



## **Enhancing Oversight of the Security Budgeting Process: Training Seminar for Liberia's Legislators and Security Agencies**

**9-14 March 2008, Monrovia**

Eka Ikpe

## About this report

This report presents the findings of the third training seminar in the African Security Sector Network (ASSN) training series on parliamentary oversight of the security sector in Liberia. The objective of this seminar was to address the vital role of security budgeting (and oversight of this process) in the effective governance of the security sector, highlighting experiences from other African countries. The seminar series is part of a long-term commitment by the ASSN to support the rebuilding of Liberia's security sector and the wider post-conflict reconstruction process. It continues an integrated approach to capacity-building within Liberia's security sector by involving members of the legislature, the executive, the judiciary and civil society.

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The **African Security Sector Network (ASSN)** is an umbrella organisation that brings together leading African institutions and specialists working on security sector reform and transformation in Africa. The network provides support to African governments, civil societies and legislatures on a range of security-related issues and has unparalleled access to expertise in this area from Anglophone, Francophone and Lusophone Africa ([www.africansecuritynetwork.org](http://www.africansecuritynetwork.org)).

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# Abbreviations

<b>ASSN</b>	African Security Sector Network
<b>CDD</b>	Centre for Democracy and Development
<b>CPA</b>	Comprehensive Peace Agreement
<b>CSDG</b>	Conflict, Security and Development Group
<b>CSO</b>	civil society organization
<b>DCAF</b>	Geneva Centre for Democratic Control of Armed Forces
<b>FRELIMO</b>	Frente de Libertação de Moçambique
<b>GC</b>	Governance Commission
<b>RENAMO</b>	Resistência Nacional Moçambicana
<b>SSR</b>	security sector reform
<b>UNMIL</b>	United Nations Mission in Liberia

# 1. Introduction

This report is the product of the third in the series of training seminars on oversight of the security sector provided for Liberian parliamentarians and members of the Liberian security agencies, as well as civil society. The objective of this third seminar is to address defence budgeting as a vital component of the security sector reform (SSR) process. It is intended to shift the approach to budgeting and makes it an overarching tool of policy engagement. This continues the more integrated approach to the capacity-building process involving all actors in the security sector, including members of the legislature and the executive. The seminar series is part of a long-term commitment of the African Security Sector Network (ASSN) to Liberia as it rebuilds its security sector in its period of post-conflict reconstruction. The ASSN continues to work with the legislators and the Governance Commission (GC),<sup>1</sup> as part of its support to the security transformation process in Liberia. The following are some of the outputs from this ASSN-led initiative so far:

- *Conflict, Security and Development Group, King's College London (CSDG)–Geneva Centre for Democratic Control of Armed Forces (DCAF) Liberia Assessment Mission and Consultations, 28 July–1 August, 2004:* The specific objectives of the mission included: (a) to witness first hand the situation on the ground and assess efforts to implement the Comprehensive Peace Agreement (CPA); (b) to initiate discussions with local research institutions, in particular the University of Liberia, regarding options for collaboration that might lead to the establishment of a research centre on security and development at the university; and (c) to explore ways of facilitating and assisting civil and parliamentary oversight of the security sector.
- *Liberia National Dialogue on Security Sector Reform, 3–4 August, 2005:* Jointly convened by the Ministry of Justice, Liberia and the United Nations Mission in Liberia (UNMIL), and facilitated by CSDG, DCAF, the Centre for Democracy and Development (CDD), and ASSN, this event sought to (a) place the notion of SSR on the pre- and post-election agenda in Liberia; (b) explore mechanisms for, and approaches to, a collective broad-based vision of security in Liberia; and (c) contribute to the promotion of local ownership of the post-conflict reconstruction process in Liberia.
- *Consultation with heads of security institutions and ranking members of parliamentary Defence and Security Committees, convened by the GC, 3–4 April 2006:* The objective of

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<sup>1</sup> Formerly the Governance Reform Commission.

the consultation was to explore with the GC the necessary modalities and trajectories for assisting the security transformation process in Liberia.

- *Interactive Needs Assessment for Liberian Parliamentarians on Security Sector Oversight, 28–30 March 2007:* The objective of the meeting included: (a) to assess the authority, ability, and attitude of the Liberian legislature with regard to conducting security sector oversight; (b) to facilitate the legislators’ own assessment of challenges and opportunities and the requisite tools for enhancing the role of parliament in security governance; and (c) to provide the basis for drawing up a needs assessment that will inform a support programme for parliamentary oversight of the security sector in Liberia.
- *Training seminar on security sector governance for Liberian parliamentarians, 19–23 July 2007:* This was the first training seminar following the Interactive Needs Assessment. It was primarily intended for members of the Senate and House of Representatives Standing Committees of the Liberian legislature with direct security sector oversight roles and related civil society actors. The objective of the training seminar was to provide training on the foundational aspects of the security sector governance for parliamentary oversight of the security sector.
- *Training seminar on comparative experiences of SSR, 14–18 November 2007:* This was the second training seminar primarily intended for members of the Senate and House of Representatives Standing Committees of the Liberian legislature with direct security sector oversight roles, security sector agency officials and related civil society actors. The objective of this training seminar was to consolidate the training component of the support programme in addressing the lessons to be learned from comparative experiences of SSR, including shared experiences from processes in Uganda and South Africa.

**The substantive part of this training seminar was held under the Chatham House Rule, and, as such, this report does not attribute the statements contained herein to any participant.**

## 2. Opening remarks

The GC opened the session with comments on the progress of the reform agenda. It commended the increased support from the legislature in the implementation of its reform agenda. This is further evidence that in the new dispensation, the legislature intends to play its critical role in the proper representation of the people. The collaboration between the GC and both houses of the national legislature on SSR is especially important, as it provides the overarching framework within which others involved will find their place. The executive has also been actively involved in the search for a comprehensive approach to the reform agenda, including the Ministries of Defence and Justice, as well as the security agencies. Thus, a suitable pattern of division of labour is emerging, with the legislators as overseers, the National Security Agency with a policy coordination responsibility, and civil society with its independent consortium contributing to an environment in which the range of societal representatives are all acting in a useful and genuine partnership. The GC has also established a genuine international partnership with the ASSN, with an approach that has helped the GC to deepen its legitimacy. This synergy has worked to advance the SSR process.

Notably, the playing field has been uneven over a long period of time. This is because the executive has access to a sustained proportion of its needs in institutional capacity relative to the legislature, which does not have access to this capacity. Nonetheless, the legislators have been efficient in building their capacity and, proverbially, 'leaving no stone unturned' in seeking knowledge about their role and functions. This has been useful and has been additionally facilitated by a president who is not threatened by a knowledgeable legislature. The support of the ASSN has been of very high quality, and a genuine sense of partnership has been created in the sincere pursuit of the deepening of the legitimacy of the SSR process in a locally derived system that aims to avoid dependency on international assistance. The GC expressed the hope that this partnership will continue on its successful path and all the objectives put forward will be achieved.

The legislative Committees on Security and Defence welcomed all participants to Liberia. They expressed an appreciation for the increasing inclusiveness of the capacity-building process with the participation of the relevant executive actors; and the hope that this will be consolidated with the engagement of senior officials within the executive. The legislature has been immensely strengthened by these sessions. The Liberian people are also increasingly satisfied with the quality of representation from their legislature. This is in line with the committees' preferred approach of a focus on the broader populace and less at an individual level, and of dedicated adherence to the Constitution. There have been a few

internal challenges affecting the setting up the Resource Room (with ASSN support), but these are now resolved. The ASSN partners have been invaluable on this journey of capacity building in strengthening the ability of legislators in their oversight functions. Appreciation was also expressed to the partners in the executive and especially the GC for supporting this process.

