



Geneva Centre for the Democratic Control of Armed Forces (DCAF)

## What is a national security policy

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## What is a National Security Policy (NSP)?

- An NSP is the framework for describing how a country provides security for the state and its citizens
- Integrated Document VS Several documents
- Legal standing VS non-binding expression of visions

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## Elements

1. Objectives
2. Principles and approaches
3. Risks, dangers, threats assessments
4. Specific policies: foreign policy, defence policy, emergency planning, transportation security, energy security, health system etc.
5. International cooperation

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## What are the objectives of a National Security Policy?

- Internal –  
South Africa, consolidation of democracy, economic development,  
Canada, ensuring the country is not the base for threats to allies.)
- External –  
Canada, protecting sovereignty and territorial integrity,  
Switzerland – the prevention and management of crises)

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## Austria « Security and Defence Doctrine »

1. Paradigm shift in security policy in Europe
2. Security risks and dangers replace clear threats scenarios
3. Austria security situation (risks and dangers)
4. Role of international organisations and Austria's participation
5. From neutrality to (international) solidarity
6. Policies: foreign policy, defence policy, internal security

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## Canada « Securing an Open Society »

1. Canada's approach to security
2. Building an integrated security system
3. Intelligence
4. Emergency planning and management
5. Public health management
6. Transportation security
7. Border security
8. International Security

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## National Security Policy: The Role of Parliament

Dr. Hans Born  
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## Why involvement of parliamentarians in NSP processes

- Proactive role
- Public transparency
- Domestic consensus



## Four NSPs of Diverse Democracies

- Austria (A) - *Security and Defence Doctrine* Dec 2001
- Canada (CA) - *Securing an Open Society* May 2004
- South Africa (SA) - *Defence in a Democracy* April 1996
- Switzerland (CH) - *Security through Cooperation* June 1999



## Why a public NSP?

- Consolidation of current policy (CA, CH)
- Human security (All)
- A break with the past (SA, CA)
- Response to new security challenges (CA)
- Information- confidence building instrument (SA)



## Phases of the NSP Process

- Formulation
- Adoption
- Implementation
- Evaluation



- ### Part I: NSP Formulation
- Role of Parliament
  - Role of Executive
  - Role of Civil Society



## The Role of Parliament

- **Proactive role:** mandating the government to draft an NSP (A)
- **Comprehensive role:** debates at committee level (A, SA, CH)
- **Reactive/no role:** presented to parliament after publication (CA)



## The Role of the Executive

- Principles of political parties in government forms basis for mandate (SA)
- Inputs from various ministries, e.g. defence, foreign affairs, finance, justice, health, interior
- Committee writes 1st draft, within one ministry (SA), within several ministries (CH) or within PM office (CA), with external experts (SA)
- Adopted on cabinet level (collective decision)



## The Role of Civil Society

- **Consultative role:** Dialogue with civil society leaders and experts (CH, SA), e.g. in various roundtables (CA)
- **No role:** Formulation of NSP without participation of civil society actors or large public debate. (A)



## Part II: Adoption of NSP



## Executive – Legislative Nexus

- **Strong role for parliament:** NSP adopted by executive and approved by parliament (A, SA)
- **Weak role for parliament:** NSP adopted by executive but no parliamentary approval required (CH, CA)
- **Weapon of last resort:** Ultimately, parliament can express vote of (non-)confidence



## Part III: Implementation of NSP



## The Role of the Executive

- NSP as basis for new laws, reviews, policies
- New institutions to coordinate implementation.
  - National Security Advisor to the PM, Cabinet Committee on Security, Public Health and Emergencies (CA)
  - Security Steering Group (CH)
- Cabinet has the lead role (security cluster) (A, SA)
- Implementation
  - Security services proper
  - National and local government
  - Other government services, e.g. Health Ministry



## The Role of Parliament

- Adoption of subordinate policy documents and laws, e.g. defence act (SA)
- Budget control (All)
- Oversight of defence procurement (All)
- Control of military deployments abroad (CH, A)



## Part IV: Evaluation of NSP



## Evaluation of NSP

- Regular evaluation (A)
- NSP provides for a one-off review (CA)
- No clear evaluation mechanism (CH)



