

BULLETIN

No. 60 (277) • June 6, 2011 • © PISM

Editors: Marcin Zaborowski (Editor-in-Chief), Agnieszka Kopeć (Executive Editor),
Łukasz Adamski, Beata Górka-Winter, Artur Gradziuk, Leszek Jesień,
Beata Wojna, Ernest Wyciszkievicz

Introducing Democratic Civilian Control over the Armed Forces in the Countries of the Eastern Partnership—Problems and Perspectives

Robert Śmigielski

Establishing democratic control over the armed forces remains one of the major challenges facing the countries of the Eastern Partnership. The fundamental problem in the process remains the low level of development of democratic institutions, unsolved local conflicts as well as the weakness of civil society and free media. These factors also prevent progress towards integration with NATO and the European Union, which was the most effective incentive for implementation of democratic control over the army in the Central European countries.

Premises. Emerging from the dissolution of the Soviet Union, Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine have been forced to create structures of sovereign states at a relatively fast pace. The national armed forces have become one of the most important attributes of sovereignty. Their importance was strengthened by the involvement of Armenia, Azerbaijan, Georgia and Moldova in ongoing separatist conflicts, which have been affecting the internal policies and social situations of these countries. The threatening atmosphere resulted in a situation in which the creation of institutions of a democratic state and the adoption of the rule of law, including the democratic control over armed forces, was not treated as a priority. Moreover, the countries of the Eastern Partnership (EaP) either did not report the same aspirations for integration with NATO and the EU, or indeed they had no chances to be accepted as candidate countries. This fact decreased their determination to implement NATO standards. In addition, their membership in the OSCE did not create an adequately strong impulse for the implementation of democratic control over the armed forces. Although all EaP countries have signed the “Code of Conduct on Politico-Military Aspects of Security,” which was introduced in 1994, its provisions are not legally-binding and they can be treated as mere recommendations.

The attitude of Russia towards the newly independent states created an additional impediment to reforms in the area of establishing civil, democratic control over the armed forces in these countries. Russia has been determined to keep strong military ties with these countries and, at the same time, weaken cooperation with NATO by preserving Russian influence in the military circles of those countries and by stationing troops on their territories. In the case of Azerbaijan, Georgia and Moldova, Russia also supported their separatist provinces.

Major Obstacles. The process of establishing democratic control over armed forces is inextricably linked to the creation of democratic institutions and the rule of law. In the case of EaP countries, the progress in this dimension is very diverse. After 1991, almost all of these countries (with the exception of Moldova) formed a political system with clear dominance by the executive power, especially the presidential structure, over the other branches. While the presidential system does not necessarily lead to a dangerous imbalance in the framework of the division of power in mature democracies, the reduction of the role of the parliament as a tool of democratic control over the army creates some risks in the newly formed states. As a general rule, the domination of the executive was accompanied by a weakening of the independence of the judiciary and very often with its total subordination to the executive (Belarus, Azerbaijan).

Additionally, local separatist conflicts also complicated a way towards democratic changes as four out of six EaP countries were involved in such wars in the early '90s. For example, unsolved the conflict over Nagorno-Karabakh between Armenia and Azerbaijan strengthens the authoritarian regimes ruling in both countries. Whether, as in Azerbaijan, a civilian president controls the armed

forces, or, as in Armenia with remnants of the Nagorno-Karabakhs arm, former members of the army take over the highest government offices, both countries are far from the standards of democratic control over armed forces. The constant state of suspension between war and peace also allows the two governments to restrict democratic freedoms and intimidate the opposition under the pretext of fighting against external enemies. To a lesser extent, the lost wars determined the issue of democratic control over the army in Georgia and Moldova. However, only the coming to power of politicians opting for integration with the Western structures (such as Mikheil Saakashvili in 2003 in Georgia and the Coalition Alliance for European Integration in 2009 in Moldova) has created an opportunity for real democratization of these countries and the introduction of democratic control over armed forces.

The example of Belarus also shows that even in a situation where there is an absence of a real external threat, the authoritarian political system is not introducing civilian control over the army but tends to create a political control over the defence sector by the central authority. In some of the EaP countries (Belarus, Azerbaijan, Armenia and, to a lesser extent, Georgia), ideological control over the armed forces is regarded as an important component of creating a new identity and strengthening state power. For this reason, there has been a de facto exclusion of defence institutions from any control but by the president.

Other factors that further slow the pace of introducing the establishment of democratic civilian control over armed forces are the weakness of civil society and free media. In the case of Armenia, Azerbaijan and Belarus, the activities of media and NGOs are restricted, which is preventing them from the possibility of executing control functions. In the rest of the EaP countries the situation is much more promising. However, the Ukrainian media, which are dependent on local oligarchs linked with the authorities, often resort to self-censorship. In Georgia, as a result of pressure coming from the authorities, two national television channels (Imedi in 2007 and Rustavi 2 in 2004) changed owners.

Perspectives. Considering the different levels of development of democratic institutions and internal and external premises in these countries, prospects for the introduction of principles of democratic civilian control over armed forces are mixed. In the short-term, no positive changes are expected in Armenia and Azerbaijan, which are blocked by the unresolved question of Nagorno-Karabakh. The evaluation of the situation in Belarus also leads to a pessimistic conclusion since its leaders are simply not interested in introducing western standards of democracy. Given growing economic problems and the associated risks of social dissatisfaction, an increase in the repressive nature of the regime should be expected as well as its stronger reliance on security institutions. It excludes any attempt for the democratization of the military sphere.

The perspectives of establishing the principles of democratic control over armed forces in Ukraine and Georgia are less clear. The position of these countries has weakened since the NATO summit in Bucharest in 2008, when they were offered a perspective for membership in the alliance. Georgia lost its position due to the initiation of a war with Russia, and Ukraine is no longer interested in the integration with NATO as a result of the position of President Viktor Yanukovich. Both countries are still at the first stage of reforming relations among the armed forces on the one side and the civil authority and civil society on the other. They require appropriate legislation, strengthening the role of parliaments in the creation and future monitoring of the budget of the Ministry of Defence and, last but not least, greater inclusion of NGOs and media as representatives of society in cooperation with security sector institutions. The best chances for achieving substantial progress in establishing democratic control over the defence sector are visible in Moldova. The authorities of that country are the most persistent in implementing democratic standards.

As the examples of the EaP countries show, the political will of individual countries determines if they are open to using the variety of tools provided them by NATO under such programs as the Individual Partnership Action Plan, Partnership Action Plan for Defence Institution Building (which was launched in June 2004) or the "Building Integrity" measure, which was initiated in 2007 and is aimed at increasing transparency and accountability in the defence sector and reducing corruption. The effects of these programs, however, are limited by a number of internal and external premises that determine the attitude of these countries towards the implementation of democratic standards within the security sector.