The central aim of this exercise is to enable a more integrated approach to the capacity-building process by examining the requirements of an efficient defence budgeting process. The role of the legislature in defence budgeting lies in emphasizing the qualitative aspect of this process. There are two guiding principles, namely building a policy framework and oversight, as it relates to monitoring and evaluation. In reviewing budgeting as a process, it is necessary to identify the relevant steps, actors and roles that are involved. Additionally, the outcomes and outputs of the defence budgeting process are based on legitimacy and popular participation.

The extent of the practicality of popular participation is often contested, given a generalized approach to defence budgeting that centres on the sensitivity of related information. In spite of this dominant pattern, it is important to emphasize the importance of popular participation to security policy. Related to this is the need for transparency, which is equally often debated, given the need for confidentiality in key areas of security provision. Contextual factors will be vital for addressing both participation and transparency in a manner consistent with ensuring the best possible performance of the security sector. This leads to an additional element that lies in the importance of effective service delivery, which is also in line with current global discourse. It is essential that, like other publicly funded sectors, defence provision should be subject to the requirement of efficiency in delivery. The practice in the region, particularly with the challenges of conflict and a dearth of funds in general and especially for defence-related matters, reflects a defence budgeting process that is widely flawed.

### **3. The centrality of the national security policy framework: Where is Liberia in the process of developing its security policy framework?**

The central precedent of this discussion is, on the one hand, what parliament expects of the security agencies in the defence budgeting process and, on the other, what the agencies expect of legislators. Perhaps more pertinent for these interactions is the role that the legislature sees itself playing in this process. The Liberian legislators have demanded information on security processes in their deliberations. This has been a positive and bold approach that has broken the mould in a region where the executive has often dominated budgeting processes. Necessarily, the commitment to enabling a successful defence budgeting process requires a capacity to ensure efficiency. This is particularly challenging if partners in the executive, such as the Ministry of Finance, present more of a hindrance than a help.

For a more comprehensive approach, it is best to work within a broader framework of security policy, of which defence policy is a subset. The national security policy is central to all matters pertaining to security and presents a framework that guides the management of security provision. Such a framework should be resilient enough to withstand alternate influences, as well as encompass all relevant and necessary processes. It should also be durable in accounting for the past, present and future to the extent possible. Most significantly, the contextual factors are most essential to the formulation of any effective security policy.

The process of developing the Liberian security policy started in 2006. The central challenge was to develop an outline that would include all the necessary actors. The necessary first step was an examination of the legal framework establishing the security agencies. This was process driven, with the GC focusing on the threats to security on the basis of the interpretation of security by the Liberian people, and based on a widely consultative process with civil society and experts.

Human security was at the centre of this process, and it drew on the effect of long-existing structural issues such as power distribution and history. This introduced a political economy approach to the exercise, especially given the particularities of Liberia's largely extractive economy against the background of a global decline in prices and resulting conflict. Importantly, the regional context was taken into account, given the high level of interconnectedness.

This exercise resulted in the recommendation of a more decentralized security sector at the national, regional and county levels. The document that emerged from this process was produced in consultation with the executive and the legislature. The legislature's role is

primarily one of oversight through a critical assessment of the policy framework during the process of considering its adoption. Having now developed a security policy framework, the next step is a series of sectoral reviews for a thorough approach at a decentralized level. The activities of the GC have been based on this process-driven approach. The central message is that such reviews, and the resulting policies, will be carried out within the overarching framework of the national security policy. The GC approach was timely and necessary, particularly in the pursuit of local ownership and securing the oversight responsibilities of the legislature.

## **Concluding discussion on the centrality of the national security policy framework**

The need to evaluate the Liberian approach to ensure that it is in accordance with the Constitution

This is especially pertinent with this attempt by the GC to make the process inclusive, particularly given the perception of an earlier effort to train the national army (led by Dyncorp and, later, PAE) as one that excluded a large part of the executive and the legislature. The process of developing a security framework involves analysing and considering all matters affecting security, particularly those previously overlooked. However, the way forward is to focus on the future, but with a healthy comprehension of the past. In looking forward, the experiences of other countries are also invaluable. The pace of progress is of great significance, given that a successful process must be developed in time to ensure that there will not be a security void when UNMIL withdraws.

### **Over-reliance on donors creating unease about ownership of policy**

A critical concern regarding security budgeting is the immense reliance on the donor community and thus the resulting issue of the space available for independence in deliberation as to what is most efficient. This reality has led to some unease as to the ownership of the policy, with the expectation of donors exercising influence in line with the disbursement of funds. It is imperative that there should be a clear attempt to address any ownership challenges and that the legislature is not seen to be a rubber stamp for either the executive or the donors. To this end, there is even greater need for mutual respect between the executive and the legislature. It is a challenge to juggle the interests of different parties around the security policy issue. However, if the legislature is allowed to fulfil its designated role, this should be a less tedious task. There is the need for colleagues in the executive to be both professional and flexible to the extent possible in their deliberations with the legislature.

### **Ensuring the representation of women and issues of concern to them**

There are different challenges to women in terms of security, and it is necessary that these are expressly addressed. An aspect of this is the need for security to include social service provision. Secondly, women play a critical role in peace building, particularly as negotiators.

It is fundamentally essential that women are represented in security-related processes, given that they often constitute at least half of the population and, furthermore, provide a perspective that is too often ignored.

### The need for a change in cultural attitudes

It is essential to understand that institutions cannot be transformed without a change in cultural attitudes. Three essential issues should be underscored in this regard: process, structure and outcomes. Process and structure are beginning to converge, as UNMIL's withdrawal is on the same page as the process around the reality of that withdrawal and they are not at odds with each other. Context is certainly very important, and learning from the Sierra Leonean process will be very useful, given some similarity of context. Transparency and accountability will comprise an essential component of this process and can be addressed to some extent by presenting the necessary document to public scrutiny for assessment and input, as, after all, it is the security of the Liberian people that is of the utmost concern.

There are generally major misalignments between the funds availed to defence agencies and the overall requirements in Africa. No African country has the resources for a credible conventional defence posture, in that there is a preponderance of highly depreciated core capabilities and facilities. However, there continues to be an anti-defence-spending rhetoric within global approaches, particularly as they pertain to Africa. Defence is increasingly considered an unnecessary luxury for developing countries, particularly post-conflict countries. This approach is dominant within the international community, and hence the donor bodies. This is reflected in the relatively higher interest generated in interventions in and funding support for the police services by the international community.

In redressing this imbalance, there is the need for a multipronged approach in diplomacy and policy measures. The diplomacy efforts should start with the legislature. There should be efforts to cultivate popular sentiment in support of funding the military, based on objective security needs. This is essential, given the challenges faced by the military in terms of insecurity within itself and the more devastating effect this can have on the broader populace, as evidenced in past conflict situations.

It is essential to break this cycle with innovative thinking and by returning to first principles around organizing defence in terms of structuring basic architecture and thinking through revenue sourcing and allocation. The pessimistic approach to policy-based solutions, as a result of limited revenue, needs to be challenged. Rather, this should be the justification for the planning of policy as an essential starting point for influencing the debate. The policy document can serve to challenge this status quo by strategically conceptualizing these needs in an intelligent way.

The context of each particular defence budgeting situation must be taken into account. Within dictatorships, the legal procedures are generally openly flouted, with little acknowledgement of the broader national budget. In post-conflict societies, the role of the international community is dominant, and often up to 80 per cent of total budgets are externally funded. Additionally, donors can sometimes impose arbitrary budget ceilings. This can be especially problematic, as ministries and departments then compete against each other for access to limited funds.

### **The role of parliament in defence budgeting**

There is no perfect model for addressing defence budgeting globally. The differences in approach are dictated by history and culture, and other factors that affect contextual characteristics. Sharing lessons among parliaments is one of the best ways of learning from best practices.

