruited during peace time, as well as accepted for military service on a voluntary basis.

After the decision of the President of the KR, women might be drafted for special service during war time.

The Armed Forces are comprised of active and reservists forces. Military ranks are endorsed by the Supreme Council of the KR. The order with regards to assigning military ranks is established by the Defence Minister. Military service lasts for one year.

Preparation of youth for the military service includes: patriotism training; pre-service training; training for military-technological professions; advancing the general level of education among males and females draftees; physical and health training.

Preparing young people for military training is directed and organized by the government. The control and methodological advising process is carried out by the Ministry of Defence. Other state committees and local governments are also responsible for the quality of professional and military training process. The necessary number of military experts is determined by the government, while training curriculum is developed by the Ministry of Defence.

Army draftees are required to have a basic education level as well as be fluent in Kyrgyz and Russian languages. Military recruitment is carried out twice a year.

The current law has a detailed outline of draftees' rights and responsibilities, as well as rules of active duty for various ranks, retirement programs, etc.

REPUBLIC OF TAJIKISTAN

Part A: Basic Defence Management Laws and Regulations

Government structure, reporting and management relationships are detailed in Tajikistan's Constitution.

2. The defence sector

Key laws referring solely to the armed forces (organisation of the Ministry of Defence, mobilisation, military service, acquisitions, requisitions in time of war, territorial defence)

- Law "On Retirement Benefits of Retired Military Personnel" (December 1994)
- Law "On Veterans" (April 1995)
- Parliament's decree "On Garrison Services of the Armed Forces of the RT" (December 2001)
- Law "On Universal Military Duty and Military Service" (November 2000)
- Law "On the Armed Forces's Military Intelligence" (December 2002)
- Law "On Rescuing Services, Formations, and on the Status of Rescuers" (March 2005)
- Law "On Military Personnel's Status" (March 2005)
- Government's decree "On Authorization of Orders for Military Personnel's Ranks Drafted on Voluntary Basis" (May 2006)
- Government's decree "On Authorization of Status of Civil Defence Services" (July 2006)

Political documents stating the defence policy (Governmental programme, national security strategy or concept, white papers on security and defence)

- Law "On Defence" (June 1993; December 1999)
- Law "On the Armed Forces of the RT" (June 1993)
- Law "On Arms" (February 1996)
- Law "On National Control of Export of Arms, Military Technologies and Products of Dual Use" (December 1997)
- President's decree "On Strengthening the Fight against Terrorism" (1997)
- Government's decree "On National Anti-Terrorist Program for 1998-2000" (1997)
- Law "On Training and Mobilization" (December 1999)
- Government's decree "On Authorization of Military Transportation Order" (April 2001)

- Government’s decree “On Authorization of Military Service Order” (June 2001)
- Law “On Civil Defence” (February 2004)
- Law “On the National Guard of the RT” (July 2004)
- President’s decree “On the Creation of a National Committee for National Border Defence” (January 2006)

The defence planning documents made public or with unrestricted access (military strategy, procurement strategy, doctrines, defence planning directives, budgets, programmes)

- Peace Accord (June 1997)
- Law “On National Defence Order” (December 1999)
- Parliament’s decree “On the Adoption of the Military Doctrine” (October 2005)

Part B: Defence Institutions within the General Government:

Table 1 – Structure of General Government Decision Making on Defense Policy

Topic of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
National Defense Policy	Law “On Defense”	Parliament	President	June 1993 – December 1999	
	Military Doctrine	All force ministries	Parliament	October 2005	
National Security Strategy or Concept	Peace Accord	Between the United Tajik Opposition and the Tajik Government		June 1997-2000	The foundation of post-civil war DIB
National Defense Strategy or Concept	Law “On National Defense Order”		Parliament	December 1999	
Other national level defense policy documents	President’s decree “On Strengthening Fight against Terrorism”	President	President	1997 - Ongoing	
	Law “On Civil Defense”			February 2004 – ongoing	
White Paper					
Procurement Strategy					
Defense Planning Directive	Decree “On Authorization of Military Service Order”	Government	Government	June 2001	
Defense Budget					

The Parliament has only the power to endorse or reject defence policy documents submitted for its approval. The Parliament follows the party or coalition lines in deciding upon defence matters.

The President issues defence policy documents which are in turn submitted for approval to the Parliament, after the endorsement of the national defence council.

The President has an independent body/staff of defence experts working solely for him/her. The President observes the decisions taken by the national defence council or similar institution he is chairing without any predetermined opinion. .

The Prime Minister issues defence policy documents and guidelines that are binding for the entire defence establishment under his/her authority without needing the endorsement of the Parliament or the Council of Ministers.

The Prime Minister observes the decisions taken by the Council of Ministers without any predetermined opinion.

The Minister of Defence issues defence policy documents that are submitted for approval to the Parliament, after the endorsement of the Council of Ministers. The Minister of Defence has independent defence experts working solely for him. The Minister of Defence commissions research to public defence research institutes under his/her authority.

Before any strategic document on defence policy is issued for endorsement, it is unclear if there are any legal or customary provisions for formal guidance from a higher authority.¹¹

Both the defence procurement and the general government procurement system are transparent and accessible for the various industries, businesses and the public.

All contracts are authorised by the president.

The current financial/budgetary arrangements were introduced firstly for the defence sector and later extended to the general government.¹²

The allocation of the defence budget is determined at the executive level (the Cabinet) with the participation of the Minister of Finance, while the distribution of budgetary allocations among the services, programmes and chapters is done at the level of Defence Minister.

The main knowledge sources/documents that the government authorities' use for fulfilling their obligations for formulating national defence policies are extracted from Peace Accord of 1997. Other sources include: literature, models and examples from other nations with a recognised success in good governance in Russia and Central Asia. The UN principles, OSCE's Code of Conduct, and PfP frameworks are also considered.

There are no private research institutes on defence matters, only public ones. They fulfil ministerial obligations. Their activities are not public and are for official use only.

¹¹ Answering this specific question was not feasible given time and resource restrictions. The issue requires an in-depth analysis.

¹² Based on author's previous interviews with Tajikistan's military experts.

Part C: Defence Institutions within the Defence Sector

Table 2 – Structure of Decision Making on Defense Policy at Defense Sector Level

Type of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
Procurement Policy	Law “On National Control of Export of Arms, Military Technologies and Products of Dual Use”			December 1997 - ongoing	
Personnel policy	Law “On Universal Military Duty and Military Service”	Government	Parliament	November 2000	
	Law “On Military Personnel’s Status”			March 2005	
	Decree “On Authorization of Orders of Military Personnel’s Ranks Drafted on Voluntary Basis”			May 2006	
	Decree “On Authorization of Status of Civil Defense Services			July 2006	
Military education policy	Law “On Armed Forces of the RT”			June 1993	
Public information policy					
Other defense policy documents	Law “On National Guard of the RT”	President	Parliament	July 2004 – ongoing	
	Decree “On Creation of National Committee on National Border Defense of the RT”			January 2006 - ongoing	
Military Strategy					
Force planning directives					
Training doctrine	Law “On Mobilization Training and Mobilization”			December 1999 – ongoing	

All policy documents are published for internal distribution purposes. Approval for release of copies of these documents can be approved by official authorities. There is a list of policy documents that may be released to the public.

All divisions within the Ministry of Defence and the divisions within the military staff participate in drafting defence documents.

The process of defining the various strategic objectives, policies and directives within the defence sector is based on an internal assessment of national values, interests and requirements; similar documents published in other nations' defence establishments and advice and recommendations from international or bilateral experts.

The process of assessing security and defence risks when adopting various strategies, policies and directives within the defence sector is based on internal assessments and the UN, OSCE's and PfP recommendations.

Decision-makers at define defence requirements without debate.

The main organisational documents governing military structures are the Terms of Reference and the standard operating procedures for each structure..

There is a defence planning system in place based on a separate resources allocation system.

There is a bottom-up resource allocation system (lower echelons issue requests to the higher echelons).

The defence planning system is based on the departmental and service programmes and the defence planners have all necessary information about each programme in order to perform their tasks. Each programme is defined in light of the existing defence policy, each decision-maker issues guidance explaining his/her intentions and a medium-term framework is set accordingly (Law "On National Defence Order").

Defence planners are required to develop planning assumptions, recommendations and alternatives for the commanding officer or civilian dignitary before they decide on a certain course of action. The corps of defence is mostly composed of military experts.

Republic of Tajikistan (RT)

GENERAL OVERVIEW

Compared to its regional neighbours, Tajikistan's army is numerically larger in terms of the proportion of conscripts to the local population. This is due to a significant increase in the Popular Front conscripts during civil war between the governmental troops and the United Tajik Opposition (UTO) forces in the period 1992-1997. Data from international organizations indicates that state expenditures on military comprise about 4% of the annual GDP. However, some local experts estimate that during the post-war integration processes the government was spending up to one third of total state revenue on maintaining the military.¹³

The formation process of the Tajik army since independence can be divided into several phases. The period from 1992-1994 witnessed the rapid registration of newly emerging armed formations with the Ministry of Defence. At that time, owning weapons reflected an exclusive status; giving those who owned them privileges such as protecting public places on behalf of the government. It was also reflective of the state's inability to keep control over illegal possession of armaments on its own territory.

In the early 1990s the first specialized battalions were created. They comprised former civilians, who were armed during the beginning of the Tajik war. This was effectively the first attempt to integrate armed formations into governmental troops. At that point, it was difficult to determine the precise quantity of active soldiers, because of the high degree of fluctuation in the number of those registered. In 1994 military training complexes were organized and registered personnel received training according to their level of general education.

Tajikistan's internal troops were not able to retain social order and defend against armed opposition. Instead of actively addressing the security problem in the early 1990s, some security structures declared their neutrality. Many law-enforcement agents left their positions across the country which led to the formation of criminal gangs. Accordingly, inter-clan rivalries were intensifying and resulted in armed clashes in some cases. Every eighth Tajik citizen was reported to be a refugee. At that time the Supreme Council (parliament) was the only functioning state structure.

During the 1992 November Supreme Council's session security was the central issue. Moreover, during the session Rakhmonov was elected to head the Supreme Council. Another committee was appointed to draft the constitution. The latter was drafted and adopted in 1994. In 1996 the Security Council was formed and the president received more powers, such as controlling all national security institutions and neutralizing armed conflicts. All these newly acquired powers were based on the newly drafted constitution.

The Security Council mainly dealt with issues of a defensive and economic nature. According to the

¹³ Interview with Tajik military expert Muzafar Olimov and opposition leader Muhiddin Kabiri, Dushanbe, Tajikistan, March 2004 and June 2006

constitution, the main functions of the Security Council were to provide the president with analytical data in the defence sector; forecasting changes of domestic and external conditions which could potentially be harmful to human, social, and national security; development of national security strategies; controlling the armed forces and national military sites, national defensive capacity, military-technological cooperation; protection of national sovereignty and territorial integrity of the RT; as well as controlling activities of government structures in the defence field.

In the mid 1990s, the Security Council was mainly dealing with the intra-Tajik conflict; peacemaking and imposing the rule of law in Tajikistan's regions that are heavily involved in arms struggle; rebuilding state structures; integration of private and public armed forces under the opposition's control into the Armed Forces of the RT and other government structures; fighting against terrorism, criminality and drug trafficking; and strengthening of defence capacity.

In 1994 a special Commission on Regulating the Intra-Tajik Conflict was formed. It called for open dialogue between the conflicting sides in order to reach a ceasefire. However, the commission did not accomplish any substantial results after two years of its establishment. In 1996, the government began to directly negotiate with the UTO and the Security Council played a leading role in the process. Immediately after the 1997 Peace Accord, the president issued a decree to carry out all necessary peacekeeping activities. A special coordinating group was formed with the participation of the Security Council's Secretary. The groups worked on repatriation programs with the Tajik refugees, as well as military personnel who moved to neighbouring territories during the war.

