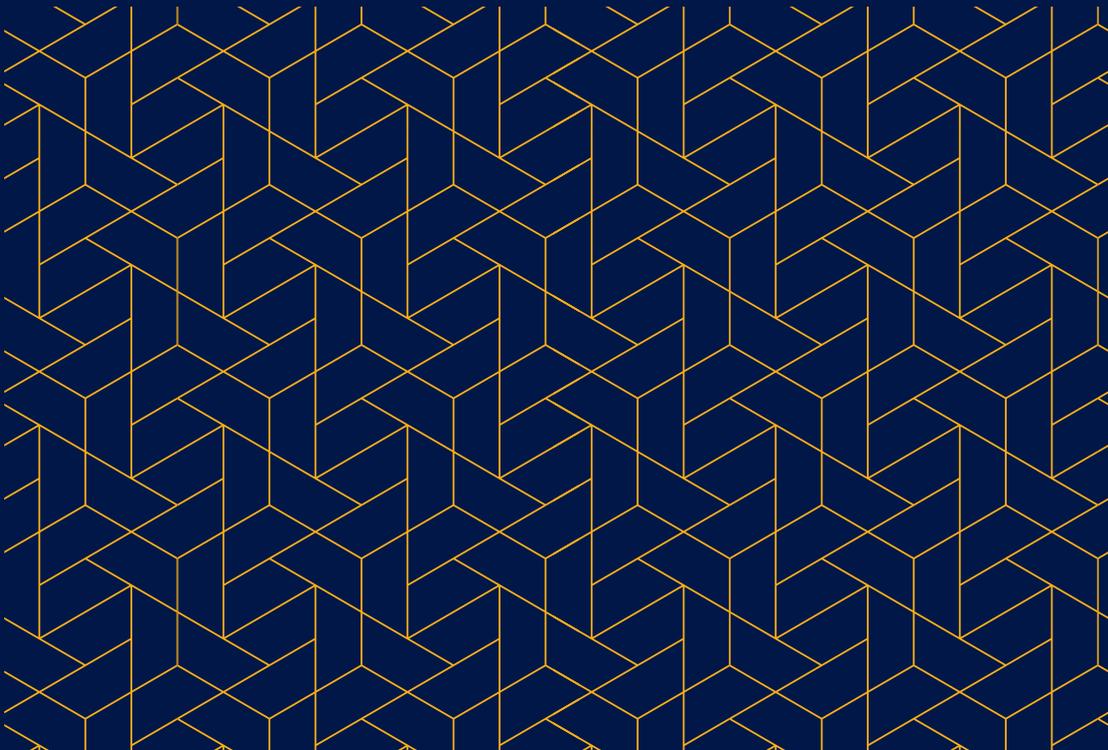


CONCEPTUALIZING THE RELATIONSHIP OF GOOD SECURITY SECTOR GOVERNANCE TO THE STATE SECURITY SYSTEM

Prof. Dr. George R. Lucas, Jr, Dr. Dragan Lozancic, Dr. Grazvydas Jasutis,
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Introduction

A full-scale Russian invasion of Ukraine has challenged the parameters of nations' security architecture and has shifted defence planning to military capabilities. In June 2022, NATO Heads of State and Government met in Madrid and stated that, "NATO will continue to protect our populations and defend every inch of Allied territory at all times. We will build on our newly enhanced posture, and significantly strengthen our deterrence and defence for the long term to ensure the security and defence of all Allies. We will do so in line with our 360-degree approach, across the land, air, maritime, cyber, and space domains, and against all threats and challenges"¹. Strengthened deterrence and defence is to be achieved through the biggest overhaul of Allied collective defence and deterrence since the Cold War. There will be upgraded defence plans, with more forces at high readiness and specific forces pre-assigned to defend specific Allies, more troops and more pre-positioned equipment and weapon stockpiles in the east of the Alliance, enhancing NATO's eight multinational battlegroups². Overwhelming attention to military capabilities seems to be logical considering present circumstances. However, the question remains whether institution-building still matters and whether investments in good security sector governance (SSG) need to be continued.

In this paper we argue that a great deal of State Security depends on the dedication, respect for human rights, integrity, courage, and competency of each and every one of the men and women in the State's security service: it is immaterial whether these men and

1 NATO (North Atlantic Treaty Organization). Madrid Summit Declaration, issued by NATO Heads of State and Government participating in the meeting of the North Atlantic Council in Madrid 29 June 2022. Available from https://www.nato.int/cps/en/natohq/official_texts_196951.htm

2 Ibid.

women be in the military or domestic and international constabulary forces. Individual incompetence or corruption, along with the deficiency or utter lack of appropriate professional education and training to support the proper performance of one's duties are obvious impediments to this requirement. But these factors rest, in turn, upon several other, subtler components of security orientation. These underlying components are closely aligned with what we might term "security service professionalism."

Professional rectitude is the hallmark of good SSG. In a line of argument that can be traced from the political scientist, Samuel P. Huntington (1957), all the way back to Plato's Republic (ca. 375 BCE), state security, we learn, depends upon good security-sector governance. It depends particularly upon men and women who are well educated, properly trained, free of corruption, and entirely devoted to public service. Each individual member of the State's security apparatus should wish to do well in carrying out their assigned roles and duties: this means that there is the willingness to learn, to train, and to develop individual capacities for public service and national defence. That desire, in turn, stems from, and depends upon, the military, police, and other security organizations being themselves beyond the taint of corruption and wholly devoted to each organization's principal mission of selfless service and sacrifice in ensuring the security of the homeland³: individuals will only hold themselves to this high standard if their organisations demand it of themselves⁴. Organisational integrity (the hallmark of good security sector governance) means lofty terms and concepts that are often invoked to inspire the organisational rank and file. But these invocations are often perceived as little more than platitudes – vacuous clichés that are underestimated, and all too frequently misunderstood. Moreover, there are numerous instances of organisational corruption, disrespect for human rights and poor leadership skills by high-ranking members of security organizations. There is, in fact, a wealth of cases in which the deliberate neglect of these basic concepts and their reciprocal relationships in individual and organisational behavior have disastrous consequences for state security.

This paper attempts to contribute to the debate concerning the application of good security-sector governance in state security systems. It starts with a short theoretical overview explaining the

3 This reciprocal relationship between individual and organizational integrity is documented at length in Huntington's classic, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge MA: Belknap Press of Harvard University, 1957). For the Platonic lineage of these concepts, see "Forgetful Warriors: Neglected Leadership Lessons from Plato's Republic," ch.10 in George Lucas, *Ethics and Military Strategy in the 21st Century: Moving Beyond Clausewitz* (London: Routledge, 2019).

4 Ibid.

linkage between good governance and effective state security systems. Then, it continues examining the need for dedication, integrity, courage, and competency from each service member as well as oversight mechanisms that support the development of efficient state-security architecture. The paper supports statements with evidence and multiple case studies from various countries. It also explores, amongst others, the importance of human rights in the Armed Forces (AF), professional rectitude, the role of civil society and the legislature and the application of good governance principles in the intelligence sector. While the authors have chosen to focus on certain issues, they assert that SSG cannot function in isolation from capabilities.

1. Theoretical debate

The war in Ukraine has vastly enriched politicians' vocabulary by adding "Javelins", "Himars", "Stingers" and other types of military equipment being used by the Ukrainian AF in the field. The debate around SSG has ground to a halt and the relationship between SSG and effective state security system has not gained traction even in Euro-Atlantic countries, traditionally the strongest supporters of the concept. Recognizing the linkage between good (security sector) governance and effective state security is both intuitive and theoretical. Yet, that is not to say that the application of the principles of good governance could not significantly affect state security. Intuition, practical experiences (case examples), and analytical reasoning can all play a part in understanding the reality on the ground better.