In the European experience, historically there have been systems of using tax revenue to finance wars in the continent. Thus, the legislature's role was to guide the activities of the executive in this regard, as parliament represents the people's interests. As a result, it constitutes an important conflict prevention tool by providing a means of building consensus around how tax revenues should be used. Parliament is thus a necessary accountability and transparency tool. The recent problems with regard to the mismanagement of parliamentary allowances by members of the European parliament have thus been particularly disturbing.

It is important to note that in most countries the budget is a form of legislation. This is vital, as such a piece of legislation is therefore a public document and must be approved by the legislature, like all other legislation. To this end, non-conformity with the state budget is a crime, and contraventions will be dealt with by the courts. In order to maintain fiscal discipline, most parliaments cannot introduce budget items, but rather recommend amendments to the existing budget, and, as such, budget proposals can only be made by the executive.

The budgeting process begins with the Ministry of Finance, which asks all ministries to draw up draft budgets against the available resources. The most important contribution of parliament to the defence budget in particular at this stage is in drafting or debating the defence policy. This is critical, because in the security strategy outlined in the defence policy, the risks and perception of threats are stated and clearly explained, as are the responsibilities of the various security agencies. Additionally, the document can present the limits of the defence budget, for example, as a proportion of gross domestic product. Parliament can also try to persuade the government to present its budget proposal to public scrutiny. Moreover, parliament continues to have the power to dismiss the government in accordance with the relevant constitutional provision. This is, of course, a very strong provision and a last resort.

As has been stated above, budget formulation in all countries is the responsibility of the executive. Parliament's role at this stage is minimal and informal. In the budget approval stage, parliament is most active, as its authority is paramount. The most active actors are the specialized budget committees that can amend the budget proposal, after which it is adopted in a plenary session of parliament. Once the budget has been approved, parliament monitors how the monies disbursed via the budget have been expended. All committee members can query the issues that constitute the subject of their particular committees. Here, members of the executive may be legally required to answer queries in order to provide further clarity. Evaluation is expressed by the government in recommendations put forward in plenary sessions of parliament.

For budget cycles, even though parliament cannot alter expenditure at the approval stage, it can make recommendations that are always taken into account, and it is heavily involved in the monitoring of expenditure. There are many layers of oversight and control of budget items that also enable parliament to maintain oversight of the budgeting process.

So far, what has been said is only applicable to items in the state budget. However, there are specific issues that characterize defence-related budgeting activities. These include political nuances, secrecy, privacy and confidentiality. Furthermore, the defence budget has a broader impact, because it also speaks to foreign policy, and expenditure is a political statement as well.

The defence budget is the budget of the Ministry of Defence. Budget items include defence activities such as military activity at home and abroad; and fixed and running costs incurred by the existence of the ministry, such as building and fixtures costs and staff costs, respectively. Additionally, the costs of maintaining paramilitary forces sometimes<sup>2</sup> constitute Ministry of Defence costs.

It is notable that the defence budget is usually different from the total amount of money spent on defence. Additionally, all expenses for personnel can also appear in other budgets. For example, although military construction is usually a substantial proportion of the defence budget, civil defence, such as the protection of food security and mineral resources, is excluded. Privatization of defence activities can lead to some corruption and underutilization of resources.

In many countries, the military have many private activities, both licit and illicit. For example, the defence budget in Indonesia only covers 25 per cent of the military's costs, and the rest is covered by private activities that are not accounted for. Also, 'black budgets' do not appear in the defence budget, as these are used for covert activities. This kind of item has been said to be up to US\$40 billion in the United States. On the other hand, there is an increasing tradition of very detailed budgets. This can be as challenging as having access to too little information, as it can be very difficult to process voluminous quantities of information.

On the issue of secrecy and classified information, although it is sometimes justified, this is not always the case. Parliamentarians can challenge this with the use of freedom of information legislation. Also, in consolidated democracies, parliamentarians can argue for access to classified information because they represent the electorate. However, they often have to agree to sign undertakings on non-disclosure. In both processes, parliamentarians can be required to be vetted and be given security clearance before they are given access to confidential information.

For a successful working relationship between the legislature and the executive, there needs to be a defence establishment with a responsible hierarchy. There also needs to be a civil-military body with oversight responsibility for the armed forces. It is essential that parliament is aware of what security threats exist. It is also especially important to take cognizance of international alliances.

At all the levels in defence budgeting, it is crucial that the three A's remain central to parliament's approach. It is vital that members of parliament recognize the *authority* conferred on them by the legal powers that they are constitutionally equipped with to exercise their oversight function. It is necessary that they have the *ability* to carry out these oversight activities, both in capacity and capability. Most pertinent here are having sufficient resources and staff with the right expertise for the delicate work associated with defence budgeting. Members of parliament must also have the right *attitude* in their approach to their duties. They must be willing to hold governments to account and have the political will to follow the

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2 They can also sometimes fall under the Ministry of the Interior.

process through. This is especially the case in post-conflict settings, which can be especially sensitive. In such settings, parliament must operate within and perpetuate an environment of reconciliation.

## **Concluding discussion of defence budgeting and the role of parliament in related processes**

The discussion so far has pointed to gaps between the ideal and reality. There are also contextual settings to consider, as new parliaments will tend to continue as old parliaments have done in the past.

### **Corruption within the legislature that undermines its oversight capacity**

There is clearly no monopoly of corruption among parliamentarians across the world. Nonetheless, corruption within the legislature can entirely undermine its oversight capacity. On this note, it is essential to avoid conspiracy between the executive and the legislature and rather encourage oversight of the executive by the legislature by forming a sincere partnership with it. However, any discussion on corruption must simultaneously address the working conditions that parliamentarians face. This must be both in the direct sense of what they are paid and in the indirect sense of what is expected of them, for example, giving gifts to constituents.

### **Dealing with pressures from the executive and donors**

Executives can often take a long time to review the budget before it is forwarded to the legislature. In these situations, political pressure can be put on the legislature to rush the budget through so as to avoid being perceived as holding up the salary payments of civil servants. There is also pressure from donors to pass budgets rapidly, with little cognizance of the challenges involved in effectively overseeing the process. It is important that there are facilities to enable the legislature to address these challenges, such as the press bureau communicating with Liberians on the realities of the situation.

### **The need for the executive to engage the legislature at the formulation stage of the defence budget**

To avoid these challenges, the executive needs to engage the legislature more effectively at the formulation stage of the defence budgeting process. However, this raises the capacity challenge of how the legislature can efficiently carry out its duties. For example, parliament needs to understand the financing structure necessary to support the defence system. Liberia has benefitted from support from American partners that helped with efficiently budgeting for security and projecting challenges for the future. The Sierra Leonean experience may offer a valuable lesson in that during budget debates in the parliament of that country, there is provision for access to funds for critical issues.

## Learning lessons from the region

In Liberia, the peculiarity of the scenario may not appear to easily lend itself to learning from the wider region. However, some lessons can be learned from other regions and globally. For example, there are some countries that do not have militaries of their own, but instead have pacts with other countries for defence support, e.g. Costa Rica and Iceland. The public practice of having one police officer for every 400–500 people is relevant for the Liberian situation of security provision, given post-conflict realities. In light of this, it is worth pointing out that in Costa Rica, the police exercise the capabilities of the armed forces, as do coastguards in Mauritius. To this end, recommendations were made for a gendarmerie in Liberia, but the suggestion did not evoke support.

## Asserting the legislature's independence

There is the need to rethink the entire system of financial provision and focus more on roles and responsibilities. The legislature needs to assert its independence in the budgeting process. In a post-conflict situation dominated by donor funds, the assertion of independence can be a challenging process. It is important for the legislature to scrutinize the international donors' insistence on budget ceilings .