Simultaneously, the Committee on National Reconciliation was formed by the president and controlled by the Security Council. The committee was responsible for neutralizing armed groups in Rasht valley, Khatlon and Sogd oblasts, which refused to comply with the terms of the Peace Accord. One of the main functions of the Security Council was to fight the economic, social and political conditions that created a favourable ground for organized crime. The Council's function was to also curb corruption and crime by coordinating government structures. .

The precise number of the Tajik armed forces in the mid 1990s was not available. The subsequent integration of the UTO and governmental armed structures after the end of civil war meant that the number of national troops would rapidly increase¹⁴. In the late 1990s Tajik Armed Forces were oversized and lacked clear enumeration. The Tajik government tried to reduce the number of troops, but it encountered numerous difficulties with integrating military personnel into civilian services. Many former soldiers wanted to quit the army after the adoption of the Peace Accord, however after fighting for about four years, former soldiers were not able to integrate in the job market. This was not only due to post-war economic hardship in the country, but it was also a result of the loss of their initial qualifications due to experiencing psychological trauma during the war.¹⁵

¹⁴ Bushkov, V.I. and D.V. Mikul'skii (1997). *Anatomiya Grazhdanskoi Voiny v Tadjikistane (etno-social'nye processy i politicheskaya bor'ba, 1002-1996)* (Anatomy of Civil War in Tajikistan (ethno-social processes and political struggle)

¹⁵ Marat, Erica, "Impact of Military Sector on Economic Development in Tajikistan." *Central Asia – Caucasus Analyst*, 19 May 2004.

In 1994-1997, the military registration was completed and the Tajik government was able to take first steps in military planning, which was also supported by the signing of the Peace Accord in June 1997. Three types of military structures were formed on the basis of existing personnel: land forces, air forces, and anti-raid forces. The troops were relocated to the country's strategic places. Simultaneously, the laws governing the service of higher army ranks within the military continued to develop. In 1994 Emomali Rakhmonov was elected as president and he subsequently became the Commander-in-Chief of the national military. A major part of security-related legislation was introduced after the signing of the Peace Accord. Since then, control over the military forces became more concentrated in the hands of the executive power. The number of opposition members in the government and the parliament decreased. The National Committee on Reconciliation was formed which included politicians, economists, military and medical experts.

Today the number of annual army conscripts is high in Tajikistan. In the government's official statements, the number of the military in the country ranges between 20,000-22,000 troops. However, according to the Tajik experts, the total number of troops reaches 100,000.. Those are members of the armed forces belonging to the Ministry of Interior, the Drug Control Agency, police and other law-enforcement agencies. This number is significant for a population of seven million, 600,000 of which resides abroad and of which 40% is underage. There is no military industry in Tajikistan that could ensure an independent domestic supply of arms. The country relies on foreign assistance and is bound to acquire all arms from abroad.

The Tajik parliament rarely obtains access to reports on military financing or administration from the Defense Ministries. Opposition roughly represents 2% of the Parliament. The annual military spending is determined by the Ministry of Defence without parliamentary considerations. The parliament serves only as a figure in developing any type of bills, including those related to security.

Tajikistan was the last among the Central Asian states to adopt a military doctrine in spring of 2006. That was due in great part to the fact that the Tajik government faced a different set of challenges in the aftermath of the collapse of the Soviet Union especially if compared to neighbouring states. As the Peace Accord was reached in 1997, the country struggled with creating a legal basis for military planning and control. This challenge was easily surmounted many years earlier by other countries in a similar situation like Kazakhstan, Kyrgyzstan, and Uzbekistan.. The lack of military planning and the disappearance of documents about military control during civil war in addition to close proximity to Afghanistan are potentially the causes of slow progress in the national security strategy formation.

The first reason for a deferred development in the military was the fact that at the time of independence the Tajik government did not retain its own national army. The bulk of the post-Soviet military formations became the property of the 201st Motorized Infantry Division stationed in the country for many years and administered by Russia. In contrast to the neighbouring states that received remains of the Soviet Turkestan Military District, the first Tajik army was constructed from guerrilla bands from Kuliyaab and Leninabad (renamed to Sogd in 2000) regions.¹⁶ Unlike Sogd, the northern

¹⁶ Burnashev, Rustan, "Tadjikistan : politika i vooruzhennye sily (Tajikistan : Politics and Armed Forces)", *Kommersant*, 2002; Interview with Tajik military expert, Dushanbe, March 2003

part of the country with traditionally dominant political elite, Kuliab is the southern region that remained underrepresented during the Soviet times. Opposition movements originated from southwestern and eastern parts of the country. Although the opposition movements were unified on the basis of regional identities, ideological questions between old communist elites and the new moderate Islamic leaders were among the main factors leading to and causing the civil war.¹⁷

Second, the civil war left the country with oversized military structures, rich in war experience and subject to government's and opposition's control. Most of the soldiers were recruited from a civilian population that lacked complete university or school degrees. In the late 1990s the Tajik government confronted the dilemma of demobilizing military personnel by providing them with civilian employment on the one hand, and integrating opposition troops into the national army - on the other. The Peace Accord remained a core document in the military organization for nearly three years.

The Tajik Ministry of Defence controls a majority of the country's armed forces and is thus the most influential security structure under presidential control. Other "force ministries" include the Ministry of Interior, the Border Guard Committee, the Ministry of Security and ministerial units. The Ministry of Emergencies was established in 1999 and is headed by Mirzo Zieyev, a representative of the religious opposition and former influential field commander in the civil war. Formally, the ministry has the capacity to influence state security politics, however, integration of the opposition and governmental troops resulted in centralization of control over the military in the hands of the president.¹⁸ Reforms in the armed forces are mostly oriented towards reinforcing the president's powers. In 2004, in line with Rakhmonov's decree, the President's Guard was transformed into a national guard. In reality this change did not bring about any significant structural reorganization.

Not all of the military commanders were given a governmental position as a result of the integration process. Some former war commanders were barred from the political process after the Peace Accord and continued their association with underground networks of Islamic radicals. Security structures were under partial or full control of the opposition party in Karategin, Gorno-Badakhshan, and Pamir regions. The exact number of armed formations in the state's poorly administered districts is difficult to establish. Reports on the intensification of the activity of Islamic rebels in the southern part of the country became more frequent in the late 1990s. In February, 2002, Tajikistan was the last Central Asian country to join Partnership for Peace program.

In 1997 the president issued a law "On Strengthening the Fight against Terrorism" and the government initiated a decree "On National Anti-Terrorist Program for 1998-2000". The Security Council encouraged the adoption of laws fighting with corruption and organized crime. These legal acts were preconditioned by a significant increase of organized crime once government and opposition forces were placed under the centralized national control. Several ministers and top government officials were sacked after being accused of corruption and illegal economic activities.

The Security Council is also actively engaged in solving issues of border control, fight against trafficking in drugs and arms, dissemination of radical religious literature and illegal migration. In

¹⁷ Akiner, Shirin and Catherine Barnes. "The Tajik Civil War : Causes and Dynamics." 10 March 2001

¹⁸ Interview with Tajik Military expert, March 2003

these activities, the Security Council coordinates the work of virtually all ministries and committees. It produces conceptual documents that form an understanding of national security. The Security Concept was developed by the Security Council and endorsed by the president in December 2004. On the basis of the Security Concept, the Military Doctrine of the RT, Concept of Informational Security of the RT, and a Joint Concept on the Fight against Terrorism and Extremism were adopted.

The Security Concept defines Tajikistan's national security interests at the domestic level, such as the protection and preservation of constitutional order, institutions of state power, promotion of civil order and national reconciliation, territorial integrity, the rule of law and the development of democratic society. In this respect, resolution and neutralization of conditions provoking political and religious extremism, ethnic separatism, inter-ethnic and religious conflicts and terrorism are important aspects. Abiding by the constitutional order in the state-building processes is given a special attention.

The Security Council seeks cooperation with the CIS member-states within the Collective Security Treaty Organization formed in May 2001 and the Shanghai Cooperation Organization beginning in 2004. The Security Council also has a leading role on reforming the Armed Forces of the RT.

The council regulated the integration of opposition forces into the Armed Forces by forming a 25th battalion that included 406 people from the opposition troops. Most of field commanders from the opposition were appointed to high government positions in the Defence Ministry, Ministry of Interior, Ministry of Security, and Border Control Committee. New positions and ministries had to be created for these purposes. For instance, the Ministry of Emergencies and Civil Defence was formed to allocate a government position to Mirzo Zieyev from the UTO.

Recently, the Security Council began dealing more with trans-national organized crime by training military personnel to deal with non-state criminal actors. The council also works towards promoting military service and military education among the population. The council began considering converting the Armed Forces into small, mobile and well- equipped troops, able to effectively provide national security and defence. A special plan on reforming the Armed Forces was developed by the Ministry of Defence and supported by the Security Council. The President, as a Commander-in-Chief plays a leading role in shaping this reform.

The Security Council is also engaged in the economic sector. It continuously monitors factors that might potentially destabilize the security of the national economy. In particular, issues of corruption are at the centre of these efforts. Furthermore, the council works towards attracting foreign investors into the energy sector.

The Security Council is actively involved in the national educational programs, health care system and ecological security of the state. Part of its function is to provide informational security. The Concept of Informational Security endorsed by the President represents an important conceptual document that determines state structures' main directions in regards to the mass media services. Control over the concept is entrusted with the Security Council.

Thus, the council fulfils important constitutional functions and plays a leading role in the provision of national security.

ON DEFENCE

Adopted in December 1999

The RT complies with international legal standards, strives for peaceful coexistence with all states, rejects wars or resorting to military power as a means for achieving political or economic goals.

Recognizing the necessity of peacekeeping to the security and territorial integrity of states and nations the RT maintains its own defensive capacity to a level that is necessary for its defence against aggression.

The current law defines the basis of RT's defence, powers of state structures, responsibility of institutions, organizations, public employees and citizens in the defence sector.

Chapter I. General Remarks

Section 1

RT's defence is the main function of state and society.

RT's defence is supported by a system of socio-economic, political, legal and military mechanisms directed towards protecting the sovereignty and territorial integrity, of the state. The main goal of RT's defence strategy is to create the necessary conditions for preventing military aggression against the country at any time and under any situation.

RT's defence is built along the lines of the military doctrine of the RT.

Military defence involves many agencies among which is the: Ministry of Security, Interior Troops of the Ministry of Interior, Border Troops of the Committee on Protection of National Borders, Civil Defence Troops and President's Guard. RT's defence sector may involve troops of other states on the basis of inter-state agreements.

Besides this, the defence sector includes a state Committee on Procurement, Committee on Defence Industry that fulfil certain functions established by the laws of the RT.

Section 2. The basis for the military doctrine

The military doctrine promotes the following principles by which it asserts that RT:

- Does not recognize war as a means of international problem solving.
- Is not a nuclear power and does not strive to produce, attain or use nuclear weapons on its territory
- Does not have any territorial claims toward any state and does not define any state as an enemy
- Never begins military actions against any state, unless itself becomes a victim of aggression

Section 3. Organization of defence

Organization of defence includes the following:

- Legal regulation of issues of defence and military construction.

- Development of cooperative military policy.
- Protection of state borders.
- Development of military and technological policy; development of military science.
- Sustaining the constant military and mobilization readiness of the Republic's Armed Forces.
- Preparation of the national industrial sector, state structures and administrative systems for activities during war time.
- Planning and carrying out of activities for civil and territorial defence
- Preservation of national military secrets.

Section 4. Legal system of the RT's defence sector

The legal system governing the defence sector is based on the Constitution of the RT and the existing laws or other legal acts that regulate the defence sector and the construction of the Armed Forces as well as international agreements to which RT adheres.

Chapter II

Section 5. Powers of the Supreme Council of the RT:

- Formulates national military policy.
- Regulates issues of defence and military construction.
- Defines foreign, domestic and security policies.
- Defines the composition, powers and order of formation of the Security Council.
- Authorizes military doctrine, the concept of military construction and the development of Armed Forces, as well as military procurement
- Authorizes military oaths, the general structure and size of the Armed Forces, border troops, Ministry of Interior's internal troops and other military formations created in line with the laws of the RT.
- Defines the type of cooperation with other states in the military field, ratifies and annuls international agreements.
- Appoints the Head of the Ministerial Council.
- Deals with issues related to the national border and defines its regime.
- Establishes military ranks.
- Takes decisions on the deployment of Armed Forces on foreign territories in accordance with international obligations.

