

Workshop Report

Learning from National Approaches to Security Sector Governance in Southeast Asia



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**FRIEDRICH
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Disclaimer: this report is based on the discussions of participants at the IPF-SSG 10th workshop. Neither DCAF nor FES is responsible for its content.

Introduction

The 10th workshop of the Inter-Parliamentary Forum on Security Sector Governance was held in Manila on the 6th and 7th of October, 2012. **It focused on multi-stakeholder approaches to security sector governance and reform in Southeast Asian countries**, examining specific approaches, results achieved, experiences and lessons to be learned. In addition, the workshop featured discussions on developments related to ASEAN, particularly the role of the ASEAN Political Security Community (APSC) in regional security governance.

Security sector governance (SSG) and security sector reform (SSR) is confronted with various challenges in Southeast Asia. Among others, these challenges include, the long and difficult transition from authoritarian rule to democracy, a traditional notion of security, lack of accountability and transparency and unclear division of roles between the security institutions. It follows that the challenges that currently confront SSG/R in the region are equally demanding of the continuing efforts of civil society and leaders in government.

In light of the above, the 10th workshop of the IPF-SSG focused on multi-stakeholder

dialogue as a crucial process in ensuring the successes of SSR. This method emphasises the different insights and experiences of all stakeholders involved in SSG/R, bringing them into one forum to discuss and engage each other on the potential for reforms. **Multi-stakeholder dialogue is a promising course of action for SSR and SSG in Southeast Asia, for which the involvement of representatives of government, the security sector, parliament, judiciary, civil society engagement is deemed of crucial importance.** Multi stakeholder dialogues could address the challenges as mentioned above, e.g. by strategies for strengthening civilian oversight, evaluate legislative avenues for the institutionalisation of SSG principles. What is more, national efforts must be matched regionally – starting with the ASEAN Charter and the ASEAN Political Security Community (APSC). The participants of the 10th workshop of IPF-SSG are mostly also active in the multi-stakeholder dialogues on SSG/SSR at the national level, in particular in Cambodia, Indonesia, Philippines and Thailand. **The objective of the 10th IPF-SSG is to exchange experiences, ideas and best practices between the participants of national multi-stakeholder dialogues on SSG/R across the Southeast Asian region.**

Challenges of Security Sector Governance in Southeast Asia

A common starting point for SSG lies in the democratic transition from military rule, which various states represented in IPF-SSG have undergone or begun, including Cambodia, Indonesia, the Philippines and Thailand.

The various forms of autocracy and patriarchy in the Southeast Asian region have left a trail of strong military structures in public office, which have proven to be resistant to transparency and accountability.

In this sense, while countries in the region possess a sense of community and collective identity that strongly reassert cultural values, historical deference of political choices to leadership creates a problem for democratic transition. Accountability for abuses becomes a difficult process to implement, as there is a clear resistance to democratic processes based on its misperception as a process that contravenes convention. The nature of politics within the countries involved, characterised by oligarchic and feudal-like relations, reinforce the cycle.



According to the assessment of the IPF-SSG, this socio-political context is a breeding ground for corruption and human rights abuses. Nonetheless, the various members of the forum stand unevenly in countering the system's inherent dysfunctions.

SSG/R are not only military-technocratic reform processes, but they are foremost political processes. Because politics cannot be divorced from SSG, the discussion at the 10th IPF-SSG emphasized the importance of developing strategies that are sensitive to the diversity of actors and the structure of politics within the respective states.

It is imperative to take stock of the level of political change that has taken place vis-à-vis government institutions and the security sector. Due to the fledgling state of democracy in various countries, it is important to raise awareness on sensitive approaches to harness the engagements of civil society and other stakeholders in security sector reforms.

Another important item brought up in the discussion was the role of SSR in counter-insurgency efforts, within the scope of conflict-to-peace transitions. Traditional responses to conflict have been military—which often results contradictory to the

military's original mandate. SSR efforts must be shifted from a purely military approach to a rights-based and conflict-management approach. Actor engagement should be procured under policies that are inclusive of civil society, armed forces and government institutions in order to facilitate a peaceful transition to conflict resolution.