## The role of civil society

Arguments have been put forward that civil society should play a role in the defence budgeting process. However, this has been countered by pointing out the esoteric nature of the relevant terms and issues. Rather, the legislature is seen as the representative of the people and should be the primary actor in the oversight of the defence budgeting process. There is a necessary demarcation between the roles of statutory and non-statutory institutions. Nonetheless, it is notable that some civil society organizations often have more understanding on these issues than is normally acknowledged. They could therefore be useful in plugging the gaps in the overall national security management infrastructure.

## Distinguishing between secrecy and confidentiality in granting access to sensitive information

There is a particular sensitivity about confidentiality related to matters of national defence and security. Members of parliament can be very vulnerable to being blackmailed to disclose classified information, especially in transition economies with a poor respect for democratic systems. There are, of course, examples of parliaments leaking information that can threaten national security, so a cautious attitude is understandable. However, the difference between secrecy and confidentiality should be stressed. A system for assessing right of access to sensitive information should be constituted and based on transparent rules and arrangements in order to produce the best outcomes.

## 5. Effective communication on security matters

Legislators play two primary roles in advocacy and oversight. In ensuring that communication is effective, it is essential to address three main points, namely, what is being achieved and for whom; the strengths and weaknesses of the policy being put forward; and what should be changed.

Strategic communication is about communicating change and not simply disseminating information about change. It is usual to start with the goal of informing and then move to encouraging change. To be effective, it is useful to involve different stakeholders in the process of communication. The media strategy should also be structured according to contextual conditions. The aim should be one of informed dialogue between the citizens and the legislature.

In communicating any policy, it is essential to be clear, convincing and credible. The mastery of facts and figures helps with this and also makes a good impression. It is also important to keep presentations to a minimum, often to about 30 minutes at most; and it is essential that volume should not be confused with efficacy. Additionally, because a single piece of information can be interpreted in several different ways, it is important to be wary of the possible implications of using particular words.

The media can be used to play a role regarding peace and security issues. Used effectively, the media can dispel rumours and communicate a more accurate message, thus enhancing restructuring in a post-conflict context. Although it can be challenging to issue information on sensitive security matters, it is essential that the media are seen as partners and used as a tool in facilitating debate on the pertinent issues.

An area related to SSR with substantial budgetary implications is disarmament, demobilization and reintegration. The basic rule for good communication on such an issue is to have clear delineable objectives. Furthermore, communication here can be used both to disseminate policy developments and understand how those affected are responding to the issues.

### Feedback on session on effective communication

Strategic communication can be fairly complex, given that it goes beyond simply communicating to ensuring certain deliverables from the information that one puts out. It is not enough to rely on the media to ensure that the strategy works, but the process must be entirely thought through, with the media's participation perceived in terms of a particular role. It is important that the engagement with the media is watertight, allowing limited room for misadventure. The media always wants a scoop, and this remains their prime motivation. It is important

to align this motivation with the overall communication strategy. It is especially necessary for officials to engage with the media at their level, if they are not well trained. The challenges that the media may face with regard to professional conduct also present an opportunity to provide them with training.

In line with media strategies, leaks to the press are not always negative, as they are also a form of strategic communication and can constitute an important form of applying checks and balances. In presenting information strategically, it is useful to have a single designated spokesperson. The message should be short rather than long, to ensure that there is less potential to stray into uncharted waters and misinterpretation. This is imperative for achieving efficient media coverage on security issues.

It is also necessary to present detailed information to the media on the subject at hand. This can involve releasing a short document on key issues on a regular basis. The information should also be tailored to its audience to ensure that it is as well understood as possible. An efficient strategy involves preparing a network of media practitioners to deal with and organizing its modus operandi. This is in line with global practice, where defence correspondents can be found who are increasingly well versed in a particular subject.

Communication on sensitive security issues, like recruiting young people into the military services, can be challenging. This is because in discussions on these issues it may be necessary to address expectations on the spot. In general, the poor reputation of the military in sub-Saharan Africa may necessitate assuring those that will be affected by the recruitment of young people into the military of positive outcomes.

### **Group exercise on communicating security policy regarding army restructuring in Liberia involving three parties: the US government, the Liberian Ministry of Defence and Dyncorp**

A simulation seminar was carried out, where three positions were put forward by participants playing the part of representatives of the following three parties:

- the US government, whose main argument was that its role was legitimized and defined by the CPA as one of taking charge of the process of army restructuring and necessarily filling the security void;
- the Liberian Ministry of Defence, which argued that it had committed itself to training 2,000 soldiers in order to address the lost legitimacy of the military following the conflict; and
- Dyncorp, whose main argument was that it is a corporate entity and responsible to the US government.

The setting was a press conference, where questions around the following issues were asked:

- how the funds given to Dyncorp are being expended;
- how the programme is to be structured, including sequencing the defence and security policies, how the 2,000 people are to be recruited, how the Liberian people are being made part of the process, how to ascertain the nationality of the trainees, and how to maintain the new army following the departure of the United States from managing the process;
- the extent to which gender balance is considered in the programme;
- the cause of the delay of the process; and
- how the impact of the programme is to be measured, including how the trainees will be disabused of factionalism.

The performance was considered to be impressive by all parties. The advice to those that were asking questions was to ask simple and concise questions, and to those that were responding to use accurate statistics and facts in their responses.

## 6. Sierra Leone case study on the budgetary process and defence procurement

### The process from the Ministry of Defence's viewpoint

Sierra Leone has operated an impressive SSR exercise that has been very process driven. The Ministry of Defence has undergone immense reform and has been one of the key institutions in the process. The challenges of procurement were a critical constraint and the process was especially difficult to reform. However, gaps remain in this process. The Sierra Leonean SSR process has been extensively studied and analysed, and has often been exposed to external review, with an officially sanctioned review carried out by external parties. This also speaks to the level of funding and organization of the process.

Regarding the budgetary process, the medium-term expenditure framework requires the Ministry of Defence to set out a budget based on its proposed plans that clarifies all related activities. The process begins in June of each year, when the Ministry of Finance requires all ministries to start preparing budgets. Due to the limited finances available, budget ceilings are set for all ministries. In July, the Ministry of Defence and the Budget Resource Committee meet to address the proposed budget in accordance with the Constitution. The budgets are supposed to be scrutinized to ensure that they are in line with the prescribed budget ceilings. However, the combination of the immense requirements of the Ministry of Defence and the limited funding implies that this is usually not the case. In August, the budget estimate is presented to the Ministry of Finance. The budget is presented to parliament in good time to allow the various subcommittees enough time to review it. Additionally, the officials of the Ministry of Defence often meet parliamentarians in a friendly and informal setting to further explain the military budget.

When the budget plan is approved, the part of the budget assigned to the security sector is made available to the Ministry of Defence. The public expenditure tracking system is followed closely to examine how funds are expended. The essence of this system is to ensure that expenditure is kept within the provisions of the execution of the budget; nonetheless, the efficacy of this process is questionable. The audit division in the Ministry of Finance monitors the expenditure of the budget. These systems, processes and expenditures are then audited on an annual basis to ensure that the process conforms with good practice. This also affects the continued disbursement of funds throughout the financial year.

In the expenditure and disbursement process, it is necessary to present a projected quarterly expenditure in tandem with the quarterly allocation, as noted in the procurement plan. This is necessary for continued approval. When emergencies arise, the parliament, in

the Subcommittee on Budgets, is approached to liaise with the Ministry of Finance. Nonetheless, there is the need for the military to plan better and to move away from relying on the emergency system to a clear process and rules guiding this.