Good governance represents a desire to exercise power and authority according to a values-based set of standards. It is aimed at serving the public interest, more precisely the well-being of society. In practice, good governance is synonymous with "democratic" governance and has been characterized by principles of accountability, transparency, the rule of law, responsiveness, participation, consensus, equity and inclusiveness, as well as effectiveness and efficiency. Good security-sector governance implies applying these same principles, as much as is possible, across the functional sectors responsible for the security of the state. This includes the intelligence sector. In effect, it represents aligning the 'how' (ways and means) with the 'what' (ends, objectives). Good governance principles are used to guide, shape, and influence how state security is achieved. Whether this directly benefits state security or not is a more difficult question.

Historical and modern-day cases provide us with practical observations for our analysis. The security services of communist regimes during the Cold War were nefariously skewed to protect and to serve political elites rather than the public interest. So while the ruling class benefited,

society at large suffered. But unlike today's authoritarian and other illiberal types of governance, most liberal democracies give overstate security to good governance in one way or another. Many of these countries agree that their security services: cannot be above the law; need to be under executive control; should be subject to legislative and/or independent oversight; and must be held accountable for their actions. They also agree that implementing safeguards, like the requirement for independent authorisation (judiciary) on restricting or limiting citizens' rights, can increase public confidence. It matters that fundamental rights and freedoms are not violated. But it also ensures that political and professional authorities do not betray the public interest (corruption). As even the most exemplary democracies have struggled on both accounts, risk reduction is a sensible approach.

Democracies that apply principles of good governance are also more likely to limit illegitimate political interference, be the security service an object or subject of any wrongful meddling. Having clear, unambiguous legislation on state security and a capacity to independently investigate abuse-of-power allegations, be it by executives of the government or by state security officials, makes sense: it reduces the risks associated with unlawful activities, poor performance, wasting resources, and other failures in providing for state security.

2. Benefits of Applying Good Governance Principles in the Intelligence Sector of Croatia

Croatia's state security-intelligence apparatus was hastily established after the break-up of the former Yugoslavia during the armed conflict of the early 1990s. Much of its staff and inherited behavioural norms were shaped by the former Yugoslavia's authoritarian-style governance. After the war and during the transition to liberal democracy and a free market economy, Croatia's security-intelligence system was transformed. Croatia's Euro-Atlantic aspirations (to join NATO and the EU) along with several high-profile scandals pushed reforms along. Croatia's 2005 EU Progress Report specifically mentions a much publicised case of human rights violations by the secret services and calls for the strengthening of oversight and other democratic principles.⁵ A series of legislative amendments and new laws converged to establish the normative framework that regulates the Croatian security-intelligence system today.

One of the fundamental changes was to decouple criminal

5 European Commission. Croatia 2005 Progress Report. SEC(2005)1424, p. 13-14.

investigative and law enforcement powers from the state (internal) security service. Under this narrower mission, the service focused its efforts and resources solely on threats to national security. This had a direct impact on enabling the service to better protect its sources and methods: be it from the demands of civil court proceedings (due process); standard inquiries; or public rights to access information. Years later, the internal security and foreign intelligence services merged to form a single civilian security-intelligence service (SOA). The move was designed to consolidate efforts and to make the maximum use of resources in providing for state security.

The adoption of good governance principles also had a dramatic impact on Croatia's international cooperation with Western security services. The growing global and transnational nature of security challenges, and the blurring of the line between internal and external threats, meant that there was the need for greater international collaboration, with added value in delivering greater security. For example, joint operations and intelligence assessment exchanges went beyond what Croatia's single service was able to achieve on its own. International education and training opportunities, as well as the exchange of knowledge and experiences, contributed, meanwhile, to developing staff expertise and capacity. There had been constrained and greatly limited cooperation prior to the establishment of these principles. But the opportunities for intelligence cooperation were much greater among like-minded democracies practicing good governance.

SOA saw a big change after the decision was made to open up the organisation to the public and increase its transparency (2014). As Croatia's security-intelligence services had traditionally avoided any public exposure, this was a fundamental policy shift. It was much more than a symbolic gesture of public accountability, raising expectations to new heights. The actions taken included: (1) the declassification and handover to the national archives of vast amounts of previously secret material; (2) the production of an annual public report; (3) the organisation of roundtable discussions with NGOs and human rights activists; and (4) increased media access. This policy of openness and greater transparency had immediate effects. Within just a few weeks of the report, public interest in the service was overwhelming, and there was an exponential increase in employment applications. This alone provided the service with a larger and more competitive pool of applicants to choose from. The media also welcomed this change in policy. Public support increased and there was growing confidence in the security sector. And with the increase in trust, more citizens were willing to cooperate and/or provide information. There was more public awareness of national security. This increase in private and public confidence also helped SOA to play a leading national role in cyber security.

3. Professional Rectitude in Action: Why Reinforce Defence Integrity?

Let us consider two egregious instances in which national security has been gravely jeopardized as a result of deficient and defective SSG. First, and most recently, the substandard performance of Russian troops in Ukraine during the so-called “special military operation” in the spring and summer of 2022; secondly, the so-called “Fat Leonard” scandal in the U.S. 7th Fleet in the Pacific over the past decade. Both involve corruption and poor leadership at the highest levels of command. Both impeded the effective performance of those in service in the field (or, in the second case, on the high seas). Both instances fostered incompetence and a lack of resolve and dedication among the rank-and-file who were aware of, or who were affected by corruption and the lack of professional decorum. Both cases saw the chain of command undermined and doubts about the dedication of senior leaders to the stated security mission of each organisation. Both fostered cynicism and a lack of respect for the profession of arms itself, as well as for the military and political leadership of two critical security organisations. All this, in the end, contributed to poor performances in the field, and undermined state security.

3.1 The Russian Federation in Ukraine

The Russian case is foremost in the public mind at present. Corruption and lack of integrity pervade the political and military leadership and chain of command. Lying, lack of transparency, corruption, cynicism and greed have all but destroyed the moral and legal fabric of a once-great nation with its extraordinary cultural heritage. Conscripted of untrained and unwilling troops has meant low morale and poor performance in the field. This has been compounded by a lack of professional training and lies about the nature of their military mission in Ukraine, and the security challenges that they would face upon deployment.

Perhaps more seriously, the corruption and lack of integrity in the Russian Federation’s defence development and procurement sectors have guaranteed sub-par performance and the failure of vital equipment in the field, from artillery and armoured vehicles and tanks to ordinance and communications. There has been abysmal mission failures and loss of life to a degree seldom seen in modern conventional warfare. A senseless war against Ukrainian civilians and the commission of blatant violations of international law, might be said to be the inevitable result of this moral and professional decay.

For all its defects, the forces of Saddam Hussein in Iraq during the first Gulf War vastly outstripped and outperformed what Russian forces

have achieved in the last months, while Iraqi equipment fared better and performed more reliably than matériel obtained from Russian Federation sources. Even when faced with the overwhelming force superiority of the allied coalition, Iraqi troops still performed better in defending their homeland, prior to their inevitable surrender. In Ukraine Russian conscripts equipped with defective and sub-par equipment, profoundly misled about the “humanitarian significance” of their special military mission have done poorly by comparison. Their poor morale, their alienation from the chain of command, and multiple failures in the field might be regarded as a wholly predictable consequence of abysmal security-sector governance.

The forces of the RF have, as a result, proven (at least thus far) unable to wage war like true military professionals, in compliance with international humanitarian law. They are, instead, being defeated soundly at nearly every turn by better equipped, better trained, and far more committed Ukrainian forces, attempting to protect their country and fellow citizens against this senseless aggression. There is little the Russian military forces can do other than to exact revenge through the commission of war crimes against unarmed civilians. This is hardly surprising in the end, when one considers the conjunction of professional training and performance with success in the field. The Russians are failing because their supply chains lack integrity, and because their forces are wholly unprofessional in their performance.