States remain challenged in their ability to transition from regime security to human security, breaking with the mould of traditional, technocratic security structures. The role of civil society institutions is underscored as particularly relevant in the creation of an enabling environment for the transformation of the security sector, the essence of an “all of nation approach to security.” **Consequently, ample work must be done to strengthen the regulatory mechanisms of democracy to oversee the functions of the military, to crackdown on corruption, to promote the neutrality of the armed forces, as well as to ensure the peaceful resolution of conflicts across the region.**

In light of the above, the matter of implementing a *lite* security sector reform was brought up as a means to introduce token reforms in the military that, without being substantive, begin to shape the context for SSR/SSG in the judiciary, the

police, and the legislative branch of government.

As for ASEAN, security sector governance must be based on the principles as enshrined in the ASEAN Charter and as elaborated in the blueprint of the ASEAN Political-Security Community (APSC). Through these documents, the states of ASEAN are committed to the democratic principles of good governance, transparency and accountability, and human rights.

Potential within ASEAN lies in the broadening of non-traditional and comprehensive security, as much as it does on the institutionalization of the protection of human persons and communities over and above the state's territorial integrity. Nonetheless, ASEAN's approach to security has traditionally been non-interventionist – a hurdle that must be overcome by ASEAN member-states as a whole.



Multi-stakeholder Approaches to Security Sector Governance and Reform

Experiences from Southeast Asian states

The participants of IPF-SSG presented an update on SSR progress in their respective countries, as well as the role multi-stakeholder discussions played in it. The various experiences with multi-stakeholder dialogue on SSG/SSR showed that governments across Southeast Asia have achieved different degrees of success when it comes to mainstreaming SSR. These gains are in part a function of the level of democracy that has been established in their countries. It is also evident that in some areas, academia has served as a moderator, creating space for a multi-stakeholder dialogue on SSR/SSG success stories to take place.

Cambodia

Context

Cambodia's long history of civil war, dating from the 1970s, and the brutal reign of Pol Pot has rendered military authority as the main source of political power. The initial

shift in the growing political relevance of SSG came in 1998, under the “win-win” policy of Samdech Hun Sen, and was expanded in the Rectangular Strategy of the government introduced in 2004 and maintained in 2008. The strategy indicated four cornerstones of reform within the Cambodian government: fighting corruption, implementing legal and judicial reforms,

Multi-Stakeholder Dialogue on SSG and SSR in Southeast Asia

Multi-stakeholder dialogues:

- Exist in Cambodia, Indonesia, Philippines and Thailand
- Aim at improving the governance of the security sector.
- Include representatives of the government, parliament, judiciary, civil society, academia and the media
- Provide a platform for societal and governmental sectors to effectively express their concerns
- Discuss the current status, legal framework, challenges and prospect for SSG and SSR

implementing public administration reforms, and implementing reforms in the Royal Cambodian Armed Forces, particularly demobilization.

Cambodia continues to face challenges in the development of an accountable and efficient armed forces and effective security institutions. Within the armed forces, there are still certain abuses and practices that persist, including drug trafficking, illegal logging and sexual harassment. These

challenges are exacerbated by the lack of independence of the judicial systems, and judiciary's strong subordination to bureaucratic power. Nonetheless, positive developments have gained momentum, including the rise of a vibrant middle class that counterweights the military's excessive power holdings, and buffers existing patron-clientele ties between the elite and the poor.

For SSG to take off, it is important to mobilize the critical forces of society and lead a comprehensive engagement of the security sector to implement the reforms as reflected in the Rectangular Strategy. Among the reforms that Cambodia must engage are judicial reforms, legislative reforms, and the continued efforts to bridge the education and development gap between the rich and the poor as well as to break patron-clientele ties.

Multi-stakeholder Dialogue on SSG and SSR

The great diversity of actors in Cambodia is a feature of multi-stakeholder dialogue (MSD), making the discussions and the process inclusive of different perspectives. However, this stands in contrast to a pervasive lack of coordination with and among government agencies and a lack of political will for transparent dialogues from the part of the State. All the same, given the high levels of

participation, information exchanges between the government and academia can be expected to improve.