There is also a role for relevant non-state actors in the defence budgeting process. This is important for transparency. Civil society is given a pivotal role, as the defence sector is seen as a poverty reduction mechanism. This is a constitutional requirement and intended to ensure the democratic control of defence institutions beyond the elected members of parliament. This also ensures that the reality of the limitations of the available funds for the budget and the attendant implications are relayed to the Sierra Leonean people. However, it is essential that civil society undertake the role here with great sensitivity, given the delicacy of security matters.

## **The process from parliament's viewpoint**

Parliament's role in the budget process begins during the public hearings set aside for discussion of the budget. Following this, the budget is formally presented to parliament. Then the fiscal revenue is reviewed vis-à-vis all budgets as a whole. The subcommittees review the budgets and reports that have been made to the House of Representatives. On this basis, the decision is made by the House of Representatives to approve the budget.

After the disbursement of funds by the Ministry of Finance, the critical oversight role of parliament begins. Unfortunately, this duty is often viewed with scepticism, particularly by the executive. However, it is also to the benefit of the executive that this role is properly carried out, as parliamentarians can guide the process and enable improvements.

Parliament requires independent means to effectively oversee budget expenditure. However, in the absence of this, capacity challenges lead to a situation, for example, in which government ministries fund field missions by parliamentarians to inspect the projects on which the government has spent the resources allocated in the budget. This clearly hampers the independence of the judgments made by the parliamentarians concerned. Unfortunately, donor dependency determines income flows, in spite of the processes in place.

## **Concluding discussion: Lessons for Liberia**

### **Ensuring transparency in the budget approval process**

The budget is discussed by the Ways, Means and Finance Committee and it is presented to the plenary for approval or amendment. After the presentation of the budget to the House of Representatives, it is discussed in plenary, and the House is divided into subcommittees to examine particular aspects, which are reported back to the House. It is on this basis that decisions regarding approval are made. The Procurement Authority promotes transparency through reviewing the procurement plan and ensuring that it is compliant with the relevant legislation.

## Challenges to the legislature's engagement with the budgeting process

However, there are challenges to the legislature's engagement with the budgeting process. Not much discussion takes place on the budget in the plenary, and this mostly occurs in the committees. This makes it very easy for such discussion to be excluded from the budgetary process completely. Additionally, parliament's involvement in budget formulation is very limited. It would be useful for the legislature to have a role in the formulation of the budget in order to minimize its exclusion from the process. In Liberia, the Budget Committee is appointed by the president and the Budget Bureau is directly within the Presidency. The executive can strangle the legislature in terms of funding, and this exerts immense influence. In this way, parliament's independence is challenged, thus presenting difficulties with the budget process.

The legislature has immense constitutional powers and hence, regardless of the challenges, it should not be intimidated by the executive. The key underlying factor is that it has constitutional powers, and these powers should allow it to be proactive and more involved in the budgeting process.

## 7. Defence review processes: Case studies of Uganda and Mozambique

### Uganda

Uganda is a useful case, as the country has had to address a number of key challenges, particularly given the tremendous upheavals in its social and security processes. Both internal and external issues explain the reasoning behind the government's carrying out of a defence review. The main internal issue is in the current administration's drive to professionalize the army, following extensive demobilization efforts carried out in the early 1980s. This is deemed particularly necessary, given the fragile peace that has been currently secured in the civil war between the administration and, notably, the Lord's Resistance Army. The external drive has been donor led according to a perceived need to 'rework' the army to balance reconstruction priorities outside of hard security issues.

Donors applied pressure on the administration for defence reform, from which the Defence Review that was eventually carried out arose. The main aim of this was to enhance coordination between defence and other security actors, and to provide a framework for a rational debate within government and between government and external actors on security issues. The actualization of the exercise has given rise to a number of issues around balancing a variety of interests of different partners. The national administration intends to enhance capabilities, while donors are more focused on the accountability, transparency and financial challenges of the process. This has given rise to the challenging outcomes of conditionalities and local ownership issues.

The methodology selection of the exercise was an essential component of the review process. It was necessarily intended to be comprehensive in addressing all the issues facing Uganda regarding defence and security and involving all necessary parties. A transparent approach was to be adopted with a conversation around interpreting findings to influence defence expenditure.

The review was conducted in three stages:

1. A broad policy framework was developed first. In this process, defence was the most realistic entry point for SSR. The process comprised the following steps: the defence review launch; a strategic security assessment of traditional and non-traditional actors; an assessment of the foreign policy context; security policy framework development and assessing the role of the defence forces; and developing the national defence policy.

2. The Defence Review was the starting point and a means of establishing the priority issues. The process comprised the following steps: reviewing hard security issues, policy planning, procurement and staffing.
3. The options of the Defence Review were then examined. This comprised discussion with senior government officials on the various defence options, understanding the administration's approach to defence requirements and publishing a white paper.

The main outcome of the process was the White Paper outlining defence transformation over 10–15 years. It also detailed the management plan, including laying down timelines, if it was to be implemented. The government's decision on defence spending differed substantially from what donors had anticipated. There was a perceived mismatch between the Defence Review and actual requirements, including a certain minimum transparency level from the donors' perspective. This was especially based on the listing of a substantial number of items as classified.

Beyond this, there were transparency challenges, given the poor level of consultation with the Ugandan parliament. The government did not table the Defence Review for discussion in parliament, but as a reference document.

Various essential issues came to light in a critical assessment of the review process:

- Greater local ownership of the process needed to be established.
- The methodology used was the principal determinant of the outcomes.
- The process should have been better managed, with a stronger role for parliament.
- Technical assistance is a critical component of any defence review process.

## Mozambique

Mozambique is interesting in that the defence review was the central component of the SSR exercise. This followed the 1992 peace agreement following the civil war fought between the Frente de Libertação de Moçambique government (better known as FRELIMO) and the Resistência Nacional Moçambicana (RENAMO), the main resistance movement from independence in 1975 to 1992. RENAMO was created by the former Rhodesia and supported by apartheid South Africa, thus speaking to the reality of the surrounding racist regimes. However, the conflict was also driven by animosity for the one-party state system and the alienation of local leaders and structures.

The peace agreement had ownership from both parties, although there was no civil society representation. The only area of compromise was in the defence apparatus. There was no government of national unity, giving FRELIMO the upper hand. In addition, the United Nations mission was seen as a challenge to sovereignty. It has since been realized that it is essential to move forward with a more comprehensive peace agreement.

The international community led a limited review of the defence sector. The outcome was the downsizing of the armed forces to 30,000 troops. This was an arbitrary result and not based on an assessment exercise. This led to a demobilization exercise, with the army ending

up with 12,000 soldiers. However, there was no clear mandate for the army. Additionally, with a huge impact on reconciliation, RENAMO forces were not interested in joining the armed forces. In these activities, there was a transitional period and thus a security gap, resulting in rising criminality.

The limited internal engagement on security needs has been tied to financing gaps and a human resources deficit. Mozambique was donor dependent for 90 per cent of its budget. This has since decreased to 55 per cent. The government necessarily maintains spending caps stipulated by donors. However, these requisites are not public. As a result, there is no clarity as to what is spent on particular elements of the defence and security sectors.

There was limited engagement with security agencies prior to the presentation of the Defence and Armed Forces Act. Although police reform was mentioned, there was little practical pursuit of this. The reality was that the police force was used for regime protection, as opposed to civil protection. Additionally, there was a failure to review the secret service, with continuing limited clarity regarding their activities.

Parliament insisted on a broader National Security Act within which the Defence Act was to be situated. However, the Defence Act was passed following a poor consultation process. Leadership has experienced a continued challenge in moving processes forward. Although the defence forces and police are increasingly more responsive to parliament, the latter remains divided along party lines. In addition, civil society has displayed limited interest in defence and security issues.