- Ensures law enforcement in the defence sector and oversees the Head of Security Council and other public figures from the defence sector
- Announces full or partial mobilization.
- Announces the state of war and peace.

Section 6. Powers of the Head of Supreme Council of the RT:

The Head of the Supreme Council takes decisions with further approval by the Supreme Council.

Besides this function, the Head of the Council has the following powers:

- Takes decisions on conscription and retirement of the military personnel.
- Approves military ranks, symbols and flags of the Armed Forces.
- Forms the Security Council of the RT.
- Awards military ranks
- Takes decisions on the deployment of the Armed Forces.

Section 7.

The Head of the Supreme Council of the RT (the President), as a Commander-in-Chief and Head of the Security Council of the RT, takes all necessary measures to reinforce the defensive capacity of the RT and the ensure the constant readiness of the Armed Forces. He also:

- Proposes military doctrine projects and concepts for military construction and development, defines the overall structure and size of the Armed Forces and other military formations;
- Coordinates activities of state the defence sector.
- Leads negotiations and signs bilateral and multilateral agreements on military issues.
- Authorizes the mobilization and strategic planning connected to the Armed Forces.

Section 8. Powers of Security Council of the RT

The Security Council is the most influential agency in the defence and security sector. It is formed to ensure the protection of the constitutional order, sovereignty and territorial integrity of RT. It is also designed to develop the strategy and policy within the defence sector.

Section 9. Powers of the Ministerial Council of RT:

- Controls and monitors activities of agencies and organizations within the defence sector and supplies military technology to the Armed Forces.

- Determines the type and amount of material and technological support, and the provision of necessary equipment for the Armed Forces; determines the number of recruits.
- Develops and authorizes plans for the formation of the mobilization reserves’.
- Directs civil and territorial defence and the mobilization, training and transformation of the economy during a state of war; endorses the relevant documents facilitating these matters.
- Signs and annuls international agreements in the military sector.
- Executes international agreements within legally defined frames.
- Takes decisions on issues of military personnel’s accommodation and financing, organizes and controls their implementation
- Defines the order of lease, retail and transfer of armament, military technology and sites; controls export of technologies of a dual use.
- Creates and cancels military schools, scientific and research institutes, and military departments of the Armed Forces of the RT.

Section 10. Powers of of the Ministry of Defence in the RT

The Ministry of Defence controls the Armed Forces and the local offices of military command and is responsible for their development.

Also the Ministry of Defence:

- Assesses any given military and political situation and defines the level of military threat accordingly.
 - Participates in the development of the military doctrine.
 - Develops government programs with regards to military construction and development of the Armed Forces; ensures development of armament and military technologies.
 - Prepares proposals to the Supreme Council and Ministerial Council on military financing
 - Reports before the Ministerial Council on military spending.
 - Coordinates strategic, technological and psychological training among personnel.
 - Contributes to the improvement of military science; organizes and carries out military scientific research.
 - Orders the production of technologies and other military assets, controls execution of these orders.
 - Together with public structures of the Armed Forces, organizes and delivers military patriotic education among military personnel.
 - Defines the number of military personnel, the composition and type of Armed Forces.

- Plans training of recruits, the conscription and retirement process; as well as the mobilization and demobilization of reservists
- Organizes the exchange and cooperation process with armed forces of other states.
- In cases defined by the legal system of the RT, he/she issues decrees on military matters and controls their implementation.
- Ensures enforcement of the current law by military organizations.

Section 11. Responsibilities of ministries and committees of the RT in the defence sector

Ministries and committees are responsible for the production of military technologies and supply of arms.

Section 12. Powers of local parliamentary councils and their executive committees. They:

- Reinforce the constitutional requirements in the defence sphere especially among government officials and citizens, as well as defence industrial sites, institutions and organization; make decisions and establish of the needs in the defence sector and the mobilization readiness; organize arm supplies based on agreements.
- Provide land plots for the defence sector.
- Provide accommodation facilities to the Armed Forces personnel.
- Organize recruitment at the local level.
- Ensure the social protection of the military personnel and their family members.

Section 13. Responsibilities of institutions and organizations in terms of supporting the defence sector:

All military-industrial sites, institutions and organizations, without exception, should fulfil state orders and agreements in terms of the production and supply of arms and other products for the defence sector; lead research studies in the defence sector; create and maintain necessary mobilization readiness of the reserves, fulfil military transportation requirements and other orders in accordance with the mobilization plan.

Section 14. Responsibilities of public organization in the defence sector:

Public organizations and mass media outlets must abide by the legal system of the RT and prohibit the publication of national secrets. It is illegal for political parties and other public organizations to undermine the defensive and combat readiness of the Armed Forces.

Section 15. Citizens' responsibilities

Protection of the Fatherland is a constitutional requirement for every citizen of the RT and serving in the Armed Forces is an obligation by law.

Chapter III. The Armed Forces of RT

The Armed Forces of RT are part of the state structure designed for the armed protection of the sovereignty and territorial integrity of the republic. Their composition is defined by the law “On Armed Forces of RT“ and other legal act of the republic.

Chapter IV. Civil and Territorial Defence

Section 20. Civil defence

Civil defence is designed to protect the civilian population and the agricultural sector from the negative consequences of armed conflict. The goals of civil defence are defined by the legal system of the RT.

Section 21. Territorial defence

Territorial defence aims at protecting the national borders, strategic sites and communication facilities from aggressors. This is done in collaboration with Ministry of Interior’s border troops, the, National Committee on Security and other military institutions.

ON DEFENCE ORDER

Authorized in December 1999, by the Head of Parliament:

Section 1. Goals

The laws on defence include the necessary legal, economic and financial components for the execution of an effective state defence policy.

Section 2. Main concepts

State defence order (to be called defence order) - legal act that is concerned with: the development and supply of products necessary for the defence sector: the provision of armaments, military technologies and other military assets, as well as all material necessary for development of inter-state cooperation.

National defence ordering agency (to be called ordering agency) - Represents all government structures that are responsible for the implementation of law and order including the Ministry of Defence, Ministry of Interior, Ministry of Emergencies and Civil Defence, Tax Control Agency, Committee on Special Procurement, Border Control Committee, President’s Guard and the Central Committee on Defence Sector Support.

Chief defence order executive (to be called order executive) - Represents the Committee on Defence Productions which undertakes special agreements with the ordering agency for the production of service supplies.

Defence order executive (to be called executive) - Represents the industrial sites that are managed by the Committee on Defence Production which participates in completing defence orders on the

basis of a special contract. Industrial sites, ministerial committees and foreign organization may act as defence order executives.

National contract - is an agreement signed between the ordering agency and the executive. It ensures that all participating sides are implementing their defence orders.

Section 3. Legal system of the RT on national defence order

Legislation on national defence is based on the Constitution and is comprised of the current defence laws and other legal acts, as well as international agreements ratified by the RT.

Section 4. Composition and financing of national defence orders:

Composition of the national defence order includes the following:

- The scientific development, modernization and utilization of armament and military technologies, as well as the production of other military assets at industrial sites
- Increasing the mobilization readiness of the national economy
- Systematic production and supply of armament and military technologies, as well as all relevant material
- Reparation and modernization of armament and military technologies.
- Invention, production, and supply of military products within the confines of international agreements.
- Provision of material assets and food products.
- Mobilization of the national economy.
- Production supplies for the civil defence sector.
- The creation, printing and updating of topographical plans and maps.
- Provision of land plots for the defence sector.
- Construction, reconstruction, and technical supply of ordering agencies.

The defence procedures must define the quantity of products, the schedule and cost for their delivery and the list of ordering agencies and executives. The national budget is used to finance defence expenditures where defence sector needs are identified. The Financing is done on the basis of a national contract. The chief executive is responsible for spending of allocated resources.

Section 5. Formation and placement of defence order

Defence order is formed within defined budgetary limits on the basis of the following documents:

- The military doctrine of the RT.
- National industrial development programs.

- Orders of national agencies
- National economic mobilization plan.
- The RT's military and technological cooperation agreements with other states on the basis of international agreements

Projects of defence orders and the formation of national budget for the fiscal year are developed along the rules defined by the government of the RT, depending on the economic capacity of the RT.

The main directives in the defence order are authorized by the President of the RT, together with a representative from the parliament's lower chamber who specifically deals with budgetary issues.

Allocation of the defence order is done by the chief executive. All relevant industrial sites and organization of the RT must comply with the defence order.

Along with the adoption of a defence order, the ordering party signs an agreement with the chief executive.

Section 6. Main functions of the ordering party:

- Agrees on prices for defence order, signs contracts on supplies.
- Finances defence orders.
- Controls chief executives financial spending.
- Control implementation of projects.
- Participates and organizes experiments of new armaments and military technologies.
- Authorizes documents on production of new armament.

Section 7. Main functions of the chief executive:

- Participates in planning defence orders.
- Signs contracts on defence orders.
- Carries out experimental works, prepares experimental samples used for armament and military technologies, etc.
- Reports to the government with regards to defence orders.

National defence order

The government of the RT and other state public structures are responsible for ensuring compliance with the governmental policies in the development of military technologies; following national defence development programs, the creation and production of armament and military technologies, and other national programs in the defence sector.

TURKMENISTAN

GENERAL BACKGROUND

The Turkmen Constitution of 1992 states that the country maintains the status of “positive neutrality” with regard to national security and that the country should refrain from joining any multilateral military arrangements and maintain a purely defensive character. Although Turkmenistan was reluctant to develop relations with its neighbours, the country was the first to join the Partnership for Peace (PfP) program, which offered Turkmenistan an opportunity to train local cadres under the aegis of the organization’s international staff.

In the early 1990s, roughly 108,000 troops and 300 military units of the Soviet Army and, more precisely, Turkestan Military District, resided on the territory of Turkmenistan. By 1992, nearly half of the military officials and soldiers, mostly Russians from other Soviet states, had left the country. By 1996 the number of troops and active military units had drastically decreased as the new Turkmen Army comprised 11,000 personnel and approximately 200 units. National military structures were reorganized into three branches: the army, the air force, and border guards; the intention to establish the fourth branch of naval forces on the Caspian Sea was announced at the beginning of the 1990s. Moreover, this was the period when the status of the three Motorized Rifle Divisions (MRD) located on Turkmen territory was not yet determined. Similar to most post-Soviet states, the new government had the ability to claim control over the military despite the fact that the available military infrastructure and personnel required intensive financing.

Russia continued to support the military base and retained partial control over the MRDs.¹⁹ The Russian-Turkmen Treaty on Joint Measures signed in July 1992 stipulated that Russia will provide logistical and financial support to the post-Soviet military for a period of five to ten years. It was agreed by both sides that Turkmenistan will gradually be able to fully bear the costs of financing its military. In 2005, the Turkmen-Russian joint military command which implied Russia’s intensive financing to the military remained strong. This was compounded with new cooperation on natural gas transfers.

The border guards in Turkmenistan comprise about 5,000 personnel while the air force members comprise 2,000 men. The Border Guard Command was established in 1992 to replace the Central Asian MRDs based in Ashgabat, Gushgy, and Gyzyrlybat. Most of the border guard contingent is stationed along the Afghan frontier, which is regarded as the most vulnerable part of the state border. This area of the border is particularly weak to drug trafficking. The internal forces of Turkmenistan consist of approximately 25,000 personnel. However, in all likelihood the real number is higher than the one announced. Despite the fact that the Turkmen armed forces are smaller in number compared to other states in the region, the annual state military expenditures rate among the highest. It is assumed that the bulk of the expenditure is spent on maintenance of law-enforcement agencies as opposed to build-up of military capacity. Further, according to the International Crisis Group reports, army conscripts are stationed across almost all public institutions in Turkmenistan.²⁰

¹⁹ MRDs are based in Ashgabat, Gushgy and Gyzyrlybat.