The relative openness of government to engage and include CSOs, as well as the academic community, in security sector reforms presents an opportunity for SSR advocates. Owed partly to globalization, the presence of ASEAN and the UN, Cambodian leaders now recognize the need for pursuing SSG/SSR as a way to improve the governance and security delivery of the Cambodian security sector. As such, the government is presented with a variety of channels through which to entertain multi-stakeholder dialogues to a positive effect, including an influx of foreign direct investment from other countries, for example.

Among the challenges that multi-stakeholder dialogues face in Cambodia, is the limitation to freedom of speech, especially for government officials. Authorities must provide clearance before

members of the government may speak with the press about various issues; a process that leads to censorship. Provisions in the penal code and the constitution, against incitement to rebellion, are also used to quell public criticism and stifle engagements.

The way ahead for Cambodia is to strengthen multi-stakeholder dialogue and ensure the participation of government officials and civil society organizations. For CSOs who lack experience in the process, their participation in MSD will be their empowerment. Cambodia must take advantage of the collapse of authoritarianism, and ensure that the principles of security sector governance and reforms will be rooted in the transition to democracy, after all the strength of democratic institutions also depends on the embedding of SSR/SSG.



Indonesia

Context

SSR has only slowly progressed in Indonesia. Currently, the government is going through a fragmented approach that reforms the military, the police and the intelligence services separately. **The reform of the Indonesian security sector has been focused on depoliticising the military, to separate law-enforcement from the military, to curtail the role of the military in business and to ensure that government is free from undue interference from the security sector.**

The described process has brought together members of the government, military, civil society, and academia to explore legislation that professionalizes the military and opens it to democratic control; there also appears to be increased openness, transparency and accountability within the military, to the foundation of which humanitarian principles have been integrated.

Civil society actively engages the government and the military in the efforts of the military to modernize, i.e. in the issue of military armaments procurement. This is an indication of the successes of the movement for transparency and

accountability, and is a good promise for further reforms.

However, it was established that there is a need to look more closely at the level of corruption that goes on in the military. Widespread corruption was attributed to weak anti-corruption bodies that have failed to sanction the military, coupled with the fact that corruption on high-ranking tiers of the military is often covered up.

Multi-Stakeholder Dialogue on SSG and SSR

The strength of SSR in Indonesia is the presence of many laws in the country that set the tone SSR/SSG. There is also openness on the part of the military to provide information related to the human rights situation in their operations to parliament and to the public. However a weakness in the efforts is the fact that, on the level of civil society, SSR discussions are sporadic. This is further limited by the intolerance of government institutions to involve civil society, which prevents civil society from actively engaging with them in issues such as weapons procurement.

This leads to the threat of SSG/ SSR in Indonesia of losing attention in public opinion. While it may seem to the rest of the world that Indonesia's democratization process is well underway, SSR has not yet

become a government priority and is still not fully implemented. For example, military justice should be further reformed in order to ensure that the rule of law is respected within the barracks and in military operations; the police and armed forces chief still have a seat in the cabinet, next to the minister for defence; the military has still a role in business, though less than before. The stalled SSR processes are due to the existing divide between the executive and the security sector, which has allowed, if not fostered, resistance to further reforms of the security sector, corruption in the military and the police to persist. The inherent contradictions between the two have also led to pronounced tension with respect to laws on national security.



A second challenge that must be addressed by people and groups working on this issue, is the expansion of an SSR advocacy network. **Most of the multi stakeholder dialogue groups working on the issue are based in Jakarta, and their advocacy across the countryside is not effective**

since it lacks scope and recognition. In consequence, the advocacy network must be improved and strengthened, and its voice from within the military must be developed and expanded. Currently, there are only 10-12 experts from the military on SSR, which makes it imperative for networks to find more experts who will adopt the issue and campaign for it. In addition, parliamentarians should be educated on SSG/SSR, stronger rapport with their staff should be built and the links with civil society and academia should be enhanced for the benefit of SSR progress in both parliament and field.

Philippines

Context

The experience of the Philippines with SSR

is characterised by a strong democratisation process of the security sector. This is reflected in a series of legislation and administrative orders that modernized the armed forces, including the institutionalization of human security and the rights-based approach to the conduct of the armed forces, as well as civil society's active participation in securing oversight and accountability of the military.