The lack of a strategic framework has led to an ad hoc process that has emerged as a series of projects with a limited budget strategy. The neoliberal policies that government has pursued have stalled the efficacy of the reform process. Also, no coalitions have been established to address these issues, for a variety of reasons, including fear and a minimal level of democratization. This has led to clear shortcomings, including the absence of a needs assessment, poor strategic direction, poor political leadership and limited independence from external actors.

## **Concluding discussion of defence review processes and lessons for Liberia**

### **The way the process is financed determines levels of ownership and quality of outcomes**

The lessons learned from both cases have broad application. The financing of the SSR process is essential to its management, as donor pressures mean that policies are subject to these pressures. In the absence of strategic plans, particular activities such as security force draw downs have limited direction and can have adverse effects on core activities.

### **Avoiding the use of SSR processes to pursue regime security**

Administrations can utilize SSR processes to embark on extensive expenditure for regime security. This is especially amplified in conflict situations. As such, it is essential that there

is a clear understanding of these political realities in the global discourse within which SSR is pursued.

### Defence reform should be undertaken within a broader context of security policy

The Ugandan process is flawed in the pursuit of a Defence Act in the absence of a clear security policy. The methodology adopted also emphasizes the tendency for the executive to exclude the legislature from the SSR process. The decision to carry out the Defence Review was taken by President Museveni and UK Secretary of Development, Clare Short, with no discussion in parliament. This was a very narrow approach. In the Ugandan scenario, the executive had the role of educating donors as to the importance of engaging parliament in the drive for a consultative and inclusive exercise. There is, of course, the need to be sympathetic to the role of the executive, given the contextual realities and specifically the immediacy of the need to address severe security problems.

## 8. Inclusion and inclusivity: The need for a gendered and gender-sensitive approach to defence budgeting

It is important to understand that SSR necessarily occurs in an existing context and not in a vacuum. It is essential that human security is at the centre of the drive for security reform. In this discussion on budget processes, the defence budget process needs to take into account the security concerns and needs of different groups of people in society, otherwise the consequences will be overwhelmingly negative. The results of such a process will be difficult to sustain, as the various interests concerned will not have been effectively managed.

The best approach to inclusion is a gendered approach, as opposed to a women-based focus, in order to follow a holistic method of addressing security challenges. A gender-sensitive budgeting approach brings several issues to light. It allows the disaggregation of the budget in order to examine how it affects different groups in society. One such major group is women, who make up half of the population and produce 43 per cent of the country's economic output, mostly in the informal economy. Their dominance of the informal economy means that issues that address their development are not accounted or budgeted for. In many cases, defence spending is double the spending on health; thus gender-blind budgeting inadvertently ensures that the social needs of the people are not met.

Post-conflict countries have particular challenges in setting their priorities. A defence budget in a post-conflict society especially needs to be disaggregated if it is to benefit all groups. Creative thinking is needed around how to incorporate these different groups in programmes, particularly as they pertain to issues that may violate international protocols, such as demobilizing children under 18 years of age recruited for use in combat. There are also gendered security challenges that must be accounted for in budget issues, for instance, young men are more likely to be physically harassed and killed extra-judicially; while women are more likely to fall into prostitution rings and be sexually abused by security providers.

As such, there is a case for testing line items and assessing why money is being spent on particular items. Additionally, it is important to analyse the efficacy of the current spending patterns by interrogating the approach taken when establishing them. In these actions, the legislature needs to be both proactive and innovative.

## Group exercise on inclusive budgeting

A debate was carried out where two positions were put forward, as follows:

### In opposition to a gender-sensitive approach to budgeting

Human rights discourse speaks of all humans as being equal, and, as such, preferential treatment of any group is unnecessary, and such issues are best dealt with holistically and not in segments. Thus, the debate should be about family security, and since men arguably have the most access to resources, they influence structures that a gendered approach will disrupt.

### In support of a gender-sensitive approach to budgeting

Liberia is a post-conflict country, and in the preceding conflict period, minority groups and women have been most affected. The role of women, though critical, has been largely sidelined. Women make up 52 per cent of the population and the Poverty Reduction Strategy Paper stipulates that it is essential that they engage with the budget. Additionally, all groups have particular roles that are necessary for getting the job done. They should thus be empowered to do so, as they naturally have different roles.

### Follow-up comments on inclusive budgeting

There needs to be a basic understanding of gendered security and how this plays out in the reality of different groups of people. The tendency is for women to be the best negotiators of these realities. As such, leaving them out (as several peace agreements have shown) is a very direct cause of relapses into conflict. Traditionally, security has been dominated by men. This needs to be altered on the basis of an understanding of what gender means to different groups, including men, women, boys and girls.

Stability in Liberia is essential to the SSR process, and, as such, cannot be divorced from transitional justice. Reform is needed that deals with the specific realities of all the various groups. The male dominance of security has remained an issue, as women have been maligned for so long that it is challenging for them to start exerting influence, even where the space is opened. In Liberia, this is evidenced in the dearth of capacity for women. For example, they are unable to join the police service, as they cannot meet the criteria that have been set. As such, the only way forward is arguably for affirmative action for maligned groups.

The argument has been put forward that the issue of gender sensitivity is a diversionary tactic to dissuade Africans from the real core issues of development and security. Thus, the idea of gender should not draw a line between men and women, as security is a society-wide reality and gender sensitivity is not necessarily the preserve of those that are maligned within the structure. The approach needs to be qualitative and not quantitative, focusing on improving the capacity of particular groups and addressing the structural challenges that exist.

To this end, the defence budget can play a role in managing these challenges. The idea of retaining the norms of male dominance in the security sector via defence budgeting is easy and comfortable, but will not support the transition process. The deeper drive must be to transform institutions and not merely focus on maligned groups. SSR with a gendered approach therefore needs to take into account the need to transform the structures from a situation where they privilege certain groups and roles in society that are based on gender subordination. Instead, there should be a real effort to play to the potential strengths of all groups, taking into account gender specificities.

## 9. Promoting effective security sector budgeting: The role of civil society

There are four key questions to be addressed in this engagement:

- What is an effective defence budgeting process?
- Who makes up the civil society and what do they do?
- How can civil society organizations (CSOs) facilitate effective security sector budgeting?
- What can we do to ensure that CSOs carry out the roles that they have been assigned?

### Group exercise on CSOs and security sector budgeting

Three groups attempted to do the following:

- state the characteristics/qualities of an effective security sector budget;
- detail the processes of producing a security sector budget; and
- relay their understanding of the concept of CSOs (including who they are, what they do and the relevance of their role in facilitating effective security sector budgeting).

The responses from the different groups were as follows:

#### Group 1

An effective security sector budget must be the result of a thorough process. It must also be planned, participatory, transparent and accountable.

CSOs are non-governmental organizations and independent institutions that comprise a cross section of society. They are responsible bodies that are people- and grassroots-oriented. They monitor and evaluate, providing checks and balances structures in the society. They also act as spokespersons for the broader society to the statutory authority.

#### Group 2

An effective security sector budget addresses all parts of society, as well as the area of national security priorities. It also deals with holistic issues around reducing threats to human existence and improving economic development and growth. Accordingly, it should be flexible, and responsive to human security in general.

CSOs are enterprises that promote the development of all persons, irrespective of social background. They advocate on behalf of the broader society and hold public servants accountable, providing voices for the voiceless on issues of security and budgeting.

#### Group 3

An effective security sector budget enhances quality service delivery. It should be affordable, realistic, specific, measurable, gender sensitive and time bound. It should entail a needs assessment that is participatory and clearly planned, monitored and evaluated.

CSOs are non-state actors that are involved with the governance process. They advocate and act as pressure groups, thus providing alternative policy options. They monitor and evaluate the performance of government, in keeping with the planned allocation in the budget.