²⁰ *Repression and Regression in Turkmenistan: A New International Strategy*, Osh/Brussels, International Crisis Group, (ICG), 2004.

Given that available firsthand information on governmental domestic and foreign policies is limited in Turkmenistan, the current section covers this aspect only briefly. It is mentioned in the Turkmen President's official speeches and governmental mass media that the country has a defensive military doctrine, however, only very few legislative acts are accessible through public venues.²¹ The experience of Turkmenistan's military legislature is quite distinct if compared to other Central Asian countries in the post-Soviet military construction era. The first notable difference with neighbouring countries can be seen in Turkmenistan's inability to undertake the necessary military reforms in the late 1990s. However, a series of laws adopted in 2003 "On Civil Defence" and "On Fight against Terrorism" explain what the regime considers to be a threat for its national security. Accordingly, the activity of militant groups seems to be an important consideration for the security of the current regime, as the appropriate legislation in defining what constitutes terrorism is being developed.

The second notable difference in the type of military legislature that Turkmenistan developed is the decreased emphasis on external threats and the focus on internal dangers including terrorism. The decree "On Fight against Terrorism" provides explains the legal basis for fighting terrorist formations on the territory of Turkmenistan and the coordination between various state agencies and rights and duties of civilian population as part of the fight against terrorism.²²

The decree "On Civil Defence" meticulously lists the possible origins of societal instability including natural and technological disasters. The doctrine considers that those disasters constitute a core challenge to civilian security. However, although armed conflict is not specifically mentioned, as a source of instability the same decree lists functions of the national armed forces in times of war. It does not mention any possibility of conflicts at the border, or spillovers of external conflicts from neighbouring states. At the same time, the definition of terrorism and challenges carried out by armed groupings internally drastically differs from those acknowledged in military documents in the neighbouring states.

Turkmenistan's defines any terrorist threat in terms of the security of the state and the president, and not merely the population: 'a terrorist act' : is a crime of a terrorist nature that is perpetrated using bombs, arson. . . it could also imply the infringement on the Turkmen President's life, other state or public employees. . . or any other employee with the status of interim protection and immunity" ("On Fight against Terrorism"). In effect, the state legislature affirms that terrorist organizations mainly target the political regime. Another difference in the Turkmen security policies if compared to other states in the region is the vague identification of foreign cooperation interests and coalitions. The country has a recognized status of neutrality which has been used as an excuse for Turkmenistan's refusal to join existing regional economic, political or security cooperation arrangements. Article 32 of the "On Civil Defence" decree maintains only general stances on international security cooperation interests. It does not specify any particular state, group of states or international organization.

²¹ For example, Justin Burke's translation of the report on Turkmenistan's military doctrine from "Neytralnyy Turkmenistan", 01.02.2002; or an article "K shestoi godovshchine neutraliteta Turkmenistana" [Towards the Sixth Anniversary of Turkmenistan's Neutrality] at Inform&Form agency, available at <<http://info-f.uz/turk4.htm>>.

²² Both decrees are available at <<http://www.turkmenistan.gov.tm/>>.

ON CIVIL DEFENCE

Adopted in November 2003 by Turkmen President:

The current law determines: the goals, organizational principles and functioning of the civil defence in Turkmenistan; the powers of government structures and public organizations; as well as the status of Turkmen and foreign citizens in the defence field.

The law defines the following concepts:

Civil defence: is designed to protect the citizenry, industrial sites and the national territory from the impact of destructive factors during emergency situations caused by natural or technological disasters during peace and war times.

Administrative structures of civil defence: represent the structures of the executive power and the organizations administering and providing civil defence during peace and war times.

[Rescue] Evacuation structures: represent the evacuation committees, created by the central and local power institutions, organizations and establishments for the evacuation of people and material assets into secure zones during disasters.

Civil defence powers: represents the civil defence military and territorial units,, emergency services and strategic rescuing squads.

Civil defence and emergency situation institutions: represent the military institution affiliated with Ministry of Defence that are appointed directly by the Turkmen President.

Formation of civil defence: represents territorial formations, emergency situation services that are established at the village, town, and city level as well as industrial sites and organizations.

Civil defence and emergency situation services: represent the civil defence and emergency situation services at the central, regional and city levels. They are created by the Ministerial Cabinet of Turkmenistan and the directors of the central and local representation at the executive level..

Strategic rescuing squads: represent the central, regional and city level organizations that are entitled to carry out complex rescuing operations.

“Attention Everyone!” Signal: a unified civil defence signal that is transmitted during crises or disasters. Upon hearing this signal it is imperative to switch on television sets, radios, and other outlets, carefully listen to broadcast information and follow instructions.

Foundation for protection of constructions: a compound including many constructions designed for the protection of personnel and population during emergency situations caused by natural or technological disasters.

Industrial sites: buildings and constructions utilized for the purposes of production in all sectors.

Section 2. The legal system of Turkmenistan's civil defence

The legal system is based on Turkmenistan's Constitution on which in turn is forms the source of the current law, as well as other normative legal acts regulating the sphere of civil defence.

The current law applies to the executive power structures, local governments, organizations, industrial sites and establishments, public employees and Turkmen citizens, foreigners and people without citizenship residing on the territory of Turkmenistan.

Section 3. Main goals of Civil Defence.

The Organization of civil defence is one of the most important functions of the state and is an important component of its defence strategy.

Protection of the citizenry and strategic industrial sites remains of the most important functions. The strategy is mainly designed to minimize losses during natural and technological emergencies.

The following are civil defence's main goals:

- Maintaining the readiness of administrative, warning, and communication systems.
- Creation of civil defence forces, their training and maintenance so they react immediately to emergency situations.
- Training of personnel from central and local executive offices, industrial sites, establishments and organizations, as well as training of the population to deal with emergency situations.
- Observation and laboratorial control over radioactive, chemical, and bacteriological situations.
- Provision of mobilization readiness for the civil defence military formations.
- Implementation of a series of activities to sustain and improve the functioning of industrial sites.
- Maintaining the readiness of the defence sector including the reserves; distribution of defensive tools and means of individual protection in cases of emergency situations
- Warning the population and the central and local authorities about the various threats to life and health during emergency situations.
- Carrying out rescuing operations and other immediate activities, organization of accommodation for evacuated population.
- Protection of food production, water resources, animals and plants from radioactive, chemical, and bacteriological contamination.

Section 4. System and order of Civil Defence's organization

The system of the civil defence is comprised of the following:

- Executive power structures that are responsible for the security and defence of the population, the prevention and reaction to emergency situations
- Structures responsible for the everyday protection of the population at the central or local executive levels. In addition to administrative organizations and establishments, supporting this process.
- The powers and means responsible for civil defence.
- Financial, medical and material-technological resources that are needed to deal with emergency situations.
- An effective communications system including early-warning equipment.

Preparation of the civil defence facilities and procedures should be carried out before the emergency takes place, particularly around sites that susceptible to emergency situations.

The Ministerial Cabinet of Turkmenistan defines the type, size and timing preparing the activities of civil defence.

The responsibility for organizing and implementing civil defence procedures is on the function of the agencies of the executive power of Turkmenistan, as well as industrial sites, establishments and organizations.

Special ministries and committees, as well as public employees from the civil defence sector are called on for managing the protection of civilian populations during emergency situations.

The Ministerial Cabinet of Turkmenistan defines the responsibilities of civil defence local representatives, agencies and ministries.

The central and local governmental representatives, organizations and establishments are responsible for reporting annually to the Ministerial Cabinet of Turkmenistan with regards to activities in the civil defence sector.

Chapter II. Activities in Civil Defence of Population, Territory and Industrial Sites;

Section 5. Activities in civil defence: civilian populations, territory and industrial sites:

Defending the population, territory, and industrial sites should be implemented in a timely manner. They are the direct responsibility of the central and local representatives of the executive power along with the relevant organizations, establishments and industrial sites.

In order to adequately protect the population, territory and industrial sites during emergency situations caused by natural and technological factors, central and local executive structures are responsible for the following:

- Development of prospective and on-going plans for the protection of the population, populated areas and industrial sites from emergency situations caused by natural and technological disasters.

- Necessary activities to sustain the functioning of industrial sites and provision of security for workers during emergency situations.
- Creation of local warning systems.
- Creation and preparation of readiness means and early warning and combat systems to minimize the effects of emergency situations and to provide help to the injured within the population.
- Taking into consideration potential natural disasters as a factor when planning local construction projects.
- Provision of reserve temporary accommodation for people affected by emergency situations.
- Provision of food, medical and material-technological reserves in populated areas.

Section 6. Civil Defence procedures during and after earthquakes.

Section 7. Civil Defence sector procedures during and after floods.

Section 8. Civil Defence procedures in relation to natural resources.

Section 9 Civil Defence sector procedures for protecting the population, territory and industrial sites from natural disasters.

For the purposes of protecting the population, territory and industrial sites from any damages or losses caused by any type of disaster, the executive power representatives, local governments and all relevant Civil Defence sector services are responsible for the following:

- Development of plans for civil defence purposes at peace and war times.
- Creation and development of administrative systems to improve civil defence early warning systems.
- Maintaining the readiness of the Civil Defence sector.
- Preparation of administrative bodies; undertaking universal training for the population to deal with emergency situations.
- Construction and accumulation of defence technologies.
- Reinforcing individual protection through development of material-technological means.
- Planning and execution of evacuation procedures.
- Ensuring the functioning of industrial sites during emergencies.
- Reinforcing the mobilization readiness of military institutions in the Civil Defence sector.

When emergencies take place, the following procedures are taken:

- Warning the population about existing threats and providing them with the necessary information to deal with the emergency..

- Placing population into protected buildings and if necessary, using individual means of protection.
- Deployment of Civil Defence institutions.
- Providing medical help to the injured.

Section 10. Engineering and technological activities within the civil defence sector.

Section 11. Preparation of professionals and population for civil defence procedures.

Learning civil defence is compulsory for all citizens of Turkmenistan and is carried out by special programs. Mass media outlets are used for these purposes.

Preparation of administrators, specialists of central and local offices of the executive power, organizations and institutions is done at a special methodological centre.

Preparation is done at military and civilian schools of Turkmenistan, as well as at public and international centres.

Preparation is done at a local level, starting from the pre-school period.

Chapter III. Civil Defence Structures

Section 12. Composition of Civil Defence:

Civil Defence structures include military institutions of civil defence within the Ministry of Defence of Turkmenistan, local formations of the Civil Defence and Emergency Situations, central and local squads.

During peace times, civil defence structures are part of the National Warning System.

The President of Turkmenistan determines rescuing activities, which may involve structures within the Ministry of Defence, Ministry of Interior, and other agencies specialized in rescuing operations.

These structures are trained and equipped to be ready for rescuing operations.

Deployment is conducted after a decision by the relevant administrative bodies has been taken.

Section 13. Military units of the civil defence sector and their responsibilities during peace time

Military units of the Civil Defence of Turkmenistan are formed for the protection of the population, industrial sites, and territory of the country at emergency situations, at peace and war times.

The Ministry of Defence of Turkmenistan directs recruitment, equipment and sustains the combat readiness of military units.

The following are the main responsibilities of military units of the civil defence:

At peace time:

- Organization of comprehensive training for the military personnel in rescuing operations and procedures.

- Carrying out rescuing works and providing all-inclusive help to the population.
- Preparing, improving and sustaining mobilization readiness.
- Accumulation, storing, and renovation of technologies and other material-technical means for deployment of military units for rescuing operations and other immediate activities

During war time:

- Carrying out radioactive and chemical intelligence activities at affected/contaminated areas.
- Carrying out rescuing and other necessary operations in affected territories and contaminated zones.
- Participating in evacuation works.
- Participating in reconstruction works.
- The deployment of military units in times of peace is controlled by the Minister of Defence of Turkmenistan according to the procedures determined by the Ministerial Cabinet.
- Military units must sustain combat readiness and be equipped with specialized technologies.
- Recruitment of the military units is based on the laws of Turkmenistan.
- Civilians may also be recruited into military units of the civil defence. The number of personnel and their ranks replaced by civilians is determined by the Minister of Defence and subject to the consent of the President of Turkmenistan.
- For the strategic deployment of the military units of civil defence, special technologies, armament, material and military equipment are developed.