Recent military history reveals how policies have swung from “all out war” to “all out peace” and back, resulting in a polarisation of ranks and militarisation of communities. This conflicting experience has created confusion among civilian institutions, and has weakened the responses to the challenges confronting the security sector. This has also led to the failure of the state to develop the necessary expertise for security



sector reforms. While the Philippines is the only Southeast Asian state with a public national security policy (NSP), the absence of a national security strategy to implement the NSP is most noticeable, as there is a need to develop a forward-looking document that will guide security sector policy through its engagements. Thus far, the national security policies of the past administration have been disappointing to civil society for having put too much emphasis on counter-insurgency, to which a stream of human rights violations is attributed to.

Multi-Stakeholder Dialogue

A multi-stakeholder dialogue has been present both on a local and national levels in the Philippines. On the local level, initial efforts for constructive engagement are being explored, for example, in Mindanao. On the national level, as a spin-off of the IPF-SSG conference series, SSR study group was established that allows for dialogue among stakeholders as well as closer monitoring of the security policies of the state, particularly in political hotspots. The study group is also assessing the potential of other civilian government institutions that may implement reforms in the military from a third-party perspective to the armed forces.

The foundation of SSR multi-stakeholder dialogues in Philippines was facilitated by a strong civil society. Actively engaged in the process, civil society in Philippines is characterised by various groups that regularly update and educate themselves while effectively security forces for the reforms. However, it is precisely these strengths that can sometimes slow down the process.



Civil society groups in Philippines have varied objectives for their engagement, but their divergence could offer multiple entry points for SSR. The opportunities for a

strong civil society and a policy-enabling environment are numerous and strong enough to move the SSR agenda forward. Nevertheless, to take advantage of these prospects, a coherent strategy must be developed to integrate efforts under an over-arching strategy. National security strategies, for one, serve as good platforms, particularly to stakeholders seeking to advance SSR through legislative opportunities. **Policies in the Philippines are largely determined by the incumbent administration, which may prove to be an area of opportunity for SSR implementation. While the current administration prioritizes security sector reforms, the priorities of the next administration may be different, and the support for SSR could waver.**

Continuity is thus raised as an issue for which various stakeholders should prepare to address. At present, programs are in place for judicial reforms and the improvement of the ombudsman's office. In order to avoid structural problems in the future, with changing politics limiting policies, it is important for the SSR agenda to be mainstreamed within all institutions in the security sector. Institutions have to develop a culture of reforms in terms of SSR, they have to understand how the work they are doing contributes to and impacts SSR.

Sustained dialogue among stakeholders and institutions will prove crucial for the success of SSR in the Philippines, provided it ensures that all stakeholders are represented and all concerns duly addressed. Developing an SSR mindset requires a deep multi-stakeholder dialogue focused on assessing reform processes. To this end, it must develop tools to assess SSR from different sectors properly. The gaps have to be identified, and must be accordingly filled. The dialogue must also be able to follow thru on the reforms, which can only happen if SSR objectives are clearly set.

Thailand

Context

Thailand's experience with SSG has been characterised by the elite's use of the military to maintain political power. In fact, the military has consistently dominated the corridors of power in Thailand – with their interventions in the political processes even as of late, with a series of coup d'états. While SSR in Thailand has focused on military reforms and the relations between the military and the society, this has marginalised other institutions.

A crucial element for reforms in the Thai society is the evolution of a robust middle class that is more openly engaging and criticizing government for its various policies. Thus, while military reforms are also underway, the government's efforts do not entirely satisfy the people's need for accountability and transparency on the security sector. In fact reports on military reform have been challenged by both the military and civil society groups. The growth of a vibrant, opinionated populace is viewed as an important foundation for the future of SSR in Thai society.

It is important to professionalize the military, remove it from the political scene and pursue the implementation of human security and human rights principles in security sector. Likewise, it is important to localize all engagements to empower people in conflict areas and allow them to directly contribute to the improvement of their political conditions as well as the creation of lasting peace.

Multi-Stakeholder Dialogue

Thailand has a strong need for multi-stakeholder dialogue which provides a safe space for people from various societal and governmental sectors to effectively express their concerns, without any fear of retribution from incumbent political powers. In this

context, it is important to discuss the creation of trust among members of the multi-stakeholder dialogue, and suggestions were offered as to the methods and conduct of exercises to build trust and rapport. Among the methods suggested, round-table and focus group discussions on various issues are preferred. Additionally, it was advised that these activities be kept low-key and away from media coverage, where a neutral body, such as academia or think tank, must moderate the discussion between civil society organizations and the members of the military and/or government.