## To conclude

Challenges

Recommendations



## Major Challenges

- **'Paper tigers?'** - The lack of legal standing of NSP
- **'Turf Wars'** - Between ministries at the formulation stage
- **'Too many cooks'** - Complex structures with a lack of coordination
- **'Fast aging?'** - An ever evolving security environment



## What can you do as a parliamentarian? - some suggestions -

- Request a public NSP
- Request more parliamentary oversight of NSP formulation and implementation
- Demand an institutionalised and transparent NSP review process
- Use NSP as point of reference
- Involve civil society
- Bring in the international dimension



## Reflection of a Divided Society in NSPs

- Institutional Provisions – (Canada – cross cultural roundtable)
- Diversity as a source for expertise (Canada – in external missions)
- Respect for diversity in the security agencies (S.Africa)



## Part I: Triggers



## What Triggers an NSP?

- Domestic events; end of Apartheid (SA); election of a new government (A); SARS outbreak (CA)
- Global/regional events; 9/11 (CA); end of cold war (CH, A); link between domestic security and failed states (CA, CH)

**Aklagan!**  
Citizens' Action Party  
Our Party...  
Their Future!

**"Workshop on Strengthening the Role of ASEAN Parliaments in Security Policy"**  
EDSA Shangri-la Hotel, Philippines,  
10 March 2007

**"The Role of ASEAN Parliaments in Security Policy"**

Rep. Mario "Mayong" Joyo Aguja

**Date of membership**

- 1967 Philippines
- Malaysia
- Indonesia
- Thailand
- Singapore
- 1984 Brunei Darussalam
- 1995 Vietnam
- 1997 Myanmar
- Laos
- 1999 Cambodia

Countries	Quick facts		
	population	Military expenditures	Non-state armed groups
Brunei Darussalam	374,000	\$343 M 5.1 % of GDP	
Cambodia	14,071,000	\$85M 2.4 % of GDP	
Indonesia	222,781,000	\$1.3B 3% of GDP	Free Aceh Movement Free Papua Movement
Laos	5,924,000	\$55m 4.1 % of GDP	United Lao National Liberation Front
Malaysia	25,347,000	\$1.69 billion 2.03 % of GDP	
Myanmar	50,519,000	No data	many
Philippines	83,054,000	\$995M 1.5% of GDP	New People's Army (NPA), MILF, Revolutionary Proletarian Army, "Abu Sayaf"
Singapore	4,326,000	SGD 8.62 billion, 4.79% of the GDP	
Thailand	64,233,000	\$1.775 billion 1.8 % of GDP	Pathani United Liberation Army, New Pathani United Liberation Org.
Vietnam	84,238,000	\$1B 0.5 % of GDP	
Total	554,867,000		

**Development Indicators**

HDI Rank (2006)	HDI	Country	GDP/Capita	Gini Index
25	0.916	Singapore	28,077	42.5
34	0.871	Brunei Darussalam	19,210	---
61	0.805	Malaysia	10,276	49.2
74	0.784	Thailand	8,090	42.0
84	0.763	Philippines	4,614	46.1
108	0.711	Indonesia	3,609	34.3
109	0.709	Vietnam	2,745	37.0
129	0.583	Cambodia	2,423	40.4
130	0.581	Myanmar	1,027	63.0
133	0.553	Lao PDR	1,954	34.6

Countries	Quick facts	
	Independence	Colonizer
Brunei Darussalam	1984 (23 years)	Former British protectorate
Cambodia	1953 (54 years)	former French protectorate, then under Vietnam
Indonesia	1945 (62 years)	Former Dutch colony
Laos	1975 (33 years)	Formerly under the control of Siam (Thailand), then later French Indochina
Malaysia	1963 (44 years)	Former British colony, later occupied by the Japanese
Myanmar	1948 (59 years)	No data
Philippines	1945 (62 years)	Formerly under Spain, then USA, and finally Japan
Singapore	1965 (42 years)	Former British trading colony
Thailand		
Vietnam	1954 (42 years)	Former French colony

**Thank you very much!**

**Aklayam!**  
Citizens' Action Party

Our Party...



