

Second Annual Discussion on the Implementation of the Code of Conduct on Politico-Military Aspects of Security

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Keynote Speech on

‘The Role of the OSCE in Security Sector Governance and Reform. Preliminary Observations’

– *CHECK AGAINST DELIVERY* –

Mr. Chairperson, Excellencies, Ladies and Gentlemen,

It is a great honor for me to have been invited to speak at this second annual discussion on the implementation of the Code of Conduct on Politico-Military Aspects of Security. The Director of the Geneva Centre for the Democratic Control of Armed Forces (DCAF) spoke here last year on the topic of the ‘Concept and Relevance of Security Sector Governance in the OSCE Context’. He noted that “while it should not be forgotten that the OSCE Code of Conduct on Politico-Military Aspects of Security pioneered the concept of the democratic control of armed forces, in order to remain competitive in today’s complex environment, there is a need to reflect on how to build on the Code.” He suggested that this could be done by complementing the Code – and thereby strengthening its relevance as a normative foundation – with an OSCE approach to security sector governance.

Since last year’s discussion, we have moved forward on this important topic. In preparation of its upcoming Chairmanship of the OSCE in 2014, Switzerland mandated DCAF to conduct a study on the role of the OSCE in security sector governance and reform (SSG/R). The aim of the study is to achieve an enhanced understanding of the extensive engagement of the Organization in SSG/R; identify its comparative advantages in SSG/R; and reflect on how to enhance the coherence and impact of its activities. The study project has received the support of the Secretary General of the OSCE as well as of the Ukrainian Chairmanship in Office.

In my remarks today, I would like to present some of the preliminary findings of the study, bearing in mind that we are only at the beginning of phase II. The first phase of the study, which was finalized earlier this year, was essentially a desk-based mapping exercise, complemented by a number of interviews at the OSCE Secretariat in Vienna. The second phase is based on systematic interviews with representatives of the OSCE Secretariat and Institutions, as well as with representatives of selected OSCE Field Operations.

Drawing on the results of our work to date, I would like to touch on the following themes:

- The OSCE policy framework for SSG/R
- The OSCE's support to SSG/R
- The OSCE's approach to SSG/R

Given the lack of official OSCE definitions, the working definitions of security sector governance (SSG) and security sector reform (SSR) used in our study draw on the understandings of international organizations where OSCE participating States have played a major role. Accordingly, SSG is understood to refer to formal and informal structures and processes of security provision, management and oversight within a country. It aims to make certain that the security sector is able to provide security in an effective and accountable manner. SSG is therefore the normative end state, while SSR is the related policy process.

1.) The OSCE policy framework for SSG/R

On the basis of the detailed desk review of relevant OSCE documents, it is clear that the OSCE policy framework for SSG/R is very rich and provides both normative and operational guidance to the organization.

At the *normative level*, the OSCE has adopted a range of documents that are directly related to SSG/R. One of the key documents is of course the Code of Conduct, which is widely considered as the normative cornerstone for the democratic control of armed forces. It provides a basis for many of the cardinal principles of SSG, such as:

- The need for a comprehensive approach to security that goes beyond a purely military perspective;
- The need to ensure the accountability of the security sector through its democratic control;
- And the need for a security sector that is effective and efficient, while limiting expenditures and ensuring transparency.

However, there are also a multitude of other important documents relevant for SSG/R. These include, among others: the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990); the Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE (1991); the Border Security and Management Concept (2005); the Recommendations on Policing in Multi-Ethnic Societies (2006); the Vienna Document on Confidence- and Security-Building Measures (2011), or the OSCE Strategic Framework for Police-Related Activities (2012). These documents contain a variety of commitments related to SSG/R, such as supporting the democratic and civilian control of the

military, police and other security forces, promoting transparency and accountability in the security sector, respecting human rights, and strengthening the rule of law.

At the *operational level*, various documents outline the roles for the OSCE in supporting different aspects of SSG/R. The operational roles in the area of SSG/R are in many cases related to cross-dimensional issues, such as countering corruption, combating trafficking and fighting terrorism. Whereas the operational framework is relatively detailed in the areas of policing, border management, criminal justice and certain aspects of democratic governance, there is less clarity on supporting roles in other areas of SSG/R, in particular defence reform, corrections reform, intelligence oversight or private security governance. Given that the Code of Conduct on Politico-Military Aspects of Security is intended to provide normative guidance on the democratic control of the armed forces to the participating States, it is less relevant when it comes to making operational guidance available to the Organization.

A key conclusion is therefore that the OSCE policy framework for SSG/R is very strong, however, it is fragmented and missing a guiding thread which brings all SSG/R-related norms and commitments together into a common and holistic approach. This also translates into a gap at the operational level in the sense that only few documents call for the OSCE to support synergies between related areas of SSG/R support.

2.) The OSCE's support to SSG/R

Given the rich normative foundations, it does not come as a surprise that the OSCE Secretariat and Institutions as well as the Field Operations have accumulated a wealth of experience in delivering support to SSG/R and related areas.