Fortunately for Thai society the current socio-civic involvement of the population proves highly advantageous for multi-stakeholder dialogue. Many interlocutors have already engaged in a discussion revolving around the country's state of governance. In consequence, it becomes important for authorities to include those who are already active in the process to strengthen the ranks of SSR advocates. Making use of the ASEAN charter, the expansion of the human rights regime, as well as the anti-corruption and good governance efforts to promote SSG should prove beneficial for advocacy efforts at large.



Participants observed that Thai politicians lack a thorough understanding of SSR principles, and that SSR has a low priority in politics. In consequence, reforms have been slow moving despite the fact that SSR has been mainstreamed into the national security approach. In addition, the process is further weakened by the political climate, muddled by party politics. Therefore, to further SSR, it is important to capitalise on the transition phase for Thai socio-political juncture. Thai politicians need to be convinced to take part in multi-stakeholder processes as their participation would lead to increased expertise about SSG among Thai politicians. In addition, their participation would contribute to putting SSG and SSR on the political agenda.

It is also important to push SSG to the forefront, in replacement of old politics, by raising awareness on the security sector focused on reforms and good governance. The dialogue must also engage the national

defence college and ensure the inclusion of SSR/SSG principles in the curriculum. ASEAN must also be utilized for the various countries to be able to consult with each other and support various efforts towards reform across the region.

Role of the Parliamentary in SSG/SSR Processes in Southeast Asia

Parliament has three functions in SSG:

- a) legislative function, i.e. to enact a comprehensive legal framework for the security sector;**
- b) oversight function, i.e. to scrutinise and to monitor the compliance of the security institutions with the rule of law and respect for human rights;**
- c) to exercise oversight of the budget of the security institutions.**

In Southeast Asia, while in many countries there exist laws that deal or touch on SSR, its full implementation is a complex process; countries such as Indonesia and, to a certain extent, the Philippines, have yet to achieve certain milestones.

The parliament holds considerable power over the security sector in terms of oversight and assessment of the budget allocation,

which is particularly true for the case of the Philippines. Parliaments need to be more involved in SSG in order to provide sufficient institutional checks and balances that guarantee that security is delivered according to the people's needs. Another aspect of parliamentary involvement concerns the parliament's relation with the executive and defence ministries. In some cases where the members of parliament are closely linked with the military, or where the central authority for military reforms lies in the presidency, the parliament lacks sufficient political influence to sway the decisions taken by government towards security sector reforms.

Parliament is a crucial factor in ensuring SSR as an entry point for security related legislation for the wider citizenry. Particular emphasis was placed on the role of civil society to pressure or lobby with parliament for the implementation of reforms, the latter being considered the key to SSR success.

The media is important in providing parliamentary institutions with independent information about the current state and prospects of SSG and SSR. However, in Southeast Asia, the media needs to be better educated on the principles of SSG/SSR so they may comprehensibly report on various peace processes as well as on other matters

related to SSG, for example, budgeting, procurement and national security policy setting. The participation of the media may also lead to the broadening of the SSG/SSR constituency, and the successful mainstreaming of the efforts of both the government and civil society for reforms in the security sector, however a precondition for this is the education of media outfits and the freedom of information, as well as a government commitment to transparency and accountability.

Towards an ASEAN Political Security Community

It was evident in the discussion that the limitation to ASEAN's potential in being an instrument to propel SSR forward depends on governance and the traditions created in ASEAN by its member-states. SSG/SSR are an intra-state matter – changing the predisposition of security forces to human rights and instituting good governance reforms in the security sector is something that is pursued within the scope of a nation-state, as a reflection of the sovereign will of the people. Thus, the success of SSR/SSG is not as dependent on the intervention of foreign governments or international institutions as it is on the active participation of various stakeholders and institutions

within the security sector of the ASEAN member states.