3.2 The “Fat Leonard” Scandal in the U.S. 7th Fleet

How might we then compare the Russian Federation case with the experience of U.S. Naval Forces in the Pacific? Consider the several consecutive instances of groundings and collisions at sea following the full and continuing revelations around the “Fat Leonard” scandal. In June, 2017, seven U.S. sailors were killed and their commanding officer seriously injured while asleep in his cabin when the destroyer USS Fitzgerald collided at night with a Philippine-flagged container ship southwest of Tokyo. Scarcely two months later the USS John S. McCain collided with a Liberian-flagged merchant ship east of the Straits of Malacca in the early morning, just before dawn. Ten sailors were reported missing; five others were injured. The two Navy destroyers that collided with commercial vessels, the USS John S. McCain and the USS Fitzgerald, and a cruiser that ran aground in Tokyo Bay, the USS Antietam, were all home-ported in PacFleet headquarters (Yokosuka, Japan). They maintained a constant forward-deployed presence in the Pacific.

After investigations ruled out malevolent interference in the routine operations of either vessel (e.g., an enemy cyber attack), the cause was ascribed to dereliction of duty on the bridge. There had been a lack of proper procedures and poor performance in the chain of command

on both vessels. Several senior officers and enlisted personnel from both vessels were relieved of duty, and Vice Admiral Joseph Aucoin, commander of the entire 7th Fleet, was likewise relieved of command following the investigation into the collisions.

These events were simply unfathomable. There were neither difficult nor unusually strenuous operating conditions. Rather, there were routine operations undertaken during clear, calm, moonlit nights at sea. The sort of thing midshipmen are taught to master towards the end of their first year of navigational training. The Fitzgerald had a “t-bone” collision on the starboard side, the most devastating, dangerous, and frankly inexcusable kind of collision for trained seamen. In addition to the Officer of the Deck, likely on duty in relief of the captain, there would have been at least four “watches” of naval personnel stationed fore and aft, on the lookout for lights that would have signified a prospective collision. Yet neither watch crew in either situation detected the danger until too late⁶.

Is this, or were these, random mishaps? Both were naturally followed by full “stand-downs,” in which mandatory re-training was administered to ensure basic proficiency. The training reviewed was basic for a well-organized, well-trained watch crew. The “starboard T-bone” indicated that the destroyer was passing across the bow of the oncoming freighter while it was the “burdened” vessel, obligated either to yield right of way to the oncoming freighter, or to obtain radio clearance from the freighter to continue on its course. The Fitzgerald did neither, and the collision resulted, apparently because the Navy watch standers on the bridge failed to observe the ship (visually or by radar), or otherwise properly respond to the oncoming freighter. This was both incomprehensible and inexcusable.

Lack of professionalism, of focus, of dedication to duty, and incompetent leadership were all subsequently found to have played a role in this accident. But can these and similar accidents be decoupled from the so-called “Fat Leonard” bribery scandal? It was the 7th Fleet, after all, whose officers and enlisted personnel had been embroiled in widespread scandalous and unprofessional activities dating back more than a decade. How can one maintain professional dignity, decorum, and rectitude, or take seriously one’s own professional duties, when one’s chain of command and personnel were known to have accepted bribes from the CEO of Glenn Defense Industries? They had attended lavish parties and shopping trips, and accepted illegal gratuities (for instance, Lady Gaga concert tickets). All this had

6 Richard Sisk. 17 August 2017. Navy Fires Commander, XO from USS Fitzgerald for Fatal Collision. Military News. Available from <https://www.military.com/daily-news/2017/08/17/navy-fires-3-leaders-uss-fitzgerald-wake-deadly-collision.html>

been done in exchange for having disclosed classified information regarding ships' location and PIMS (plan of intended movement) for lucrative re-provisioning port calls over more than a decade prior to the McCain and Fitzgerald collisions.

There was widespread corruption throughout the 7th Fleet, known to the rank and file, from the Fleet Commander and Deputy Commander on down: all of these individuals knew, participated, or at best turned a blind eye to a thoroughly corrupt regime. How can this constitute "good governance" for these security forces? Behaviour of this type does NOT inspire respect, dedication, or foster a proper focus on training and exemplary performances. Indeed, the then-Chief of Naval Operations, Admiral John Richardson, quietly shared, following on from the collisions, his growing fears with his fellow Navy flag officers gathered at the U.S. Naval War College. He stated that, lacking a meaningful military altercation at sea since the battle of Midway (1942), the U.S. Navy would likely be "clobbered" in its next maritime engagement. Little wonder that there were such concerns, given the low morale, poor training, tragically bad leadership, and fundamentally corrosive command climate in the Pacific fleet⁷.

4. Soft Security's Contribution to Resilience and Capability Building: the Case of Georgia

Having considered two instances in which state security has been gravely jeopardized as a result of deficient and defective security sector governance, it is relevant to examine the example of the Republic of Georgia. Georgia has made efforts to create transparent and accountable security institutions. While significant reforms in the security services of Georgia over the past fifteen years have taken place, the shift from a post-Soviet "operational mentality" into a transparent and accountable system of democratic governance means that these reforms are ongoing.

In reaching a significant level of good governance and accountability within Georgian defence institutions, NATO plays an important role and is one of the core contributors, especially in the Building Integrity (BI) efforts. BI is the fundamental principle in gaining transparency and accountability within the defence and other security institutions in Georgia.⁸ In this regard, one of the first steps (following the 2008

7 Hope Hodge Seck, 19 August 2019. The Complex Legacy of CNO Adm. John Richardson. Military News. Available from <https://www.military.com/daily-news/2019/08/21/vision-and-disaster-complex-legacy-cno-adm-john-richardson.html>

8 NATO (North Atlantic Treaty Organization). 2021. Building Integrity.

August war) was to launch a Professional Development Program (PDP) in 2009. Its aim was to strengthen the capacity of the civilian personnel for the democratic oversight of the Ministry of Defence (MoD) and other security sector institutions in Georgia⁹. Georgia continues to participate in NATO's Building Integrity Programme, which aims to improve "integrity, accountability and transparency" within the defence and security sectors by providing practical assistance and advice¹⁰. One of the most tangible, practical results from the above-mentioned NATO-Georgia cooperation activities was the establishment of the Defence Institution Building School (DIB). This was founded in 2016, at the Warsaw NATO summit, as a new initiative for the Substantial NATO-Georgia Package (SNGP).¹¹ The DIB became functional starting from 28 June, 2016 and was established at the Professional Development Center of Ministry of Defence of Georgia¹². The key goal for DIB is to promote and contribute to the ongoing reform of the Georgian security apparatus in four major areas:

- Governance in the Security Sector. DIB activities are aimed at increasing the level of expertise and professionalism in senior defense and security officials. It is largely focused on strengthening capacity building among staff and on increasing integrity, accountability, transparency and on "fostering the prevention of corruption risks";
- Defense and Security Policy. In this regard, the school is focused on the establishment of a wide platform for substantial information exchange among security personnel, civil servants from the government and for other representatives from NGOs;
- Inter-Agency Cooperation. Through different training courses DIB promotes interagency cooperation between different branches of the security apparatus in the Georgian government;
- National and International Cooperation. In this regard, the school focuses on enlarging the platform for discussions around the security issues between security service institutions, academia and media representatives, as well as with local and foreign experts and teachers¹³.