Section 14. The formation of the civil defence sector

Civil defence formation is designed for carrying out rescuing operations and dealing with other urgent situations both at peace and war times. The formation is present at industrial sites, institutions and organizations at the local and central level.

Local formations at villages, towns and cities are controlled by the relevant chiefs of civil defence.

The number of civil defence formations is determined by local necessities, within the national territory, industrial sites, organizations and institutions during emergency situations. .

For regions that are susceptible to earthquakes, a minimum of one rescuer per ten people is provided as part of the civil defence scheme. At industrial sites and in other areas, the ratio is one rescuer per 15-20 people.

All managers of industrial sites/institutions/organizations, in which Civil Defence formations exist, are responsible for the professional training, provision of equipment and modern technologies populations there..

The main formations of the civil defence sector are the following:

- Rescuing formations for intelligence service, search and evacuation of injured. . Those formations are comprised of rescuing squads, teams, and groups.
- Engineering formations for engineering intelligence, activities at various construction sites and other similar activities are comprised of engineering teams and groups.
- Engineering formations must be well equipped.
- Formations responsible for medical help, communication systems, protection of animals and plants
- Centralized strategic rescuing squads are created for localities/areas with difficult settings; these squads are formed by the Ministerial Cabinet of Turkmenistan.

Local formations are financed by local governments.

Chapter IV. Civil Defence Administrative Structures and Services

Section 15. Control over the Civil Defence Sector

General control over the civil defence is conducted by the Chair of the Ministerial Cabinet of Turkmenistan who is also head of the civil defence of Turkmenistan.

The Minister of Defence of Turkmenistan is the Head of the National Commission of Turkmenistan on Emergency Situations, is the Deputy Head of Civil Defence of Turkmenistan and exercises direct control over the civil defence sector..

At the local level, central and local heads of the executive power are responsible for managing the civil defence sector.

Local heads of the civil defence sector have the following rights:

- Appoint and fulfil plans of civil defence in the order determined by the Head of Civil Defence of Turkmenistan.
- Evacuate population when necessary.
- Issue decrees, make decisions on civil defence
- Involve necessary organizations and people
- Demand execution of the current law by representatives of private and public structures.

Decrees, decisions and orders authorized by local heads of the civil defence must be fulfilled by all relevant organizations and institutions, as well as public employees and citizens.

Section 16. Civil Defence's administrative bodies

The following structures are considered to be the civil defence's administrative bodies:

- The Turkmenistan State Committee on Emergencies according to territorial divisions.
- Employees of the civil defence sector at the central and local representations of the executive power

- Specialists from industrial sites, institutions, and organizations are under the control of the Head of Civil Defence.

Local heads of civil defence are deputies of the Head of Civil Defence.

Section 17. Civil Defence Services during emergency situations

Chapter V. Powers of the Executive as represented by its Institutions and Organizations; Rights and Responsibilities of Turkmen Citizens in the Field of Civil Defence

Section 18. Powers of the Ministerial Cabinet of Turkmenistan in the field of Civil Defence:

- Heads the civil defence institution of Turkmenistan.
- Develops main the main components of national policies in the field of civil defence and presents it for authorization by the Turkmen President.
- Develops the civil defence sector, its financing and ensures provision of material.
- Enhances the functioning and resilience of national economy at peace and war times.
- Determines the criteria for the selection and composition of civil defence at specific localities.
- Defines the transition procedures from peace to the military state.
- Takes decisions with regards to the deployment of military forces for rescue operations.

Section 19. Powers of the National Commission of Turkmenistan on Emergency Situations:

- Organizes the development and implementation of civil defence programs.
- Authorizes decrees on civil defence and emergency situations.
- Organizes and coordinates the activities of ministries, committees, industrial sites, organizations and local representations of the executive powers and local government in the field of population security and the sustainable functioning of industrial sites during emergency situations
- Organizes the activities of civilian defence in terms of early warning and control of emergency situations.
- Leads international cooperation in the field of civil defence.

Section 20. Powers of the Ministry of Defence of Turkmenistan in the Field of Civil Defence:

- Exercises direct control over the defence sector
- Within the limits of own competency, takes decisions on issues of preparation and deployment of the civil defence that are further executed by central and local executive representatives, industrial sites and organizations, as well as citizens of Turkmenistan
- Organizes formation of the civil defence and military units at rescuing sites and other urgent works.
- Develops civil defence plans at peace and war times and presents them for authorization by the Ministerial Cabinet of Turkmenistan.

- Develops bills in the field of civil defence for the authorization by the Ministerial Cabinet of Turkmenistan.
- Leads activities on the creation and organization of committees-including non-profit ones-that are specialized in the field of civil defence and emergency situations
- Organizes specialized training for the military personnel, administrators and professionals at industrial sites, various organizations and formations on civil defence procedures
- Determines the civil defence needs in terms of technological equipment, armament and other -technological material.
- Develops bills on the civil defence system.
- Informs the National Commission of Turkmenistan about emergency situations.
- On the basis of the President's directives, leads the recruitment process for the military service and the civilian mobilization plan.
- Provides combat and mobilization readiness for the civil defence military units.
- Appoints all civil defence administration staff members within the Ministry of Defence; recruits officers to military service and for reserves and makes decisions on military ranks
- Collaborates with the National Commission of Turkmenistan on Emergency Situations with regards to protecting the national territory from all types of catastrophes, as well as controls the negative consequences of emergency situations.
- Solves other issues as defined by the laws of Turkmenistan.

Section 21. Powers of ministries and other executive institutions of Turkmenistan in the field of Civil Defence:

- Develop and administer plans for civil defence.
- Create and sustain the constant readiness of administrative systems, warning and communication systems in the civil defence sector.
- Prepare civil defence institutions training of the sector's employees on defence techniques.
- Organize and administer rescuing activities and other emergency works at public structures.
- Organize the protection of workers in the sector.
- Take all necessary means to ensure the functioning of the civil defence sector during peace and war times.
- Preparation and organize the evacuation of workers and their families during emergencies.

Section 22. Powers of local executive institutions in the civil defence sector:

- Plans civil defence during peace and war times; control their implementation at the local levels.

- Controls activities of the civil defence sector in industrial site, organizations, and institutions at local precincts.
- Maintains the constant readiness of the early warning system.
- Maintains and supports: the readiness of administrative bodies, means of civil defence; recruitment of military personnel; acquisition of necessary equipment; procedures for rescuing workers.
- Organize the training of administrators and professionals on defensive techniques in industrial sites, organizations, and institutions to deal with emergency situations.
- Organize procedures for rescuing works and other urgent activities.
- Define the amount and method for accumulating, storing, renovating and sustaining civil defence assets;
- Providing the means to sustain the functioning of organization during peace and war times.
- Responsible for civil defence at local precincts.

Section 23. Powers of industrial sites, organizations, and institutions in the civil defence sector:

- Plans civil defence activities during peace and war times and controls their implementation.
- Organizes the protection of personnel.
- Ensure the sustainable functioning of industrial sites, organizations, and institutions at peace and war times.
- Create and support the readiness of the civil defence formations.
- Create and support readiness of local warning systems, etc.
- Create necessary working conditions for civil defence personnel.
- Provide transport, material means, instruments and equipment during emergency situations.

Section 24. Rights and responsibilities of citizens, living in Turkmenistan, in relation to the defence sector

Chapter VI. Material-Technological Procurement of Civil Defence Sector

Training facilities, accommodation for personnel, territory where military assets are based belong to the government and are part of the civil defence sector. Military units use the available territory, water, and air space on the basis of Turkmenistan's laws.

Section 26. Assets belonging to the civil defence sector:

The civil defence sector possesses the following assets: administrative units, local government offices, civil defence shelters, tools for individual protection, devices for radioactive and chemical intelligence, and other similar assets attained through public and private funds or relevant funds for civil defence purposes by industrial sites, institutions and organizations.

Assets belonging to the civil defence sector can not be privatized.

The order of attaining assets for the civil defence purposes is determined by the Ministerial Cabinet of Turkmenistan.

Section 27. Material and technological procurement of the civil defence sector:

The civil defence sector's material and technological procurement is financed by the state budget. Local governments are responsible for local procurement orders. Specific materials and technologies are attained on the expense of local industrial sites, organizations and institutions.

Chapter VII. Financing Activities of the Defence Sector

Section 28. Sources of financing:

The civil defence sector's activities are financed by the Government of Turkmenistan. At the local level, local governments are responsible for financing process. Industrial sites, organizations and institutions are responsible for their own finances.

Financing the activities of civil defence may be done through voluntary contributions of citizens, foundations, religious and social organizations.

Individual budgetary plans are formed for central and local offices of the executive power, industrial sites, organizations and institutions dealing with the civil defence.

Section 29. Sustaining the administrative offices and military units of the civil defence sector:

Military units and division within the civil defence sector of Turkmenistan, ministries and executive power institutions are funded by the state budget.

The creation and preservation of executive power's local administrative offices is done through relevant budgets.

Civil defence military personnel and administrative staff, local offices and administrative bodies are entitled to social benefits as defined by the laws of Turkmenistan.

Chapter VIII. Concluding Remarks

The civil defence sector's personnel are entitled to social security benefits.

Public employees, Turkmen citizens, and foreigners who violate the current law are to be persecuted by the legal system of Turkmenistan.

International cooperation in the civil defence sector presumes the following:

- Participation in international projects on civil defence; exchange of scientific and technological accomplishments in this sector
- In cases when international agreements, ratified by Turkmenistan, contain norms different from those established by this law, international norms are applied.

ON THE FIGHT AGAINST TERRORISM

Authorized in November 2003 by the President of Turkmenistan

The current law defines the legal and organizational foundations of the fight against terrorism in Turkmenistan, the order of these activities and interactions of government structures and organizations, independent from their form of ownership, as well as rights and responsibilities of citizens regarding the fight against terrorism.

Chapter 1. General Remarks

Section 1. Main concepts used in the current law:

Terrorism: represents: politics and tactics that intend to take over state power and violently change the constitutional order. It is a violation of societal security using the threat of violence.

Terrorist activities - activities representing the following:

- Dissemination or propagation of the ideology of terrorism.
- Organization, planning, preparation, and carrying out of terrorist acts.
- Advising terrorist acts, violence against people or organizations, destruction of material assets.
- Organization of illegal militant groups, criminal organization, organized group for terrorist acts and participation in such acts.
- Cooperating, arming, educating, and using terrorists.
- Financing terrorist organizations or groups, or any other collaboration with them.

International terrorist activities:

- Activities carried out by a group of terrorists and/or terrorist organization on the territory of more than one state.
- Activities by citizens of one state against citizens of another state or against another territory.
- In cases, when a terrorist and a victim of terrorism are citizens of the same state or different states, but the terrorist act itself was conducted outside of their respective states.

Terrorist act is a crime of a terrorist nature, conducted by means of an explosion, arson, usage or threatening to use nuclear explosives, radioactive, chemical, biological, bacteriological, toxic, and other poisonous elements; annihilation, damaging or capturing of transportation means and other objects; threatening live of the President of Turkmenistan, other state or public figures representing national, ethnic, religious and other groups of the society, representatives of foreign countries and international organizations, as well as hostages, kidnapping; provocation of technological catastrophes and other acts representing a threat to peoples' lives.

A terrorist is a person participating in terrorist activities.

A terrorist group is a group of people united to carry out a terrorist act.

Other definitions include: terrorist organization, fight against terrorism, anti-terrorist operation, zones for anti-terrorist activities, and hostage.

Section 2. Legal basis of fight against terrorism

The legal basis for anti-terrorist activities is detailed in the Constitution of Turkmenistan, the decisions made by the parliament, the Criminal Code, the current law, other laws of Turkmenistan, orders and decrees of the President of Turkmenistan, international principles and norms, international agreement of Turkmenistan, as well as legal acts adopted under these agreements.