The realities to address regarding the role of CSOs in security sector budgeting include the need for balance in comprehensive coverage of all the issues of concern. It is clear that the security sector deals with different players, and defence budgeting must take this into account. It is essential that effective budgetary processes are participatory, transparent and situated within a national security framework. The implementation of the budgeting process must be timely and accurate. The process must also be efficiently monitored and tracked using internal and external mechanisms, while short-, medium- and long- term impacts should be addressed.

In order to be efficient, CSOs should effectively engage with the public in order to create awareness of relevant issues. They should be able to claim a minimum level of legitimacy with the spectrum of different interests in society. This claim should be reinforced with a demonstrable independent status. Achieving these aims requires a certain level of expertise within CSOs, which is enabled by adequate capacity levels. Such capacity levels are dependent on funding, as well as internal and external support.

The context of the operational environment of CSOs is important to the outcomes of their activities. In attitude, there is a need to build trust and coalitions both within civil society and with external partners, including the government. It is also essential for other actors to provide a space for the participation of CSOs, particularly in critical matters such as the functioning of the security sector. Mechanisms should be provided to ensure the independence, freedom and security necessary for CSOs to operate effectively.

## **Concluding discussion on civil society participation**

### **The role of CSOs beyond the defence budget to address broader security budgeting**

CSOs have a special role to play in the need to move beyond defence budgeting to address broader security budgeting, including intelligence and police budgeting. These are challenging issues, since, for example, police budgeting is nebulous and intelligence budgeting is traditionally not transparent. Nonetheless, CSOs have different areas of specialization and should be used on the basis of this expertise. With regard to the issue of confidentiality, it is possible for CSOs to work on sensitive issues by subjecting them to stringent security clearance requirements.

### **CSOs as a means of projecting ideas that legislators are unable to put forward**

CSOs are useful for putting forward ideas that may be more politically challenging for legislators to present. Clear objectives and roles are necessary in all such engagements. This includes clarity on the reality of CSOs being non-partisan vis-à-vis the partisan legislature. This coincides with the nature of the independence of both types of organization. Furthermore, any efficient outcomes of this cooperation are necessarily reliant on mutual encouragement and conciliatory approaches in both directions, that is, CSO-legislature and vice versa.

## Ensuring the integrity of CSOs' work

CSOs should be cautious about how they are portrayed and perceived. They must exhibit rigour in their work by carrying out thorough and rigorous investigations and taking up positions only after careful and thorough analysis. This links to the efficiency of a partnership with the legislature that is able to provide access to valuable information for high-level analytical work.

## 10. The process of writing a defence Act

A national defence Act regulates the activities of the military and other defence bodies. Like other pieces of legislation, the Justice Ministry drafts the necessary laws, with the legislature passing the laws that are produced. However, the legislature can influence the law-drafting process.

A regime's structure can also dictate the motives of a law. Additionally, the legislature and executive have certain values that a proposed law can apply. Whereas advanced democracies can contain the extremities within the dichotomy between the two arms of government, developing democracies are more fragile.

The following are the main points to address in drafting a defence bill:

- The bill should be concise, as the more words that are used, the more complex the process becomes.
- The language should be clear, accessible, simple and straightforward (to this end, templates are available for drafting bills, and these can be used).
- The factual basis of the Act should be confirmed.
- The constitutional consistency of the Act should be addressed, as it must comply with the Constitution.
- The proposed legislation must be linguistically and technically complete, as well as legally flawless.

Countries emerging from conflict should especially take into account the need to have a depoliticized and civilianized military and defence bureaucracy when preparing a defence Act. This is especially necessary given the dominant characteristics of the military establishments in the countries of sub-Saharan Africa. As such, there is a need to set up democratic control of the chain of command within the defence establishment. To this end, many countries have vested the control of the defence establishment in the Ministry of Defence. This means that the chief of army staff is answerable to the Ministry of Defence, which is in turn responsible to parliament. However, there are often former military personnel in the Defence Ministry, thus affecting the approach to matters of defence and security.

There is the additional issue of civil–military relations, especially with reference to the executive leader, who is usually the commander-in-chief of the armed forces. As such, he/she can take action without recourse to the legislature in the first instance. It is important that the executive, especially the president, can be held accountable by the legislature with regard to this responsibility. For example, in South Africa, the Defence Act requires that

when a state of emergency is declared, the president must immediately account for this to the legislature.

It is essential for a defence Act to have clear and specific conditions of use. Additionally, it is useful for national Acts, including the defence Act, to adhere to international legal treaties and legislation, particularly in the case of international humanitarian law. This is clearly important, as is evident from the way in which Liberia benefitted from regional treaties in the Economic Community of West African States that led to military intervention at a crucial time.

## **Concluding discussion on writing a defence Act**

### **The need for adequate checks and balances in the process**

There are critical issues with ceding immense powers to the defence minister, and it is therefore necessary to have a system of checks and balances in place to address any possible dangers. Within the Liberian Constitution, these checks exist with the declaration of a state of emergency. The issue of the chain of command is addressed in the draft National Defence Act.

### **Ensuring quality of leadership in the defence ministry**

There are problems with civilianizing the defence ministry, where civilians are likely to have an inadequate knowledge base to address military issues. This is even more pronounced where military personnel have greater knowledge of the functioning of the military establishment than the civilian leadership. Additionally, there are instances where civilian control leads to the politicization of the military. The focus should be on the quality of the leadership and ensuring balance in the knowledge base within the ministry.

### **The need for the legislature to have the technical capacity to perform its checks and balances role**

However, with regard to the system of checks and balances, it is necessary for the legislature to play a pivotal role in this regard in accordance with the Constitution. It is particularly important that the legislature has the technical capacity to perform its checks and balances role. Structures and systems of governing the security and defence sectors should be institutionalized, especially in young emerging democracies of the kind that dominate the picture in sub-Saharan Africa.

### **Political will crucial to ensuring that the Defence Act stands the test of time and does not merely serve the purpose of the regime**

Political will in this regard is actually more important than legislative instruments. Given the authority assigned to the legislature in the Liberian Constitution, the issue becomes whether the members of the legislature have the political will to exercise these wide powers properly and effectively. The National Defence Act must be a document that stands the test of time and should not be based on regime realities. The legislature is best placed to ensure this, because of its knowledge of the Liberian context.

# 11. Evaluating the training seminar

The organizers have generally attempted at the end of each training seminar to take stock of the lessons learned and to ensure that these sessions provide sustained added value. A combination of methods was used to obtain the views of participants on the different seminars. This included through the completion of evaluation forms, as well as general discussion evaluating the seminars.

## Strengths and achievements

The following is a summary of the comments from participants about what they found useful in the training seminars.

This training seminar has been useful in increasing knowledge on the following:

- a better understanding of parliamentary responsibility and oversight, as well as the relationship among the government, parliament and CSOs;
- the importance of independent, professional and responsible CSOs to promote strong democracy;
- the need for constant review of SSR processes and the contextualization of the SSR budget in terms of prioritization on a national basis;
- increased knowledge on good defence budgeting techniques, which should particularly rely on innovation; effective process, implementation and monitoring; and taking a holistic approach that includes gender sensitivity;
- the critical role of legislators in oversight, particularly with reference to their ability, authority and attitude;
- the importance of democratic civil control of and authority over the armed forces;
- the need for regional cooperation among parliamentarians;
- the importance of an effective communication strategy; and
- the importance of professional and well-trained parliamentary staff.