Available from https://www.nato.int/cps/en/natohq/topics_68368.htm

9 NATO (North Atlantic Treaty Organization). 2022. Relations with Georgia. Available from https://www.nato.int/cps/en/natohq/topics_38988.htm

10 Ibid.

11 Ministry of Defense of Georgia. Substantial NATO-Georgia Package. Available from <https://mod.gov.ge/en/page/65/substantial-package>

12 Ministry of Defense of Georgia. Defense Institution Building School. Available from <https://mod.gov.ge/ge/page/60/tavdacvis-instituciuri-agmsheneblobis-skola>

13 DIBS (Defense Institution Building School). About School. Available from <https://>

Among the stakeholders and partners, DIB has built up a reputation for being a capable and reliable instrument in strengthening the professional capacity of the Georgian defence and security sectors¹⁴. There is, to date, no solid data on the operational efficiency and capability of the MoD personnel (as well as other institutions), who have undergone DIB training or educational programs. Available statistics only provide the number of military and civilian personnel that have gone through different DIB school training courses.¹⁵ However, anecdotal evidence does indicate a positive correlation between these training courses and operational efficiency and institutional capacity (including MoD).

5. Human Rights and the Armed Forces

The examples above involving Russia, the USA and Georgia have emphasised the relevance of integrity and human rights in the defence sector. Further consideration is needed to better understand the linkage of integrity and human rights with operational deficiencies. There are two key considerations for ensuring human rights in the armed forces: 1) protecting the human rights of members of the armed forces; and 2) ensuring that members of the armed forces behave in a human rights compliant manner. Respect for the protection of human rights in the armed forces is a key factor for reinforcing state security.

5.1 Protection of Human Rights in the Armed Forces

Protection of human rights in the AF and its enshrinement in a military culture are an essential component closely linked to operational efficiency. A number of studies have previously explored how international human rights norms apply to the members of the armed forces,¹⁶ as well as to conscripted military personnel.¹⁷

dibs.mod.gov.ge/EN/pages/2

14 Ibid.

15 DIBS (Defence Institute Building School). Brochure. p.10. Available from <https://dibs.mod.gov.ge/uploads/images/geo%2000010.pdf> Since the establishment, the DIB school has conducted 242 educational events (25 seminars, 14 lectures, 54 trainings, 47 (including international) workshops, 13 discussions and 7 conference) and has hosted more than 5,000 civilian and military personnel.

16 OSCE (Organization for Security and Co-operation in Europe) and DCAF (Geneva Centre for Security Sector Governance). 2021. Human Rights of Armed Forces Personnel: Compendium of Standards, Good Practices and Recommendations. Available at: <https://www.osce.org/odihr/480152>

17 Elizaveta Chymk, Dr. Grazvydas Jasutis, Rebecca Mikova and Richard Steyne. 2020. Legal Handbook on the Rights of Conscripts. Available from <https://www.dcaf.ch/legal-handbook-rights-conscripts>; Also see Dr. Grazvydas Jasutis, Rebecca Mikova and Richard Steyne. 2022. Rights of Conscripts during National Emergencies in Eastern Europe, The South Caucasus and Central Asia: A Case study of COVID-19. Available from <https://www.dcaf.ch/rights-conscripts-during->

The violations of the rights of conscripts and regular members of the armed forces both occur and directly and indirectly undermine the operational effectiveness and national security of a given state. Take the practice of hazing among junior and senior servicemen. An infamous form of hazing which originated under the Soviet Armed forces is *dedovshchina*: “young recruits are expected to repair clothes of senior recruits, to shine their shoes, make their beds, and give them their food and hand them their meager pay when they get it. Those who do not comply are beaten. [...] As far as the sisters (junior soldiers identified as weak by the senior ones) are concerned, harassment can be overwhelming. They can be used as sex slaves, they can be forced to stay up all night doing something for a senior soldier, they can be the worst possible jobs, and it is not unknown for them to be beaten for no reason whatsoever.”¹⁸ This gives some idea of the various rights which have the potential to be infringed due to hazing and bullying: e.g., right to life; prohibition of torture or of inhuman or degrading treatment or punishment; prohibition of forced labour; the right to respect for private and family life freedom of thought, conscience and religion; prohibition of discrimination; and the right to property.

‘Harassment of any kind is in no one’s interest. It is damaging to the health, performance and morale of those on the receiving end of it, and may ultimately result in them leaving MoD employment altogether. It also damages the operational effectiveness of teams and the reputation of the Armed Forces and MoD.’¹⁹

Mistreatment of conscripts and service-members of the armed forces leads to the following:

Illegal departure from armed forces or military units: Mistreatment of conscripts leads to conscripts attempting to leave military service either through lawful exemptions or through illegal departure or the attempt thereof.²⁰ In some cases, conscripts resort to self-harm

national-emergencies-eastern-europe-south-caucasus-and-central-asia-case

18 Dale R. Harspring. 2007. *Dedovshchina in the Russian Army: The Problem That Won't Go Away*. *Journal of Slavic Military Studies*. Vol. 18(4). p.607-629. Available from <https://doi.org/10.1080/13518040500356948>

19 Ministry of Defence of the United Kingdom. JSP 763 *The MoD Harassment Complaints Procedures – A guide for all MoD Service and civilian personnel about making, responding to, advising on, investigating and deciding on, complaints of harassment*. Available from https://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/Optional_Protocol_AnnexG-U.pdf

20 Human Rights Watch. 2004. *The Wrongs of Passage: Inhuman and Degrading Treatment of New Recruits in the Russian Armed Forces*. Vol. 16. No. 8(D). p.52. Available from <https://www.hrw.org/reports/2004/russia1004/russia1004.pdf>

with the aim of escaping service. It has been reported that hazing in the Russian military is a major problem leading to widespread and often successful attempts to try to gain exemption from service, most frequently for medical or educational reasons.²¹ The consequences of mistreatment of members of the armed forces result in lower organizational commitment. This, in turn, has been found to lead to lower job satisfaction, a greater likelihood of leaving the military and a decreased likelihood of re-enlisting.²² When awareness of negative behaviour in the military becomes known publicly, the military's prestige falls, which can negatively influence the decision-making process of young people considering a career in the armed forces.²³

Physical damage to mistreated soldiers: Mistreatment poses a threat to the health of armed forces personnel and conscripts and leads to them sustaining physical injuries.²⁴ It can equally endanger their life and well-being. Hazing involves various forms of physical bullying. These could lead to permanent injuries or death.²⁵ Hazing and physical abuse not only directly violates the human rights of conscripts, but also leads to lower operational efficacy, as severe injuries from bullying can mean an early discharge.²⁶

Mental health damage to mistreated soldiers: The mistreatment of members of the armed forces and conscripts causes not only physical injuries, but mental ones. Bullying in the military has been shown to lead to stress, post-traumatic stress psychology, weight loss, hair loss, anxiety, frustration, loss of sleep, fear, psychosomatic symptoms and even suicide.²⁷ For example conscripts who had suffered sexual

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- 21 Suzanne B. Freeman and Katherine K. Elgin. 17 March 2022. What the use of Russian conscripts tells us about the war in Ukraine. Politico. Available from <https://www.politico.eu/article/what-the-use-of-russia-conscripts-tells-us-about-the-war-in-ukraine/>
 - 22 Jainee Stuart and Nicholas Szeszeran. 2021. Bullying in Military: A Review of the Research on Predictors and Outcomes of Bullying Victimization and Perpetration. *Military Behavioral Health*. Vol 9(3). p. 255-266.
 - 23 Jirí Hodný and Radim Štastný. 1997. Bullying in the army of the Czech Republic. *The Journal of Slavic Military Studies*. Vol 10(1). p. 128-140. Available from <https://www.tandfonline.com/doi/abs/10.1080/13518049708430278>
 - 24 Human Rights Watch. 2004. The Wrongs of Passage: Inhuman and Degrading Treatment of New Recruits in the Russian Armed Forces. Vol. 16. No. 8(D). p.52. Available from <https://www.hrw.org/reports/2004/russia1004/russia1004.pdf>
 - 25 Kamarck, Kristy. July 18, 2019. Hazing in the Armed Forces. Congressional Research Service. Available from <https://sgp.fas.org/crs/natsec/IF10948.pdf>
 - 26 Burke, Helena. November 24, 2021. Senator blasts Defence Force for 20 minute 'torture' video of young cadet. NRC. Available from <https://www.news.com.au/national/politics/senator-blasts-defence-force-for-20-minute-torture-video-of-young-cadet/news-story/1220e12fe7b83433c1a5d16e3b5cd1e9>
 - 27 Jainee Stuart and Nicholas Szeszeran. 2021. Bullying in Military: A Review of the Research on Predictors and Outcomes of Bullying Victimization and Perpetration. *Military Behavioral Health*. Vol 9(3). p.255-266