Section 3. Goals of anti-terrorist activities:

- To protect the individual, society, and national security of the country.
- To prevent, identify, and curb terrorist activities and minimize their consequences.
- To identify and eliminate causes of terrorist activities.

Section 4. Main principles in the fight against terrorism:

- The rule of law
- Prioritization of preventive activities.
- Persecution of terrorist activities.
- Combining overt and covert forms of anti-terrorist activities.
- Using a combination of preventive, legal, political, socio-economical, and propaganda as measures to fight against terrorism.
- A joint command over anti-terrorist operations.
- Confidentiality of means, technologies, and people involved in anti-terrorist operations.

Chapter 2. The Basis of Anti-Terrorist Operations

Section 6. State structures involved in anti-terrorist operations:

The overall administration over the fight against terrorism and provision of necessary capacity and resources is conducted by the President and Ministerial Cabinet of Turkmenistan.

State structures directly involved in controlling anti-terrorist operations are the Ministry of National Security, Ministry of Interior, President's Security Service, Ministry of Defence, the National Service on Registration of Foreign Citizens, the National Border Service, the National Customs Service and the General Prosecution. Other state structures might be involved as well. Coordination of interaction between these structures is carried out by a special National Commission specialized in the Fight against Terrorism formed by the President of Turkmenistan.

Section 7. Main functions of the National Commission on the Fight against Terrorism:

- Under President's control, develop the basics of the national anti-terrorist policy.

- Collect and analyse information on possible terrorist activities on the territory of Turkmenistan.
- Coordinate the activities of the various state structures involved in the fight against terrorism, as well as public organizations and institutions.
- Define the list of strategic national sites, constructions, etc.
- Participate in the preparation of international agreements dealing with anti-terrorist activities.
- Educate specialists and lead scientific research in the field of anti-terrorist activities while considering international practices.
- Develops proposals to enhance the legal basis for Turkmenistan fight against terrorism.

Section 8. Powers of state structures directly involved in the fight against terrorism:

The Ministry of National Defence is responsible for preventing crimes of a terrorist nature, including political crimes and international terrorist activities; leads criminal investigations; protects property of Turkmenistan and Turkmen citizens located abroad; gathers information on foreign and international terrorist organizations.

The Ministry of Interior leads anti-terrorist activities commensurate to own capacity.

The President's Security Service provides protection to the President of Turkmenistan and members of his family.

The Ministry of Defence protects and defends military technologies, armaments, explosives, military sites, as well as participates in various security manoeuvres in sea, ground and air.

The National Service on Registration of Foreign Citizens leads anti-terrorist activities within its own competence and controls exit and entrance of foreign nationals from and to Turkmenistan; leads special activities on prevention, investigation, and persecution of possible crimes and in cases of potential terrorist threat.

National Border Service leads anti-terrorist activities by preventing, investigating, and persecuting of possible trespassing of terrorist through the national border of Turkmenistan, as well as illegal trafficking in arms, explosives, poisonous, radioactive and other types of products that can be used in terrorist attacks.

National Customs Service leads anti-terrorist activities by preventing illegal trafficking in arms, explosives, poisonous, radioactive and other types of products that can be used in terrorist attacks and legal violations.

The General Prosecution and its committees lead anti-terrorist activities by reinforcing the rule of law, persecuting legal violations, and investigating terrorist crimes.

Section 9. Powers of other state structures in the fight against terrorism

Ministries, committees and local government offices participate in anti-terrorist activities through using preventive means, the creation and sustaining of necessary early warning systems, the collection of information and storing of medical and technical equipment.

The order of these activities is established by the Ministerial Cabinet of Turkmenistan.

Section 10. Cooperation with state structures in fighting terrorism

State structures, as well as organizations, independent of their form of ownership, must collaborate with the state structures in fighting terrorism.

Citizens must immediately inform state structures about terrorist activities. Hiding such information is considered illegal.

Section 11. Function of public organizations and mass media outlets in the fight against terrorism

Public organizations must cooperate with state structures in the fight against terrorism, identification of causes of terrorist activities and warning of terrorist outbreaks.

Mass media outlets, together with relevant ministries, must participate in instilling: moral ideals, patriotism, national pride, loyalty to national traditions, love for the Fatherland and its protection among Turkmen citizens.

Chapter 3. Leading Anti-Terrorist Operations

Section 12. Control over anti-terrorist operations

A special strategic committee is formed and directed by the Ministry of National Security and Ministry of Interior for direct control over anti-terrorist operations by the President of Turkmenistan, depending on the competence of these structures in leading concrete anti-terrorist operations.

The activities of the strategic committee are defined by the President Depending on the magnitude of threat from terrorist activities; the President of Turkmenistan may appoint a head for the strategic committee from the National Commission on the Fight against Terrorism or any other relevant structure.

All military personnel and specialists involved in the fight against terrorism are under the head of the strategic committee.

The head of the strategic committee defines the zones for anti-terrorist operations, takes decisions on deployment of special means for conducting these operations. Any intervention in the process by other state representatives is not allowed.

Section 13. Means of anti-terrorist operations

Any state structures might be involved in anti-terrorist operations. Structures of the executive power allocate transportation, financial, communication, and other means necessary for anti-terrorist operations.

Section 14. Legal order within anti-terrorist operation zones

Officials involved in anti-terrorist operations have the right to:

- Take necessary measures to prevent transport or pedestrian communication, including transportation means of foreign diplomatic services.

- Check identification documents and detain people without identification documents.
- Capture anyone breaking the requirements of anti-terrorist operation zone.
- Enter into private properties.
- Search individuals and check their belongings
- Search transportation means
- Resort to arms if hostages' or citizens' health or life is threatened

Presence of mass media outlets at anti-terrorist zones is allowed only under the strategic committee's special permission.

Section 15. Negotiating with Terrorists

Negotiations are held for the purposes of saving lives and material assets, as well as investigating possibility for resolving terrorist acts without resorting to arms.

Section 16. Informing about terrorist acts

Section 17. Concluding anti-terrorist operations

Chapter 4. Compensation for Damages and Social Rehabilitation of Individuals Suffered as a Result of Terrorist Acts

Section 18. Compensation for damages caused by terrorist acts

Section 19. Social rehabilitation for individuals who suffer as a result of terrorist acts

Chapter 5. Legal and Social Protection of Individuals, Participating in the Fight against Terrorism

Section 20. Individuals participating in the Fight against Terrorism are entitled for legal and social protection

Section 21. Individuals participating in the Fight against Terrorism are compensated for damages

Section 22. Cancelling Charges for Damages

Chapter 6. Responsibility for Participation in Terrorist Activities

Section 23. Responsibilities of People Participating in Terrorist Activities

Section 24. Responsibilities of Organizations Participating in Terrorist Activities

Chapter 7. Concluding Remarks

Control over fight against terrorism in Turkmenistan is conducted by the President of Turkmenistan and Ministerial Cabinet of Turkmenistan. Control over the legality of fight against terrorism is exercised by the Prosecutor General.

REPUBLIC OF UZBEKISTAN

Part A: Basic Defence Management Laws and Regulations

Government structure, reporting and management relationships are depicted in Uzbekistan's Constitution.

The defence sector

Key laws referring solely to the armed forces (organisation of the Ministry of Defence, mobilisation, military service, acquisitions, requisitions in time of war, territorial defence)

- Ministerial cabinet's decree "On Memorization of Patriots" (1999)
- Law "On Special Cargo and Military Contingent's Transit" (May 2001)
- President's decree "On Social Protection of Retired Military Personnel" (May 2002)
- Ministerial Cabinet's decree "On Authorization of Organizational Order of the Alternative Military Service by Citizens of the RU" (March 2003)
- Law "On Military Reservists of the RU" (April 2003)
- President's decree "On Social Protection of the Military Personnel" (June 2005)
- Ministerial Cabinet's decree "On Monthly Salaries to Military Personnel" (July 2005)
- President's decree "On Measures of Further Advancement of Social Subsidies to Military Personnel" (October 2005)
- Ministry of Defence's decree "On Temporal Financial Responsibility among Military Personnel in Case of Damage to Material Assets" (2006)

Political documents stating the defence policy (Governmental programme, national security strategy or concept, white papers on security and defence)

- Law "On Defence" (July 1992)
- President's decree "On Reformation of the Ministry of Defence Affairs of the RU into Defence Ministry of the RU" (1992)
- Ministerial Cabinet's and Supreme Council's decree "On the Creation of National Guard of the RU" (1992)
- President's decree "On Units of Border Troops Located on the Territory in the RU" (1992)
- President's decree "On the Creation of a Ministry of Emergencies in the RU" (1996)
- President's decree "On the Creation of a National Border Defence Committee in the RU" (1998)

- Defence [Military] Doctrine (2000)²³
- Law “On Civil Defence” (May 2000)²⁴
- President’s decree “On the creation of a new medal dedicated to the tenth anniversary of the Armed Forces of the RU” (2001)
- Parliament’s law “On Defence” (2001)
- Law on “Universal Military Duty and Military Service” (December 2002)
- President’s decree “On the Authorization of Military Service Order” (January 2006)

Defence planning documents made public or with unrestricted access (military strategy, procurement strategy, doctrines, defence planning directives, budgets, programmes)

- Military Doctrine (1995)
- National Security Concept (1997)

Part B: Defence Institutions within the General Government

Table 1 – Structure of General Government Decision Making on Defense Policy²⁵

Topic of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
National Defense Policy	Defense Doctrine	Security Council	Security Council	2000- ongoing	Non-public
National Security Strategy or Concept	National Security Concept			1997- ongoing	Non-public
National Defense Strategy or Concept	Law “On Defense”		Parliament	2001- ongoing	Non-public
Other national level defense policy documents	Law “On Civil Defense”		President	2000- ongoing	Non-public
White Paper					
Procurement Strategy					
Defense Planning Directive					
Defense Budget					

²³ Restricted access

²⁴ Restricted access

²⁵ Since all RU’s documents are non-public, it is difficult to fill in tables 1 and 2

The Parliament alone has the power to endorse or reject defence policy documents submitted for its approval. The Parliament follows party or coalition lines in deciding on defence matters.

The President chairs a national defence council or similar body where all defence decisions at the presidential level are taken. The President issues defence policy documents which are in turn submitted for approval to the Parliament, after the endorsement of the national defence council.

The President has an independent body/staff of defence experts working solely for him.

The President commissions research to public defence research institutes in the country.

The role of the head of government in formulating and/or endorsing defence policy decisions is not explicitly defined in the Constitution or the relevant legislation. The Minister of Defence issues defence policy documents that are submitted for approval to the Parliament, after endorsement by the Council of Ministers.

From the available sources, it is unclear as to whether there are any legal or customary provisions for formal guidance from a higher authority before any strategic document on defence policy is issued for endorsement.

The procurement system on defence is similar to the system in place for the general government. Both the defence procurement system and the general government procurement system are transparent for industry, business and the public.

All contracts are authorised by the Minister of Defence.

The current financial/budgetary arrangements for the general government were introduced simultaneously with those for the defence sector.

The allocation of the portion of defence budget from the general budget is determined at the executive level (the Cabinet) with the participation of the Minister of Finance, while the distribution of budgetary allocations among the services, programmes and chapters is determined by the Defence Minister.

National literature on the theory of governance and related well-established practical mechanisms are the main sources of knowledge general government authorities' use to fulfil their obligations for formulating national defence policies. Other sources are not clearly defined and documents defining these sources are not publicly available.

Public research institutes working for the Ministry of Defence produce occasional papers on defence matters. Their products are usually of a declarative nature and provide a general overview of the defence sector's development.

Part C: Defence Institutions within the Defence Sector

Table 2 – Structure of Decision Making on Defense Policy at Defense Sector Level

Type of Document	Title of Document	Issuing Authority	Endorsing Authority	Frequency	Status
				Time Span	
Procurement Policy					
Personnel policy	Decree “On Social Protection of Retired Personnel”		President	2002-ongoing	
	Decree “On Social Protection of the Military Personnel”			2005- ongoing	
	“On Measures of Further Advancement of Social Subsidies to Military Personnel”				
Military education policy	Law “On Military Reservists of the RU”			2003-ongoing	
Public information policy					
Other defense policy documents					
Military Strategy					
Force planning directives					
Training doctrine					

Only some policy documents are available to the public. These are mainly the President’s speeches and books.