Additionally, the institutions that are key to security sector reforms on the national level do not have counterparts at the ASEAN level which creates a disconnect between the outcomes of reforms achieved on a national level and how they translate to the regional context. For the latter, the ASEAN has traditionally maintained a certain degree of respect for the sovereignty of its member states, shaping a culture of non-intervention. ASEAN's interest in maintaining peace and security within Southeast Asia is grounded on efforts to ensure that engagements on non-security issues will not result in violent confrontations.

There has always been a security context in ASEAN; its member-states share not only borders, but concerns for territorial integrity and national sovereignty. As a collective, ASEAN member-states experience similar security concerns, such as human trafficking and terrorism. For this reason, SSG/SSR must be made a priority for ASEAN, especially since the inter-state relations regarding security issues are reliant on governance. Given this context, SSG/SSR advocates must engage the ASEAN Political-Security Community

(APSC) in terms of its capacity to provide normative entry points within ASEAN and into ASEAN countries.

It is important to note that while ASEAN may not be ready to implement security sector governance norms on a regional level, the people of ASEAN have consistently been united in engaging the ASEAN for reforms and action on various issues. Therefore, advocates should seek to build on existing engagements within ASEAN, and use the opportunities to compare the various experiences of member-states with SSG to exchange lessons and best practices. **In addition, the successes of SSR could be explored at the ASEAN Defence Ministers level, especially for countries that have made significant progress in engaging their defence ministers.** Defense ministers themselves should be encouraged to bring up issues related to SSR/SSG in ADM meetings. This high-level interaction and exchange of experiences is expected to boost the norm-setting function of ASEAN.

On the issue of human rights, much of the existing formations of civil society and academia can be mainstreamed on the ASEAN level for the benefit of SSG/SSR. Civil society formations within ASEAN have pushed to ensure that the organisation respect human rights across the region

through mechanisms including a working group and a group of norm entrepreneurs. These bodies will focus on creating pressure for ASEAN to include SSG/SSR in their agenda, and to build on civil society's established priorities and practices.

Conclusions

The 10th workshop of IPF-SSG focused on multi-stakeholder approaches to security sector governance and reform in Southeast Asia. The discussions brought forward that multi-stakeholder dialogues are conducted in Cambodia Indonesia, The Philippines and Thailand. While the exact form and shape of multi-stakeholder dialogues on SSR differs from country to country, they share a broad range of stakeholders, and they all provide a platform for discussions and entry points for SSR in each of these countries.

The 10th workshop underlined that multi-stakeholder dialogues are promising avenues for promoting SSG and SSR. Future workshops of the IPF-SSG will address the current state and prospects of multi-stakeholder dialogues on SSR in Southeast Asian. It was agreed that the 11th workshop of IPF-SSG will be held in Bangkok in June 2013.



Inter-Parliamentary Forum on Security Sector Governance

Since the first conference in Siem Reap in 2006, the Inter-Parliamentary Forum on Security Sector Governance in Southeast Asia (IPF-SSG) aims to promote ongoing dialogue and exchange of good practices among members of parliament in Southeast Asian countries. The Forum aims to enhance civilian oversight and national parliamentary involvement in security sector governance and features regular workshops, publications, its own website (<http://ipf-ssg-sea.net>), as well as activities of national caucuses in participating countries. Participants in the Forum include parliamentarians and staffers, as well as government officials and members of security forces, academic experts and civil society representatives from several ASEAN member states. IPF-SSG is supported by the Friedrich Ebert Foundation (FES) and the Geneva Centre for Democratic Control of Armed Forces (DCAF).

As a result of its unique focus and membership, the IPF-SSG provides a platform for dialogue and exchange that is unlike any other in the region. Building on this contribution to regional dialogue, the IPF-SSG has also served as an important platform supporting the development of national initiatives to improve parliamentary capacity for security sector governance (SSG). The IPF-SSG has also led to the creation of national multi-stakeholder dialogue processes on SSG and security sector reform (SSR) in a number of countries, namely the Philippines (since 2008), Thailand (2009) and more recently in Cambodia (2011). These initiatives have taken the form of study groups (Philippines), dialogue forums with specialised working groups (Thailand) or a series of expert meetings (Cambodia). What these initiatives have in common is that they are inclusive in membership, participatory in their approach, focused on consensus-building through dialogue, and that they are led by renowned non-governmental or track two institutions. As recent as these multi-stakeholder processes may be, they have already produced significant results.