assault, experienced strong emotions, feelings of numbness, trouble sleeping, difficulties with attention, concentration, memory, as well as problems with alcohol or other drugs, physical health problems and PTSD. These naturally undermine their operational effectiveness.²⁸ Mistreatment of conscripts and members of the armed forces leads them to turn to suicide.²⁹ Military hazing was found to be a significant predictor of higher level of anger, which in turn triggered depressive symptoms, which was associated with greater suicidal ideation.³⁰ One study found that 18.7% of U.S. armed forces personnel who experienced hazing reported suicidal thoughts.³¹

Taking revenge on other armed forces personnel: In other cases, conscripts may be inclined to kill or seriously injure their tormentors. For example, in October 2019, a Russian conscript Shamsutdinov killed eight fellow soldiers in the country's Far East. Shamsutdinov's father blamed his son's actions on *dedovshchina* (military hazing). Almost 20,000 people have signed a change.org petition to end *dedovshchina* and to call for Shamsutdinov's release in the wake of the shooting³². This phenomenon, *fragging*, whereby soldiers murder fellow soldiers, extends to contracted armed forces personnel.³³ In cases when *fragging* concerns tormentors disliked by the units, incidents may not be reported or put down to accident or battle.³⁴ The following was said with respect to the war in Afghanistan: "While there are many reasons for the defeat of the Soviet military in Afghanistan, there is no question that *dedovshchina* played an important role. As time wore

28 U.S. Department of Veterans Affairs. 2021. Military Sexual Trauma. Available from <https://www.mentalhealth.va.gov/404.asp?404:http://www.mentalhealth.va.gov:80/docs/-:text=Military%20sexual%20trauma,%20or%20MST,%20is%20the%20term,are%20involved%20with%20against%20your%20will.%20Examples>

29 Human Rights Watch. 2004. The Wrongs of Passage: Inhuman and Degrading Treatment of New Recruits in the Russian Armed Forces. Vol. 16. No. 8(D). p.52 Available from <https://www.hrw.org/reports/2004/russia1004/russia1004.pdf>

30 JaeYop Kim, JoonBeom Kim and SooKyung Park. 2019. Military hazing and suicidal ideation among active duty military personnel: Serial mediation effects of anger and depressive symptoms. *Journal of Affective Disorders*. Vol 256. p. 79-85. Available from <https://www.sciencedirect.com/science/article/abs/pii/S0165032718329860>

31 Ibid.

32 The Moscow Times. 31 October 2019. Why Did a Russian Soldier Shoot and Kill 8 Fellow Recruits? Available from <https://www.themoscowtimes.com/2019/10/31/why-did-a-russian-soldier-shoot-and-kill-8-fellow-recruits-a67987>

33 Yudhvir Rana. 7 May 2022. Punjab: BSF jawan from Karnataka dead after killing four senior colleagues. *The Times of India*. Available from <https://timesofindia.indiatimes.com/city/amritsar/bsf-constable-kills-4-senior-colleagues-self-one-injured/articleshow/90037707.cms>

34 See case of Soviet soldiers in Afghanistan: Dale R. Harspring. 2007. *Dedovshchina in the Russian Army: The Problem That Won't Go Away*. *Journal of Slavic Military Studies*. Vol. 18(4). p. 607-629. Available from <https://doi.org/10.1080/13518040500356948>;

on, it undermined unit cohesion and military effectiveness. By the end of the war, many Soviet officers were more afraid of their own troops than of the Mujahideen. At least they know the Mujahideen was the enemy. They could not say whether or not the person sleeping in the tent next to them was prepared to kill them.”³⁵ Similar reports have been made with respect to Russian troops in the context of the war in Ukraine.³⁶

Decreased performance of armed forces personnel and armed forces in general: Mistreatment of armed forces personnel leads to decreased job performance levels. For example, the British MoD considers harassment unacceptable because it erodes the operational effectiveness of personnel and units.³⁷ Research has shown that bullying and mistreatment in military contexts result in greater attrition and decreases job performance and productivity.³⁸ For the armed forces in general it leads to increased financial and legal problems.³⁹

Impaired trust, morale, and cohesion among armed forces personnel: Mistreatment poses a threat to the trust and cohesion of the armed forces and undermines their operational and combat effectiveness.⁴⁰ For example it is said that Russian conscripts have lower morale and cohesion due to *dedovshchina*.⁴¹ Group cohesiveness is generally defined as the extent to which the members come together to form a group and hold together under stress. Unit cohesiveness is important because: it increases unit performance; improves training effectiveness; increases stress resistance among unit members; reduces times wasted on disciplinary problems; increases member retention; helps communication; reduces casualties; improves overall unit efficiency;

35 Ibid., p. 614-615

36 Ned Simons. 2020. A Russian Commander Was Killed by His Own Troops, Western Officials Have Revealed. Huffington Post. Available from https://www.huffingtonpost.co.uk/entry/russian-troops-killed-their-own-commander_uk_623dc61de4b0bcc5b4784bf8

37 U.K. Ministry of Defence, Action Plan to Prevent.

38 Jaanee Stuart and Nicholas Szeszeran. 2021. Bullying in Military: A Review of the Research on Predictors and Outcomes of Bullying Victimization and Perpetration. *Military Behavioral Health*. Vol 9(3). p. 255-266.

39 Ibid.

40 Congressional Research Service. 2019. Hazing in the Armed Forces. Available at: <https://apps.dtic.mil/sti/pdfs/AD1169634.pdf>; Dale R. Harspring. 2007. *Dedovshchina in the Russian Army: The Problem That Won't Go Away*. *Journal of Slavic Military Studies*. Vol. 18(4). 607-629. Available at: <https://doi.org/10.1080/13518040500356948>

41 Suzanne B. Freeman and Katherine K. Elgin. 17 March 2022. What the use of Russian conscripts tells us about the war in Ukraine. Politico. Available from <https://www.politico.eu/article/what-the-use-of-russia-conscripts-tells-us-about-the-war-in-ukraine/>

and aids member motivation and morale.⁴² Past empirical studies have established that there is a strong correlation between higher cohesion resulting in higher unit performance.⁴³ Notably, increases in unit cohesion (something not difficult to obtain) result in a noticeable increase in objectively-measured unit performance. This is typically difficult to generate without substantial increases in training time and resources.⁴⁴ There is a large number of examples which show that cohesion not only enables, but also enhances combat effectiveness.⁴⁵ Similarly, combat readiness and combat effectiveness is well correlated with lateral bonding, with trust in peers and leaders and with a strong sense of mutual responsibility.⁴⁶ This feeling of trust, regard and feelings of attachment toward one another is developed through repeated successful interaction.⁴⁷ Mistreatment, of course, directly undermines this.

Negative perceptions of the military: Mistreatment can weaken the morale of members of the armed forces, as well as being used by enemy states to encourage desertion. Ultimately mistreated soldiers are more likely to surrender to the enemy. For example, On 15 March 2022, Ukrainian President Zelensky spoke out to members of the Russian forces: “If you surrender to our forces we will treat you the way people ought to be treated. The way you were not treated in your army”.