Authorised divisions within the Ministry of Defence participate in or are consulted on the drafting of defence policies.

The President is responsible for establishing defence strategy and policy directives. The President is also responsible for assessing security and defence risks and threats determined in strategies, policies and directives within the defence sector. There no public or intra-governmental debates on defence requirements.

The main organisational documents governing military structures are organisational charts approved by the higher echelons. Due to the fact that an insignificant portion of defence sector documentation is available, it is difficult to estimate whether an officially defined defence planning system is in place.

The defence planning corps is mostly composed of military experts.

Republic of Uzbekistan (RU)

GENERAL OVERVIEW

The construction of the Uzbek Armed Forces commenced in January 1992, roughly four months after Uzbekistan declared its independence from the Soviet Union. The first Uzbek military doctrine endorsed in 1995 represented a document with little relevance to the practice of national military organization. The fundamental principle of the 1995 doctrine included a non-proliferation policy of nuclear weapons to prevent interstate wars. It agreed on the “comprehensive prohibition of nuclear tests,” and the “universal destruction of chemical, bacteriological, and other weapons of mass destruction.”²⁶ It also pledged non-interference in the domestic affairs of foreign states and active integration of the regional and international security structures. The doctrine purported general norms and principles of international law but did not provide detailed descriptions of the roles and duties of individual actors or agencies. Although the doctrine was designed to prepare the armed forces for defence against criminal groups and international terrorism, it did not specify which organization should fall under such definitions. As later criticized by local and foreign experts, the doctrine’s merits in terms of military organization were discouraged by religious insurgents in the late 1990s along the Kyrgyz-Tajik border.²⁷

In 1998, the Uzbek government announced about its intention to design a strictly defensive doctrine, providing assurance that it did not consider any state to be an enemy and that it renounced war as a means of settling political issues and other inter-state disagreements. Uzbekistan developed its international relations on the basis of mutual interest and benefit, equality and non-interference in the domestic affairs of other states, peaceful resolution of all disagreements through negotiation, and recognition of national borders.²⁸

From 1998-2001, when the necessity to revise the existing military doctrine was realized, the following issues concerning the internal structure of the RU’s Armed Forces were put forward by the Uzbek President, Islam Karimov:

1. To increase effectiveness of control over the Armed Forces, the latter needed to be concentrated at strategic locations and the formation of the territorial defence system had to include establishment of military-administrative units at military districts.
2. To form a numerically and structurally optimal force, as well as a professional army, the number of the Armed Forces had to be downsized without harming its combat readiness.
3. To advance the organizational structure and control system over the Armed Forces by observing the modern international experiences of foreign armies.

²⁶ The Military Doctrine of the Republic of Uzbekistan.

²⁷ Ruzaliev, Odil « Uzbekistan’s Military Doctrine is Tested by Insurgents », at www.uzland.uz/2000/special19.htm

²⁸ These norms have been numerously violated at a regional level.

4. To develop a complex military-technological program for the Armed Forces.

In 1998, within the context of military reform, five military districts were formed to increase the efficiency of control over the military forces and their effectiveness. The military districts included:

- Northwest military district: Karakalpakstan and Khoresm oblasts with headquarters in Nukus city.
- Southwest military district: Bukhara, Kashkadarya, Surkhandarya and Nanoi oblasts, with headquarters in Kharshi city
- Central military district: Samarqand, Dzhizak, Syrdarya and Tashkent oblast, with headquarters in Tashkent city.
- Southern military district: Ferghana, Namangan and Andijan oblasts, with headquarters in Ferghana city.
- Tashkent military district.

In 2000, the National Security Council of Uzbekistan approved a new military doctrine for a period of five years, which portrayed an array of systematic changes in military construction. The tactics of national military construction and build-up of the defensive capacity purported in the doctrine were based on possible armed conflicts in the Central Asian region initiated by terrorist groups.²⁹

The main reasons for developing the 2000 doctrine were the following:

- A need to adhere to international legal principles and norms
- To refuse to participate in any military-political blocs and ideological groupings
- To refuse the use of military power or the threat of using military power
- To prevent interference/intervention in the internal affairs of other states
- To halt the use, production and attainment of nuclear weapons
- To actively participate in international organizations at interstate and non-governmental levels
- To integrate into European, Asian and global security structures

Geographical proximity to Afghanistan and the expansion of the Taliban regime were important factors in Uzbekistan's designing of a new military doctrine. The necessity to react to threats with external sources³⁰ preconditioned the formation of a new concept of effective defence of the

²⁹ « Vooruzhennyye sily Respubliki Uzbekistan – garant stabil'nosti v strane i regione » (Armed Forces of the Republic of Uzbekistan – The Guarantor of Stability in the State and the Region, at www.uzbekistan.uz/rus/arm.html)

³⁰ Note : Although the IMU triggers the destruction of Karimov's regime and was formed on the territory of Uzbekistan, the Uzbek government defines it as an external threat.

territorial integrity and security of the RU and border control. The main element of that concept was the revision of military district locations and control over them. The Uzbek Government officially emphasized the necessity to increase collaboration between various power structures at local and national levels. In particular, better collaboration between the Defence Ministry, border troops and internal troops was sought.

The system of control over the Armed Forces was also revised. In order to advance the system of control by the Chiefs of Staff of the Defence Ministry, it was transformed into the Chiefs and, subsequently, the United Staff of the Armed Forces of the RU. As a result, the following was reconsidered:

- First, relocation of the Armed Forces was undertaken in consideration of territorial peculiarities, nature and context of probable combat activities for the purposes of security and defence of the territory.
- Second, a more direct and close coordination among all military units and divisions, as well as an effective administrative system for all types and kinds of troops was established. This was believed to have provided the necessary level of defence capacity for the state in accordance with available material and financial means.
- Third, a new organizational structure of the Armed Forces was endorsed. This structure was based on the mobilization, strategic and self-sufficiency qualities of military units. All models and mechanisms of the new structure were tested during anti-terrorist trainings.
- The fourth stage of the reform process was scheduled for the period of 2001-2005. The results of the first three stages allowed for subsequent focusing on the further advancement of systems of control over the Armed Forces. This stage aimed at dividing functions between the executive, strategic and combat deployment of the Armed Forces, as well as administrative control over the Armed Forces. The planning and organization of collaborative efforts was conducted by the United Staff of the Armed Forces. The Defence Ministry assumed the responsibility of administrative control over the Armed Forces. This division was believed to have met the standards of democratic civilian control over the military.

As part of the reform process, increasing the effectiveness of executive and combat training was planned primarily among the officers' corps and non-commissioned officers. Other priorities included: enhancing their educational base, the organization of modern military training areas, centres of modelling and simulation and other training facilities for officers.

The length of military service had been shortened twice: once in the mid-1990s from two years to one-and-a-half years and, again, in 2002 to one year following a presidential decree "On Universal Military Conscription and Military Service." University graduates are required to serve for a period of nine months. The process of alternative service has also been reconsidered. A special bill "On Reservoir Service in the Armed Forces" has been implemented, which provides for the creation of an effective institute for various interests.

A series of activities have been aimed at ensuring the social protection of military personnel, enhancing the prestige of military service and augmenting public opinion on the necessity of armed defence.

Policy papers produced by the Uzbek Government emphasize that cooperation between the Armed Forces and NATO Member States plays a positive role in strengthening military reform, formation and civilian control. Uzbekistan joined the PfP in 1994.

Until the late 1990s, military security in Uzbekistan was understood as a provision of defence against external aggression. The new military doctrine emphasizes the importance of the “new directions of security” conveyed in terrorism, political extremism, organized crime, and arms and drugs trafficking.

In the official security documents, Uzbekistan is seen to be susceptible to armed pressure from existing and potential regional conflicts. The military doctrine of 2000 examines the likelihood of partisan wars with the possibility of intervention by extra-regional forces. In such cases, conflicts are likely to be instigated at strategically important locations, including border areas.

According to the Constitution of the RU adopted in 1992, the President is the Commander-in-Chief of the Armed Forces. The President also forms and heads the Security Council. The military doctrine of 2000 emphasizes the importance of building a small and mobile army, equipped with modern armaments and professional combat technologies, which would be able to act independently, as well as in cooperation with other armed forces for the purpose of providing regional and national security. According to the Uzbek Government, Uzbekistan has been successful in reforming the military and boosting its capacity.

From the early 1990s, the Uzbek Government continued to finance existing military educational and training schools, as well as create new ones. In 1995, the Academy of the Armed Forces of the RU was formed to train military personnel from all national power structures. The officer corps received its training from the Tashkent Higher Military Commander College, Chirchik Higher Artillery Commander and Engineering College, Samarqand Higher Auto-Artillery College and the Dzhizak Higher Air Military College. In addition, there is the Ministry of Interior Academy, National Security Service Institute, Military College of Border Guards, Customs Control College, and Higher Fire-Technical School. Reservists are also trained at civilian colleges and military schools abroad.

In 2000, Uzbekistan was the only post-Soviet state to appoint a civilian expert to the position of Defence Minister, Kadyr Guliamov. Appointing a former academic signalled the Uzbek Government’s intention to enhance civilian control over the country’s vast Armed Forces. However, the high degree of centralization of the Government and Parliament without opposition cast doubts as to whether such a shift purported any structural differences in the implementation of the national security policy. Furthermore, the tendency to recruit regional governors with military backgrounds was also significant.³¹ Several acting policemen were appointed in Syrdarya oblast for the positions of heads of village communities in 2000.³²

Militarization of regional cadres allowed the Government to obtain firmer control of the population

³¹ « Ezgulik » (2004). « Uzbekistan segodnya : « militarizaciya » kadrov, nalog na borody i chem zanimaetsia ombudsman S. Rashidova » (Uzbekistan today : “militarization” of cadres, tax on beard and what ombudsman is does”) *CentrAsia*, July 3

³² Among them Militia General (Ravshan Haidarov), Lieutenant (Shodi Sadiev), Mayor (Kamolitdin Suleimanov) and Colonel (Ural Mamatkulov).

at a provincial level by curtailing the distance between the central command and regional militia. Among them: the militia General (Ravshan Haidarov), Lieutenant (Shodi Sadiev), Mayor (Kamoliddin Suleimanov) and Colonel (Ural Mamatkulov).

Like in other Central Asian states, the drain of Russian military experts at the end of the 1980s and beginning of the 1990s created a shortage of professional cadres. During the Soviet period, Russians occupied most of the key positions in the military.

The 2000 doctrine classifies possible conflicts into small and middle range. It pays attention to security developments at a regional level, particularly in the Ferghana Valley and Tajikistan. The domestic sources of instability are not specified in the doctrine while past and future terrorist insurgencies are defined as a problem of a regional nature. At the same time, the doctrine associates the instabilities that occur on the territory of Uzbekistan with the security of the entire region.

Under these principles, the defensive nature of the Uzbek military doctrine reduces the number of troops by about 15,000 from the amount maintained since the collapse of the Soviet Union. However, it also aims at sustaining the largest amount of troops in the region. The Uzbek Army represents Central Asia's numerically largest military with roughly 60,000 soldiers.³³

This number does not include paramilitary forces of the Ministry of Interior and the Border Guard. Furthermore, the military sector exacerbates higher financial expenditures with the new doctrine in spite of troop reductions and a shortened length of mandatory service.

ON DEFENCE³⁴

Adopted in July 1992 and later re-endorsed in May 2000 but not made public.

The RU, based on the Declaration "On Sovereignty," "On the legal basis of the National Independence of the RU," the Constitution of the RU, and by implementing peaceful politics with all states, maintains its own defence capacity at a level necessary for a sufficient defence from military aggression. The current law builds the basis of organizational and administrative issues, rights and responsibilities of state agencies and local government offices on the provision of the RU's defence capacity. The basis of the RU's defence sector is as follows:

The RU's defence establishment is a compound of political, economic, military and socio-legal components aimed at the provision of national sovereignty, territorial integrity, protection of the Republic's interests and the peace of its citizenry.