## Areas for improvement

To ensure that continued value is added to the training seminars, it will be necessary to ensure that all relevant parties address the following:

- including all Defence and Security Committee members in the training sessions;
- including other relevant legislative committees in the training sessions;
- capacity building for parliamentary staff in training sessions;
- increasing efforts to ensure the participation of senior government officials, including ministers, in the training process for better coordination of the SSR process;
- including the intelligence sector and the military in the capacity building process;
- assessment of the programme to measure its impact on stakeholders;
- extending the programme to immigration and border institutions;
- assessing the implementation of the lessons that have been learned so far;
- taking action on the Security Act to ensure that there is a legal security sector framework in Liberia;
- better cooperation between CSOs and the legislature, particularly in developing a legislative agenda that brings together the relevant stakeholders in the SSR process; and
- documenting the outcomes of this process in the form of a monograph.

## Appendix 1: List of participants

Prof. Ademola Abass	Brunel University
Dr. Uju Agomoh	Executive director, PRAWA, Nigeria
Dr. Abiodun Alao	CSDG, KCL, London
Abdurrahman Al-Shayyal	GFN-SSR, University of Birmingham
Sen. Jonathan J. Banney	Liberian Senate
Caroline Bowah	Foundation for Human Rights and Democracy, Monrovia
Hon. K. E. S. Boyah	Parliament, Freetown, Sierra Leone
Hon. Bhofal Chambers	Liberian House of Representatives
Gen. Carl Coleman	ASDR, Accra, Ghana
Mr Desmond Davies	Editor, Africa Week, London
Hon. Joseph B. A. Derrick	Monrovia
Lindora Diawara	Liberian civil society
Dr Adedeji Ebo	DCAF, Geneva, Switzerland
Sen. Joyce Musu Freeman Sumo	Liberian Senate
Teodora Fuior	DCAF, Geneva, Switzerland
Dauda Garuba	CDD, Abuja, Nigeria
Hon. G. Alphonso Gaye	Commissioner, Bureau of Customs and Excise
Hon. Rufus W. Gbieur	Liberian House of Representatives
Osman Gbla	Fouray Bay College, Freetown, Sierra Leone
Hon. Saah R. Gbollie	Liberian House of Representatives
Cecil Griffiths	LINLEA, Monrovia
Morten Hagen	CSDG, KCL, London
Dylan Hendrickson	CSDG, KCL, London
Prof. Eboe Hutchful	Chair, ASSN/ASDR, Accra, Ghana
Eka Ikpe	CSDG, KCL, London
Patricia Jallah Scott	CSDG, KCL, London
Dr Thomas Jaye	KAIPTC, Accra, Ghana
Hon. Edwin Juah	Liberian House of Representatives
Sen Roland C. Kaine	Liberian Senate
Cecilia Lazzarini	DCAF, Geneva, Switzerland
Ms. Jannave Massaquoi	Liberian Senate

Zeedah Meierhofer Mangeli	Resource Centre for Black Women, Zurich
Hon. Abraham Mitchell	GC, Liberia
Prof. Boubacar Ndiaye	Wooster College, USA
Sen. Daniel F. Naatehn	Liberian Senate
Sen. Mobutu Vlah Nyenpan	Liberian Senate
Dr 'Funmi Olonisakin	Director, CSDG, KCL, London
Anna M. Orrnet	GFN-SSR, University of Birmingham
Peter Queque	Liberian civil society
Hon. Brownie Samukai	Minister of Defence
Prof. Amos Sawyer	GC, Liberia
Debey Sayndee	Director, KAICT, University of Liberia
Hon. Elijah Flah Seah	Liberian House of Representatives
Hon. Gayflor Tarpeh	Deputy director of police for operations
Hon. Regina S. Teah	Liberian House of Representatives
Hon. Albert Toe	Liberian House of Representatives
Joe Wylie	ASDR, Accra, Ghana
Hon. Peter Zaizay	Deputy minister for national security

## Appendix 2: Meeting agenda

### Training seminar for Liberian parliamentarians, security agencies and civil society representatives on: 'Defence Budgeting and Governance'

Venue: Governance Commission, Monrovia, 9-13 March 2008

#### Sunday 09 March 2008: Arrival of external participants in Monrovia

Date	Day	Time	Seminar/event	Facilitator	Member chairing	Remarks
10 Mar	Monday	08:30	Morning Coffee/Tea			
		09:00-09:30	<p><b>Formal Opening</b></p> <p><i>Host Guest of Honour:</i> Professor Amos Sawyer, Chair Governance Commission</p> <p><i>Welcome Remarks by:</i> Senator Laihai Lansana, Chair, Senate Committee on National Defense Hon. Rufus Gbeior, Chair House Committee on Defense Hon. Saah R. Gbollie, Chair House Committee on Security</p>		Prof. Eboe Hutchful, Chair, ASSN	
		09:30-10:00	Course Introduction	Dr. Adedeji Ebo, DCAF; and Dr. 'Funmi Olonisakin, KCL		
		10:00-10:45	The centrality of the national security policy framework: <i>Where is Liberia in the process of developing its security policy framework?</i>	Dr. Thomas Jaye, KAIPTC and Dr. Abiodun Alao, KCL		Introductory remarks by Prof. Eboe Hutchful
		10:45-11:15	Coffee			
		11:15-11:45	Discussion		Prof. Eboe Hutchful	

Date	Day	Time	Seminar/event	Facilitator	Member chairing	Remarks
10 Mar	Monday	11:45-12:30	Defence Budgeting: Process and Issues	Prof. Eboe Hutchful Dr. Osman Gbla, Fourrah Bay College, Sierra Leone Mr. Wuyi Omitoogun, African Union		Commentary by Teodora Fuior, DCAF
		12:30-13:00	Discussion			
		13:00-14:00	Lunch			
		14:15-15:00	The Role of Parliament in Defence Budgeting	Theodora Fuior, DCAF		
		15:00-15:30	Coffee			
		15:30-16:00	Discussion			
		16:00-17:30	What is required for effective communication of the budget to the public? (Group Exercise)	Mr. Desmond Davies, Editor, <i>Africa Week</i> magazine, London		

Date	Day	Time	Seminar/event	Facilitator	Member chairing	Remarks
11 Mar	Tue	08:30	Morning Coffee/Tea			
		09:00-09:45	Case Study: Sierra Leone The Budgetary Process and Defence Procurement	Mr. Al Hassan Kondeh, Director of Procurement, MoD, Sierra Leone	Prof. Eboe Hutchful	
		09:45-10:15	Lessons from Sierra Leone's Parliament	Hon (Brig Rtd) KES Boyah, Member of Parliament, Sierra L.		
		10:30-11:00	Discussion			
		11:00-11:30	Coffee			
		11:30-12:00	Case Study: The Ugandan Defence Review Process	Dylan Hendrickson, KCL		
		12:00-12:30	Case Study: Mozambique: Defence reforms in the post-war period	Anicia Lala, University of Bradford		

		12:30-13:00	Discussion			
		13:00-14:00	Lunch			
		14:15-14:45	Issues of inclusion and participation in Defence budgeting	Zeedah Meierhofer Mangeli, RCBW, Switzerland; and Dr. Funmi Olonisakin		
		14:45-15:15	Promoting effective security sector budgeting: The role of civil society	Dr. Uju Agomoh, PRAWA		
		15:15-15:45	Coffee			
		15:45-16:15	Discussion			

Date	Day	Time	Seminar/event	Facilitator	Member chairing	Remarks
12 Mar	Wed	08:30	Tea/Coffee			
		09:00-09:45	The process of writing a Defence Act <i>Key issues for Parliament and relevant agencies</i>	Prof. Ademola Abass, Brunel University		
		09:45-10:30	Discussion			
		10:30-11:00	Coffee			
		11:00-12:00	Group Exercise			
		12:00-12:30	What lessons for the Liberian Budgetary and Defence Review Process	Dr. Boubacar N'diaye, College of Wooster, Ohio		
		12:30-13:00	Assessing progress and planning for next training seminar	Dr. 'Funmi Olonisakin, KCL		
		13:00-	Lunch			
<b>PROGRAMME ENDS</b>						