It follows, that violations of the human rights of the members of the armed forces, as well as conscripts directly and indirectly undermines

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- 42 Guy L. Siebold. 2012. The Science of Military Cohesion. Mikael Salo and Risto Sinnkko (Eds.) In *The Science of Unit Cohesion – Its Characteristics and Impacts*. Finnish National Defence University. p. 52. Available from <https://core.ac.uk/download/pdf/39946735.pdf#page=46>
- 43 See G. L. Siebold. 1999. The evolution of the measurement of cohesion. *Military Psychology*. Vol. 11(1), 5-26; Guy L. Siebold. 2006. Military group cohesion. C. A. Castro and A. B. Adler (Eds.) In *Military life: The psychology of serving in peace and combat*. Vol. 1. Military performance. p. 185-201; See also G. L. Siebold and T. J. Lindsay. 1999. The relation between demographic descriptors and soldier-perceived cohesion and motivation. *Military Psychology*. Vol. 11(1). p. 107-126; L. W. Oliver et al. 1999. A qualitative integration of the military cohesion literature. *Military Psychology*. Vol. 11(1). p. 57-83.
- 44 Guy L. Siebold. 2012. The Science of Military Cohesion. Mikael Salo and Risto Sinnkko (Eds.) In *The Science of Unit Cohesion – Its Characteristics and Impacts*. Finnish National Defence University. p.52. Available from <https://core.ac.uk/download/pdf/39946735.pdf#page=46>
- 45 Reuven Gal. 2012. Why is Cohesion Important?. Mikael Salo and Risto Sinnkko (Eds.) In *The Science of Unit Cohesion – Its Characteristics and Impacts*. Finnish National Defence University. p.40. Available from <https://core.ac.uk/download/pdf/39946735.pdf#page=46>
- 46 Ibid. p.39.
- 47 K. Kuwabara. 2011. Cohesion, cooperation, and the value of doing things together: How economic exchanges create relational bonds. *American Sociological Review*. Vol 76(4). p. 560-580.

the operational effectiveness of armed forces and poses a threat to national security. Overall, members of the armed forces cannot be expected to respect humanitarian law and human rights in their operations unless respect for human rights is guaranteed within the army ranks.⁴⁸

5.2 Human Rights Compliance during Operations⁴⁹

While parties to missions and operations conducted by the international community remain bound by international human rights law (IHRL) and international humanitarian law (IHL), a great deal of evidence shows that security forces have sometimes violated the same. The consequences are profound. Clearly, for those who have suffered from such human rights violations. But the credibility of the operations and international community at large, as well as their effectiveness and efficiency in achieving their aims, also become an issue.

IHRL and IHL violations foster a culture of unethical behaviour and the impunity of armed forces personnel. They may take the form of bullying, harassment, or mistreatment by security forces against local populations, and can lead to an increased risk of corruption and unethical behaviour. This is because such violations, especially those committed with impunity, create a culture in which unethical behaviour becomes acceptable or in which it is even encouraged. It leads to an inability to maintain discipline and to a prevalence of unethical behaviour resulting in civilian casualties and reduced operational effectiveness. In the context of sexual exploitation and abuse, security forces may demand sexual favours from locals in return for the provision of food, money, or protection. This practice, commonly referred to as “sextortion”, is understood as sexual exploitation and abuse for private gain. It, therefore, can be understood as a form of corruption.⁵⁰ Security forces may attempt to bribe the families and communities of victims of collateral damage so that they do not report such incidents to the media, or to the local authorities. Overall, sexual exploitation and abuse may result in deficiencies affecting the

48 Parliamentary Assembly of Council of Europe. 2006. Recommendation 1742 (2006) Human rights of members of the armed forces. Paragraph. 3. Available from <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?file-id=17424&lang=en#:~:text=Members%20of%20the%20armed%20forces%20cannot%20be%20expected%20to%20respect,guaranteed%20within%20the%20army%20ranks>

49 This part is based on the submitted draft article for NATO BI Compendium II: Grazvydas Jasutis, The impact of human rights violations on operations (to be published in 2022).

50 Nancy, Hendry. 14 April 2020. Sextortion: sexual offence or corruption offence? Transparency International. Available from <https://www.transparency.org/en/blog/sextortion-sexual-offence-or-corruption-offence>

operational effectiveness and inability of peacekeepers to conduct their routine tasks. Similarly, violations of the human rights of detainees can be associated with increased corruption risks: detainees may, also, bribe correctional personnel or international forces in order to be released or in order not to be transferred to local authorities.

Human rights violations can tarnish the reputation of states and international organisations involved in international military missions and operations. When reported in the mass media, such violations can galvanize governments, human rights activities and civil society organizations to demand policy changes and enhanced accountability. In extreme cases, nations have withdrawn national contingents from international military missions and operations. While such a response may be necessary, it can undermine the operational effectiveness of the missions and operations in question, making it more difficult to achieve mission objectives. The UN mission in Haiti, for instance, faced public anger over allegations that Uruguayan UN troops raped an eighteen-year-old local man. The Haitian president, Martelly, acknowledged that Haiti still needed peacekeepers, but called for a redefinition of their future role and for the creation of a Haitian security force to eventually replace them⁵¹. The alleged perpetrators approached the family of the victim and tried to bribe the family to not report the event to the media, or to the local authorities, something which further aggravated the credibility of operations and that jeopardized the safety and security of peacekeepers on the ground. In other instance, there is the full withdrawal of forces. In September 2021, UN Secretary-General Antonio Guterres ordered the immediate repatriation of the entire UN peacekeeping contingent from Gabon, serving in the Central African Republic, following credible reports of sexual abuse by some of its 450 members and other allegations⁵², reaching back into the past. The departure of the entire contingent was damaging as it seriously disrupted operational activities and caused a temporary inability to fulfil routine tasks.

Once the credibility of an international military mission or operation is undermined, troop contributing countries may withdraw support. This might be either due to credible concerns about human rights violations, domestic political pressure, or a combination of both. Funding may suffer, even the long-term funding necessary for stabilising a country once it emerges from conflict. Further, human

51 Joseph Guylor Delva. 6 September 2011. U.N. Haiti peacekeepers face outcry over alleged rape. Reuters. Available from <https://www.reuters.com/article/uk-haiti-uruguay-un-idUKTRE7844HQ20110906>

52 France 24. 15 September 2021. UN withdraws Gabon peacekeepers from CAR after sex abuse claims. Available from <https://www.france24.com/en/af-rica/20210915-un-withdraws-gabon-peacekeepers-from-car-after-sex-abuse-claims>

rights violations can damage the prestige of the military profession as a whole by tarnishing the credibility of security forces generally, the vast majority of whom act with honesty and integrity. Currently, the Russian Federation is considering a total mobilisation, in its toxic war in Ukraine. It has damaged the prestige of the military profession and hindered its own ability to generate forces from the professionally trained.

Loss of credibility due to human rights and IHL violations may lead to responses from the international community and its mobilization against a given state. Responses may take different forms. For example, in the case of 2022 Russia's aggression against Ukraine, the initial phase of the invasion by the RF did not result in the achievement of significant military objectives. Therefore, the military aggression has included an intensification of the targeting of civilian infrastructure by the RF: civilian casualties and grave violations of International Humanitarian Law have followed. For instance, Russian forces occupied Bucha and Human Rights Watch found extensive evidence of summary executions, other unlawful killings, enforced disappearances, and torture, all of which would constitute war crimes and potential crimes against humanity⁵³. The images from Bucha encouraged other countries to aid Ukraine in its war of self-defence and to support its efforts to defeat Russia through additional military assistance, sanctions, and accountability⁵⁴. Before the war began, three countries were substantially assisting Ukraine with defence equipment. That number has now risen to thirty-five⁵⁵. Other responses may lead to the exclusion of a given state from international platforms. For example, after rampant violations of human rights in Ukraine, on 7 April 2022 UN members voted to expel Russia from the UN Human Rights Council.