The support to SSG/R provided by the *OSCE Secretariat and Institutions* can be distinguished by collaboration with participating States, OSCE Partners for Co-operation and OSCE Field Operations. Support is often provided in the areas of development of guidelines and standard setting, the organization of awareness-raising, outreach and regional capacity-building events and the sharing of expertise. Almost all Secretariat entities and Institutions are engaged in supporting SSG/R in one way or another. The main bodies engaged in SSG/R support within the Secretariat are the Conflict Prevention Centre's Forum for Security Co-operation (FSC) Support Section, the units of the Transnational Threats Department (TNT), the Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, and the Gender Section. Among the OSCE Institutions, the Office for Democratic Institutions and Human Rights (ODIHR) is heavily involved in a broad range of SSG/R support activities, as are the High Commissioner on National Minorities (HCNM) and the Parliamentary Assembly of the OSCE. Some of these entities are responsible for engaging with a specific component of the security sector: the FSC Support Section for example with the promotion and implementation of the Code of Conduct, the TNT's Strategic Police Matters Unit (SPMU) with police governance, or the Rule of Law unit at ODIHR with justice reform. However, a significant amount of support to SSG/R is provided by units and components that have a SSG/R-relevant thematic focus on, for instance, gender, anti-terrorism, anti-trafficking. Consequently, in certain areas of SSG/R, such as policing, border management and the judiciary, there are a number of different OSCE entities engaged in providing support. This appears to offer potential for the pooling of resources, however,

coordination is generally ad hoc – working very well in some instances and requiring enhanced strategic direction in others.

It is too early to provide detailed findings on the *OSCE Field Operations* support to SSG/R, given that the research in selected field operations is just about to begin. However, there are some preliminary findings based on our desk review. All 15 current Field Operations are in one way or another directly or indirectly supporting SSG/R. On an average, OSCE Field Operations engage in a dozen or more SSG/R activities. The majority are involved in the areas of police reform, border security reform and judicial reform, as well as SSG/R in the context of combating trafficking, anti-corruption and anti-terrorism efforts. Less involvement is to be found in areas such as defence, intelligence or comprehensive security sector oversight. The majority of activities consist of the organization of training and workshops. Support to assessments, the drafting of legislation, or the development of national strategies is also provided. In the field research we will be conducting in the next two to three months, starting with Kyrgyzstan, we hope to acquire a better understanding of the SSG/R-related activities of OSCE Field Operations.

3.) The OSCE's approach to SSR

While both headquarters and field are strongly engaged in supporting SSG/R, there is no common OSCE approach to SSG/R, which would provide an overarching strategic framework to these activities. There is however a kind of a 'de facto approach' emerging from the wealth of SSG/R support activities carried out by numerous OSCE entities, and I will try to provide some preliminary insights into its strengths and weaknesses. Let me emphasize three points:

First and foremost, the OSCE's comprehensive approach to security is recognised to be a key strength. SSG/R cuts across the three dimensions of security: politico-military, economic and environmental, and human. This is a strong advantage in theory, although several people interviewed have pointed to a tendency to tackle SSG/R as a first-dimension issue, neglecting its essential human dimension components. There have nonetheless been several recent initiatives to bridge the gap between the first and third dimension. For instance ODIHR's human rights, gender and security unit launched in cooperation with the FSC a new series of events entitled 'The OSCE-ODIHR human rights series with the cooperation of and for the benefit of the FSC'. While this is an encouraging approach, in general, our study has found that more efforts could be made to strengthen the SSG/R linkages across the three dimensions.

Second, the ability to tackle SSG/R from a number of different angles is a significant advantage. Police reform, for example, can be supported from an institutional perspective, a human rights and anti-discrimination perspective, an anti-terrorism perspective, or an anti-trafficking perspective. There is thus the opportunity to provide comprehensive support based on the comparative advantages of different components of the OSCE. However, given the lack of an overarching institutionalised approach to SSG/R, there is a risk that this support often remains stove-piped or 'compartmentalised', and that the Organization is thus not able to capitalise on the potential of this strength. Consequently, opportunities to build on synergies are at times missed.

Finally, an overarching theme is the need to identify a common vision of, and priorities for, OSCE engagement in SSG/R. The issue of extra-budgetary projects driving ad hoc approaches

and resulting in short-term planning is a broader strategic challenge for the OSCE. In the area of SSG/R, however, it is compounded by the lack of a strategic framework which could support the identification of a common vision and priorities. The 2006 Secretary General's report on police-related activities noted for instance that without such clarity, "isolated assistance measures – well-wishing, even comparatively significant in scale – are much more likely to make a country assistance-dependent than to lead to self-sustainable development of the justice and security sector". Thus, there is a need for an overarching institutional framework within which to place activities in the area of SSG/R. This would help the Organization to develop a clearer understanding of how SSG/R initiatives are contributing to a larger goal. Linked to this is the need for an enhanced focus on the monitoring and evaluation of SSG/R support – to ensure that support is provided where it is needed and in the most effective way possible.

Conclusion

As the Swiss Minister of Foreign Affairs, Federal Councillor Didier Burkhalter, noted in his speech to the OSCE Permanent Council last week, "[i]mproving governance in the security sector belongs to the core competencies of the OSCE". Indeed, SSG/R is increasingly recognized by the OSCE and its participating States as playing an essential role in peacebuilding, conflict prevention, early warning and crisis management. The OSCE's comprehensive and multidimensional approach to security is understood to add value to efforts in this area. At the normative level, SSG/R concerns are reflected in many of the norms and concepts developed by the organization, with the Code of Conduct on Politico-Military Aspects of Security taking a central role. At the operational level, the OSCE is actively engaged in supporting a broad range of SSG/R activities through its Secretariat, Institutions and Field Operations. While the Organization has acquired a wealth of experience in this domain, individual activities are not implemented as part of a common and coordinated OSCE approach to SSG/R. Concerns have been raised that this lack of coherence has limited the effectiveness of OSCE assistance in both scope and impact. The interviews we have conducted so far point to the existence of a significant interest from OSCE staff to systematically share and learn from their experiences in supporting SSG/R. A clear preliminary conclusion of our mapping study is that there is a need for an enhanced understanding of the role of the OSCE in SSG/R in order to feed into a more strategic approach.

With this in mind, we look forward to sharing with you the results of the mapping study once we have finalised the field research and completed all necessary interviews. We expect the study to be ready for discussion towards the end of this year.

Thank you very much, Mr. Chairperson.