The defence sector undertakes all necessary conditions to prevent attacks and organize military defence in all types of situations in an effort to curb against potential external aggression.

The defence of the RU is based on an ongoing readiness of the Armed Forces, economy, population and territory for resisting aggression in accordance with the military doctrine of the RU.

The military doctrine of the RU is based on the principle that defensive capacity in the construction of the Armed Forces is comprised of the following:

³³ Temirov, Rustam (2004). « Uzbekistan's Army Going Professional » *Eurasia Insight* (May 14)

³⁴ Law on « Civil Defense » adopted in May 2000 is not available publicly

- The RU does not recognize war as a means for resolving international problems
- The RU strives for neutrality and is against nuclear weapons
- The RU does not have any territorial claims against any other state and does not see any other state as an enemy
- The RU never begins combat actions against any state, unless it becomes a target for aggression

The organization of the RU's defence

The organization of the RU's defence includes the following:

- Development of military policy, military doctrine and military science
- Implementation of corresponding means at the international arena to prevent aggression
- Efforts to participate in collective security activities
- Protection of national borders
- Development and implementation of military-technological politics, military-economic activities and provision of the Armed Forces with armaments, military technologies and assets, food products and other material-technical means to the necessary degree
- Mobilization readiness of public structures and administration systems
- Preparation of the population and territory for defence
- Preparation, development and provision of the necessary structure and amount of Armed Forces, maintaining its combat capacity and mobilization readiness at a level that guarantees interception of military provocations and aggression against the RU

The legal base of the RU's defence

The legal base of the RU's defence establishment is comprised of the current legislation and other legal acts.

Powers of the RU's Supreme Council

The RU's Supreme Court carries out the following functions:

- Carries out parliamentary control over the implementation of the legal base on defence issues, military construction and socio-legal protection of military personnel and their family members
- Authorizes the defence concept, military oath, the Defence Minister after the President's proposal, presidential decrees on mobilization and demobilization of the citizenry, on introduction of a state of emergency in case of an armed aggression, on concluding peace after the end of military actions, on deployment of the Armed Forces to meet international agreements on peacekeeping and security, as well as agreements related to the Republic's interests

- Ratifies and denounces international agreements of the RU on military issues
- Awards the highest military ranks to the Commander-in-Chief of the Armed Forces.

Powers of the RU's President

The RU's President fulfils the following functions:

- Takes the necessary actions to provide for the defence capacity of the Republic, protection of its sovereignty, territorial integrity, independence in cases of an armed attack against the interests of the RU
- Appoints the Minister of Defence of the RU with further approval by the Supreme Council of the RU
- Approves plans on the construction of the Armed Forces, their strategic deployment, as well as mobilization plans
- Coordinates the activities of public structures that are involved in the defence sector
- Leads negotiations and signs international agreements on military issues
- Announces universal or partial mobilization and a state of war in cases of an armed attack against the RU, introduces a state of emergency in separate locations, and activates normative acts on state of military. Introduces decisions for the Supreme Council's approval
- Takes decisions and gives orders to the Armed Forces of the RU on military activities, as well as their deployment in emergency situations
- Appoints the highest officers' corps and grants military and special ranks, as well as demotes them

Powers of the ministerial cabinet of the RU

The ministerial cabinet of the RU fulfils the following functions:

- Administers the activities of all structures in the defence sector, equips the Armed Forces with armaments, military technologies and other material assets
- Determines the norms and size of material-technical resources, food products, and other necessary products for the Armed Forces;
- Determines the number of prospective recruits among the citizens of the RU for compulsory and alternative military service and other issues related to the recruitment process
- Makes decisions on military mobilization and demobilization
- Approves plans on the accumulation of material assets in public and mobilization reservoirs
- Carries out control over the mobilization preparation of the national economy for a state of war

- Makes decisions on socio-legal guarantees, material and pension rewards for military personnel and their family members
- Fulfils functions fixed in international agreements in the defence sphere
- Creates and abolishes military educational institutions and other professional schools

Powers of the Ministry of Defence

The Ministry of Defence is the state administrative body that controls the Republic's Armed Forces and is entrusted with full responsibility over its development, combat readiness and military discipline.

The Ministry of Defence fulfils the following functions:

- Implements the state's military policy and military construction of the Armed Forces
- Carries out and presents to the ministerial cabinet for consideration: projects on plans and concepts of defence, construction and development of the Armed Forces, state policies on armaments and military technologies
- Organizes and implements scientific research in the field of military construction
- Controls the implementation of state orders on the creation, production and reparation of military technologies and military assets
- Carries out programs on military, legal, and ethical education, as well as psychological preparation for Armed Forces personnel
- Pays pensions to active and retired military personnel and their family members
- Participates in the preparation of the national economy for mobilization
- Makes preparations for the mobilization of resources, compulsory recruitment and alternative service and other issues related to recruitment

Powers of other ministries and committees

Ministries and committees that implement military orders are responsible for the administration of the provision of necessary defence products, for the mobilization readiness of the defence sector and for the sector's sustainable functioning during times of war according to mobilization plans.

Powers of local government offices

Local government offices and committees fulfil the following functions:

- Responsible for establishing the mobilization readiness of the national economy, industrial sites, institutes, organizations, public officials, and citizens
- Provide military units and institutes with necessary products (locally manufactured), with water, shelter and electricity, communication means and other services

- Provide land and infrastructure for defence activities in accordance with the legal base and implement control over their usage
- Protect the rights of military personnel and their family members

Responsibilities of industrial sites, establishments and organizations

Industrial sites, establishments and organizations, independent from their ownership and type of activity, are responsible for the fulfilment of state military orders and agreements and for the creation and maintenance of the necessary mobilization capacity.

Responsibilities of the citizenry

The defence of the RU, its territorial integrity and independence are the constitutional responsibilities of its citizens. Citizens of other states and people without citizenship, who permanently or temporarily live in Uzbekistan, are not expected to serve in the military.

The Armed Forces of the RU

The Armed Forces of the RU have been developed for the purpose of defending the interests of the Republic, the peaceful life of its citizenry, its state sovereignty and its territorial integrity.

The Armed Forces of the RU carry out activities on the basis of:

- The rule of law
- Centralized control and undivided authority
- Continuous combat and military readiness
- Universal military service
- Creation of a collective security
- Military discipline
- Non-partisanship
- Provision of social and legal protection of military personnel and their family members

The Armed Forces of the RU are comprised of Ground Troops, Air Forces, Air Defence, Special Forces and the National Guard. In times of war, the Armed Forces acts jointly with border troops of the National Security Service and internal troops of the Ministry of Defence.

Deployment of the Armed Forces is determined by a general strategic plan of territorial, border and air defence and is implemented according to the requirements of the military doctrine, strategic plans and mobilization deployment plans.

Procurement of the Armed Forces is carried out in accordance with a legal act “On universal military obligation and service.” Procurement is conducted within the framework of a territorial principle.

The material-technological supply of the Armed Forces is undertaken by the Government. Military sites and infrastructure, all types of armaments, military technology and other assets are under the control of the Armed Forces. Fulfilment of state orders for military institutes is stimulated by taxation, crediting and other subsidies. Buildings, infrastructure and other assets of the Armed Forces are not subject to privatization.

State of war, war time

A state of war is announced in cases of armed aggression against the RU and is cancelled after a peace agreement with the conflicting side is reached. A state of war begins with the announcement of armed action and ends on the day of cease fire. In case of an unexpected attack or incursion on the RU's territory by troops or armed groups, local military units are responsible for responding, without waiting for an announcement of the state of war status.

War status

A state of war is introduced in separate locations or throughout the national territory in cases of an external armed aggression. With the announcement of a state of emergency, the functions of the Commander-in-Chief are entrusted to the President of the RU. With this, a special Defence Council is formed to control the Armed Forces and the national economy for the duration of the period. The legislature defines the regime of the military state.

Mobilization

With the announcement of a state of war or a state of emergency, full or partial mobilization of the Armed Forces and national economy is authorised. The order of mobilization is defined by legislation.

Territorial defence

Territorial defence is organized with the purpose of protecting and defending the national border, military sites and means of communication from attack. Violation by citizens or public officials of the legal basis of the defence sector incurs criminal, administrative and disciplinary charges.

CONCLUSION

Kazakhstan

Kazakhstan's economy is likely to continue to grow more rapidly than any other country in the Central Asian region. Nazarbayev's agenda of development until 2030 places national security as a top priority and, therefore, the government will continue to invest in the reform of its military sector. Kazakhstan's poor record of political freedom and its weak civil society suggest that, with respect to military and security sector reform, non-state actors are not involved in decision-making process. However, Nazarbayev has made several attempts to improve the country's image on an international level. For instance, he announced his ambition to take upon the OSCE Chairmanship in 2007 and sent troops to Iraq. Nazarbayev has been successful in maintaining a balance between Kazakhstan's relations with Russia and the U.S., while also using domestic resources to enhance the military sector.

Kyrgyzstan

There is a strong political will among some parliamentarians and civil society activists in Kyrgyzstan to increase transparency in national governance, including the security sector. However, because the country is economically unstable and corruption is soaring, many initiatives aimed at the reform of military institutions remain mere proclamations as opposed to real achievements. Kyrgyzstan's prospective joining of the International Monetary Fund's (IMF) Heavily Indebted Poor Countries Initiative will force the government to prioritize the fight against poverty ahead of developing its security and military sectors.

Tajikistan

The Tajik military doctrine pays insufficient attention to the problems of drug trafficking. It only briefly mentions this problem along with other security issues, such as militarization of the Central Asian states, nuclear and biochemical waste, terrorism and religious extremism. However, the issue of the drug economy along with the potential militarization of state and non-state actors as a consequence of involvement in illicit businesses represents the most pressing threat to national security. Although the government is addressing the drug-trafficking issue, procedures and strategies aimed at increasing the efficiency of anti-drug policies remain poorly identified in the existing official documents. This trend should be addressed and changed accordingly in the future.

Tajikistan will continue to advance its legal basis for democratic control over the Armed Forces and military institutions in general. In accordance with common past practices, the Tajik government will largely replicate developments in neighbouring Central Asian states, Kyrgyzstan and Uzbekistan in particular. Despite the country's legislative reform efforts, the current situation of widespread corruption in the public structures and a devastated national economy, will deflate the legal provisions which are being reformed in an effort to establish higher levels of democratization.

Turkmenistan and Uzbekistan

It is difficult to predict future developments in the defence institution building efforts of Turkmenistan and Uzbekistan. Both countries lack procedures for regime succession and it is unclear when and under what circumstances the current regime incumbents will break their hold on power. What is certain is that under the current suppressive regimes, control over all public institutions, including the military will become increasingly centralized. In the past few years, both countries have heavily suppressed basic civic freedoms. According to government reports, both Turkmenistan and Uzbekistan spend roughly 4% of their GDP on the military. However, in reality, these indicators tend to be higher and both states maintain high expenditures for their respective Police Forces.

Научное издание
Scientific edition

Eden Cole, Philipp Fluri (Eds)

**DEFENCE AND SECURITY SECTOR INSTITUTION BUILDING
IN THE POST-SOVIET CENTRAL ASIAN STATES**

Технический редактор — С.Н. Лобода
Компьютерная верстка — А.Н. Крайнюк
Корректор — О.В. Бобырь

Сдано в набор 20.03.2007 г. Подписано в печать 20.04.2007 г.
Формат 60x84/16. Бумага офсетная.
Гарнитура Times. Печать Riso.
Усл. печ. л. 13,3.
Тираж 250 экз. Заказ № 25. Цена договорная.

ООО «Книжковий світ»

Государственное свидетельство: серия ДК № 199 от 27.09.2000 г.
91016, г. Луганск, площадь Героев Великой Отечественной войны, 5.
Тел./факс 58-04-95

ЧП Сувальдо В. Р.

91022, г. Луганск, ул. Лермонтова, 1-б.
Тел. 53-25-56, 53-33-60, факс 53-12-56, 53-40-81