Violations of human rights and international humanitarian law by armed forces antagonise the local population. Local communities: become dissuaded from sharing intelligence with the armed forces; are more likely to protest and riot against their presence and operations; and are more likely to align themselves with belligerents. NATO ISAF's ability to obtain intelligence information in Afghanistan (at PRT level) suffered as civilian casualties dissuaded local communities and actors from sharing much-needed intelligence with multinational forces, and occasionally pushed local communities into the hands of anti-NATO

53 Human Rights Watch. 21 April 2022. Ukraine: Russian Forces' Trail of Death in Bucha. Available from <https://www.hrw.org/news/2022/04/21/ukraine-russian-forces-trail-death-bucha>

54 Dan Baer. 5 April 2022. Bucha Increases the Moral Pull for the West to Aid Ukraine. Carnegie. Available from <https://carnegieendowment.org/2022/04/05/bucha-increases-moral-pull-for-west-to-aid-ukraine-pub-86815>

55 Ibid.

forces. In Afghanistan researchers found strong evidence that local exposure to civilian casualties caused by international forces saw increased insurgent violence over the long-run: this was termed “the revenge effect”⁵⁶. In June 2008, shortly after General David McKiernan assumed command, ISAF was involved in two high profile incidents, resulting in numerous civilian casualties⁵⁷. Information on these events from local NGOs, the Taliban, and international organizations differed so dramatically from ISAF’s data that ISAF recognized the need for action⁵⁸. This led to the creation and implementation of the 2008 Civilian Casualty Tracking Cell within ISAF, which collects data on civilian casualties. This mechanism resulted in the issuance of new tactical directives and guidelines by ISAF and NATO in an effort to mitigate civilian casualties⁵⁹. As a result, civilian casualty rates caused by pro-government forces significantly dropped in the following year. In 2009 the new commander of ISAF, US General Stanley McChrystal, declared the protection of civilians the main goal of the mission. On 6 July 2009 he issued a tactical directive, which stated that “I expect at all levels to scrutinize and limit the use of force like close air support against residential compounds and other locations likely to reduce civilian casualties in accordance with this guidance. Commanders must weigh the gain of using close air support against the cost of civilian casualties, which in the long run make mission success more difficult and turns the Afghan people against us”⁶⁰. Civilian casualties and human rights violations fuel, as we have seen above, insurgency and slow down operational tempo. Local communities protest and are more likely to align with belligerents. For instance, in April 1995, drunken Russian soldiers went on a rampage in Semashki (Chechnya), throwing grenades into cellars filled with women and children, killing more than 100 civilians⁶¹. This prompted many protests in Russia in which the soldiers were compared with Nazis and increased the insurgency in the neighbouring villages.

56 Luke N. Condra, Joseph H. Felter, Radha K. Iyengar, Jacob N. Shapiro. July 2010. The effect of civilian casualties in Afghanistan and Iraq [working paper 16152]. National Bureau of Economic Research. Available from https://www.nber.org/system/files/working_papers/w16152/w16152.pdf

57 Center for Civilians in Conflict. 2014. Civilian Harm Tracking: Analysis of ISAF Efforts in Afghanistan. Available from https://civiliansinconflict.org/wp-content/uploads/2017/09/ISAF_Civilian_Harm_Tracking.pdf

58 Ibid.

59 ICRC (International Committee of Red Cross). 2014. Afghanistan, Implementation of a Civilian Casualty Tracking Cell. Available from <http://ihl-in-action.icrc.org/case-study/afghanistan-implementation-civilian-casualty-tracking-cell>

60 NATO (North Atlantic Treaty Organization). 6 July 2009. ISAF Tactical directive. Available from https://www.nato.int/isaf/docu/official_texts/Tactical_Directive_090706.pdf

61 Reliefweb. 26 August 1996. Chechen Town’s Survivors Live Amid Ashes and Rubble of Russian Attacks. Available from <https://reliefweb.int/report/russian-federation/chechen-towns-survivors-live-amid-ashes-and-rubble-russian-attacks>

These examples clearly demonstrate the various ways in which human rights violations undermine the operational effectiveness of the armed forces and reduce the likelihood of a mission's success. Conversely, good governance in the security sector, protecting human rights of the members of the armed forces, as well as ensuring that their behaviour is human rights compliant, ultimately contributes to the objectives of the armed forces and state security in general.

6. How Parliamentary and Civil Society Oversight Support State Security

Geneva Centre for Security Sector Governance (DCAF) sources state that oversight of the security sector is an essential trait of a solid democratic state. Oversight ensures that state resources are managed efficiently and effectively. Security sector personnel behave with honour and integrity, crimes are detected and corrected, and those who commit them are held accountable. Here, let us discuss the role of parliaments and civil society in helping to create accountable and efficient security agencies.

6.1 Parliaments

A parliament's main responsibility is to continuously strive to build and rebuild accountability mechanisms and to assess whether national interests and electoral pledges are respected. A parliament's oversight function is, in essence, to constantly exert pressure on government officials to be efficient, and to avoid mismanagement, waste, and abuse⁶². Its role is to develop state security capabilities and mechanisms and to ensure that the development process is accountable, cost-efficient and that it works for the benefit of the citizen. Parliaments provide democratic oversight: by ensuring that laws are followed; scrutinizing whether policies and laws fulfil their purpose; checking that resources are used efficiently; and by shaping priorities for state and human security provision. Parliaments can use their powers to verify whether laws and policies on security are being implemented effectively and having the intended effect⁶³.

On a practical note, parliaments sometimes formally approve

62 Teodora Fuior. 2022. Chapter 3. Tools and opportunities for the parliamentary oversight of defence industry. In G. Jasutis, T. Fuior, T. Tagarev. Parliamentary oversight of national defence industry. 2022. Available from https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightNational-DefenceIndustry_EN.pdf

63 DCAF (Geneva Centre for Security Sector Governance). SSR backgrounder 'Parliaments'. Available from https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightNationalDefenceIndustry_EN.pdf

government policy in the field of security⁶⁴. Strategic documents like the Government Program, National Security Strategy, Defence Review or White Paper for Defence shape national security policy over the long term. On the basis of a threat assessment, these documents, and others like them, determine national security interests and define the priority tasks for security sector agencies. They may indicate the level of defence spending, the maximum number of personnel employed in security forces, the necessity for arms acquisition, and the levels of national participation in military and civilian peace support operations. These documents create a general framework for state security and affect capability development. Furthermore, parliaments can create or improve legal frameworks for the defence sector to support good SSG and they can provide for a more inclusive and responsive approach⁶⁵.

Lithuania's Parliament raises defence spending to 2.52 percent of GDP

In May 2022, the Lithuanian parliament, the Seimas, unanimously approved a proposal to increase the year's national defence funding to 2.52 percent of GDP. The 2022 budget amendment, allocating 298 million euros in additional funding for national defence, passed the Seimas with 123 votes in favour, none against, and no abstentions. The amendment allows the state to borrow funds for its NATO membership commitments, ensuring defence allocations at 2.52 percent of GDP. The initial budget allocated just over 1.2 billion euros, or 2.05 percent of GDP, to the Defence Ministry. The defence ministry said in a press release that around 257.6 million euros of the additional funds will be spent on the acquisition of the necessary armaments, equipment, and ammunition for the Lithuanian Armed Forces, while the rest will go towards hosting NATO troops in Lithuania. According to Defence Minister Arvydas Anušauskas, 158.5 million euros will be spent on armaments, 66.8 million euros on the purchase of ammunition, 10.7 million euros on cyber-security, and 21.6 million euros on other things, such as bullet-proof vests, communication equipment and medical supplies. "The additional national defence funding will allow us to bring forward some of the previously planned acquisitions of armaments needed to strengthen the defence capability of the Lithuanian Armed Forces as well as to host additional NATO troops coming to Lithuania," Anušauskas said.

64 Teodora Fuior. 2021. Chapter 2. Parliamentary Oversight of Military Intelligence. In G. Jasutis, T. Fuior, M. Vashakmadze. Parliamentary Oversight of Military Intelligence. 2021. Available from https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightMilitaryIntelligence_jan2021.pdf

65 DCAF (Geneva Centre for Security Sector Governance). SSR backgrounder 'Parliaments'. Available from https://www.dcaf.ch/sites/default/files/publications/documents/ParliamentaryOversightNationalDefenceIndustry_EN.pdf

<https://www.lrt.lt/en/news-in-english/19/1647017/lithuania-raises-defence-spending-to-2-52-percent-of-gdp>

6.2 How Does Civil Society Engagement Contribute to Operational Effectiveness and State Security

The contribution of civil society to operational effectiveness and state security is frequently underestimated. In practice, the work and expertise of civil society can, however, be detrimental to the operational effectiveness of the armed forces, the success of their mission and state security understood more broadly. Civil society with respect to its relevance to the defence and security sector is defined as: “voluntary associational groupings in a society, and the public expression of the interest priorities, grievances and values around which those associations are based”⁶⁶. It can include think tanks, non-governmental organisations, independent foundations, faith-based groups, public advocacy groups, trade unions, philanthropic associations, and other identity-based interest groups.

Civil society encompasses a variety of actors who operate in a different manner and with different objectives. As such its contribution to the operational effectiveness of armed forces and state security is difficult to generalise. While not mutually exclusive, the main activities of civil society can be distinguished as: 1) those which support the activities of the defence sector; and 2) those which serve to inform general public and maintain oversight of the defence sector. Concerning the former, civil society possesses diverse expertise on specific topics or about the local context from which the defence sector can benefit.

- **Provision of policy and legal advice:** Civil society can support parliaments and Ministries of Defence in developing legal and policy reform in line with good governance principles which facilitate the democratic control of the defence sector and that ensure its effectiveness and efficiency. For example, after 2014 when the Ukrainian government decided to proceed with the reform of the defence sector, a coalition of NGOs and experts called the Reanimation Package of Reforms, volunteered to oversee the implementation of reforms. Several volunteers had assisted its logistical aspects. For instance, experts took on consultant roles to help the Ministry of Defence to transition to an online procurement system (ProZorro). The intention was to promote transparency, and to battle corruption and nepotism.⁶⁷

66 Samuel Flückiger. 2008. Armed forces, civil society and democratic control: concepts and challenges. International Peace Bureau. p.5. Available from <https://www.ipb.org/wp-content/uploads/2017/10/Armed-forces-civil-society-and-democratic-control-Samuel.pdf>

67 Isabelle Facon. 2017. Reforming Ukrainian Defense: No Shortage of Challenges. Ifri. Available at: https://www.ifri.org/sites/default/files/atoms/files/facon_reform-

- **Advice on processes and structures within the defence sector:** Civil society can help develop processes and structures which facilitate professionalism and the integrity of the defence sector. CSOs dealing with ethics and security sector management can contribute their expertise to developing ethics frameworks for Ministries of Defence, in particular codes of ethics and conduct.
- **Enhance awareness of the security needs of civil society:** Civil society possesses technical expertise that the defence sector rarely draws upon. Specialized CSOs, often composed of former practitioners, can contribute to analysing national security threats, and to formulating proposals responding to the security needs and challenges of society. For instance, CSOs in Western Balkans have issued policy briefs which identifies challenges, proposes solutions and which contributes to the knowledge of security sector management in countering terrorism and violent extremism.⁶⁸ Provincial Reconstruction Teams, created as part of the NATO operational response in Afghanistan, opened their doors to civil society with mixed success. Although many organizations took advantage of the ability to coordinate with the PRTs, others preferred to go it alone and to avoid any contact with the military⁶⁹. Information sharing was of the utmost importance to the PRTs, as occasionally it included information on possible suicide attacks and helped prepare preventative measures and save soldiers' lives.
- **Direct operational support:** CSOs can leverage their position to raise public support for the operational activities of the armed forces. For example, a Ukrainian NGO Blue/Yellow has been supporting Ukrainian armed forces since 2014 by raising funds to provide Ukrainian soldiers and volunteers with non-lethal supplies: these include helmets, optics, NVDs, tactical medicine, vehicles, drones, clothing, and bulletproof vests. As of July 2022, 32 million euros have been raised.
- **Implementation of supporting activities:** While the ability of

ing_ukrainian_defense_2017.pdf, p.13

68 See for example, CSF Policy Brief No. 05, April 2018. Security Issues in the Western Balkans. Civil Society Forum of the Western Balkans Summit Series. Available at: <http://balkanfund.org/wp-content/uploads/2018/06/CSF-PB-05-Security-Issues-in-the-Western-Balkans.pdf>

69 Michael J. Dziedzic and Colonel Michael K. Seidl. 2005. Provincial Reconstruction Teams: Military Relations with International and Nongovernmental Organizations in Afghanistan. United States Institute for Peace. Available from <https://www.usip.org/publications/2005/08/provincial-reconstruction-teams-military-relations-international-and#:~:text=Provincial%20Reconstruction%20Teams%20have%20confronted%20a%20cluster%20of,international%20civilian%20assistance%20providers%20and%20international%20military%20forces.>

CSOs to directly support armed forces operations is limited, there is a large variety of supporting activities they can conduct which ultimately strengthen the defence sector and national security. For example, a Ukrainian CSO League of Officers carried out psychological rehabilitation seminars run by trained psychologists to help servicemen and women to re-adjust upon return from the conflict areas and to recognise the symptoms of PTSD.⁷⁰ Such activities can help foster the reputation of the armed forces, increase the likelihood of people joining the armed forces or returning to them. It can also mitigate other negative consequences (e.g., suicide rates, criminal activity and aggression).

Conclusion

Applying principles of good security sector governance helps democracies adequately balance the protection of rights and freedoms with state security. Open and liberal societies believe the two are not mutually exclusive, unlike authoritarian regimes which peddle “zero-sum” narratives demanding their citizens’ sacrifice individual liberties for the sake of state security. It would be inappropriate to frame the governance-state security linkage in terms of gaging whether a state is more or less secure. But it would certainly be fitting to explore how good governance principles contribute to reducing the risk of failure in providing for state security and in increasing the prospects of society’s overall well-being.

The war in Ukraine helps us to recognize and to assess the extraordinary damage that has been done to the military and security personnel of countries not applying SSG and not respecting human rights. We can recognize, too, the extent to which the security of nation has been profoundly compromised by these attitudes and damaging forms of behaviour. Betrayal of the core values and ethical principles of the profession of arms and the chain of command (leadership) undermine the security of the nations and peoples dependent upon the competency and integrity of these services.

For all the lip service paid to ethics, with little understanding of what ethics are or what they entail, military services are all too frequently found to be rife with corruption, lack of transparency, and demonstrably poor leadership. Unprofessionalism is often sadly the order of the day. This extends to the corporate world with whom armed forces deal, and from whose ranks corporate leadership is drawn. National security depends upon professional competence

70 Europe Diplomatic. 2017. NATO aid to Ukrainian Soldiers with PTSD. Available from <https://europediplomatic.com/tag/league-of-officers/>

and integrity. Poor security sector governance in the form of a lack of professional commitment and personal integrity risks undermining the security of the state and impedes the performance of its security forces.

Oversight of the security sector is vital in a solid democratic state and in efficient security agencies. Parliamentary oversight along with the input of civil society: ensure that state resources are managed efficiently and effectively; that security sector personnel behave with honour and integrity; that mischiefs are detected and corrected; that human rights are respected; and that those who commit them are held accountable.

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