**Their Future!**

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Security Policy”**

Rep. Mario “Mayong” Joyo Aguja

## Parliaments in Southeast Asia and their Contribution to Security Sector Reform

Paper presented at the Workshop on Strengthening the Role of ASEAN Parliaments in Security Policy Review, Manila, 10-11 March 2007

## Parliaments in a Changing Security Agenda

- The Quest for Security Sector Reform (End of the Cold War, globalization and the emergence of non-traditional security threats)
- Securitization and the widening of security concepts
- The needs for democratic control and the role of parliaments as the embodiment of people's sovereignty
- The trinity of democracy, peace, and development

## Overview

- Introduction
- Southeast Asian Parliaments – A Neglected Object of Research
- Functions and Performance of Parliaments in Southeast Asia
- Parliaments and the Security Sector in Southeast Asia
- Conclusions

## Southeast Asian Parliaments – A Neglected Object of Research

- Authoritarianism, „bureaucratic polities,“ and the notion of „rubber stamps“
- The blind spots of „transition research“
- The „parliamentary decline“ thesis (new agents taking over parliamentary functions, the emergence of a multi-layered system of global governance, international financial institutions and the policy of conditionalities)

## Functions and Performances of Parliaments – A Tentative Assessment

	<i>Liberalization</i>	<i>Democratization</i>	<i>Consolidation</i>
<b>Polymaking</b>	Very little	Strong under certain conditions	Initially strong, but declining over time
<b>Oversight</b>	Appreciating	Assertive	Initially assertive, sometimes becoming obstructive
<b>Representation</b>	Skewed	Skewed	Skewed

## Contributing to Security Sector Governance: Three Phases of Parliamentary Growth

	<i>Phase I: Building the (constitutional) foundations</i>	<i>Phase II: Widening and deepening parliamentary involvement</i>	<i>Phase III: Mature security sector governance</i>
<b>Polymaking</b>	Partly strong	Limited	Limited
<b>Oversight</b>	Strong	Tug-of-war	Strong
<b>Representation</b>	Strong	Contested	Strong

## **Human Trafficking in Southeast Asia**

by: Teresa Kok (Malaysia)

**Presented in International Conference on The Role of Southeast Asian Parliamentarians in Security Policy Review.**

**10-11 March 2007, EDSA Shangrila Hotel, Metro Manila, Philippines**

First of all, I would like to thank the organizers of this seminar, namely FES, DCAF & ISDS for inviting me to attend this seminar on security policy review.

Human trafficking is a serious problem in Southeast Asia countries. Socio economic and developmental disparities are the main cause of irregular migration flows and cross border movement and or human trafficking. However, human trafficking is not only transnational, from one country to another, but it can also be within that country from poorer to a more affluent region. Trafficking in our region is complex and multifaceted. There are trafficking to destinations within the region and there are trafficking to other regions across the globe.

Because of the shadowy nature of human trafficking activities, collecting accurate statistics on them is impossible. The magnitude of the problem is a complex and difficult task, thus, at best, we have to rely on estimates.

It is believed each year, between 600,000 to 800,000 men, women, and children are trafficked across international borders.

Of these, 70 percent are female and 50 percent are children. Most of these victims are forced into the commercial sex trade.

The US State Department estimates 700,000 women and children are trafficked globally every year. While there are no accurate statistics, estimates vary from 500,000 to as many as two million.

The trafficking of women and children for prostitution and forced labor in and from Southeast Asia is a lucrative and well-organized "growth industry" in the region.

Southeast Asia accounts for about a third of the estimated 700,000 annual victims, most of whom are trafficked within Asia and about 25,000-35,000 of the trafficked Asians enter North America.

### **Reasons for Supply & Demand of Migrants in the Region**

Factors affecting regional migration are: inadequate employment conditions and incomes; disparities between income and living standards; political and economic dislocation; limited access to legal migration opportunities; gender and other forms of discrimination; family stress etc.

Factors fueling employer demand include, but are not limited to: dynamic economic growth; perceived labour shortages, mostly unskilled in certain sectors; porous borders exploited by brokers and agents; inadequate enforcement of labour regulations/standards; employer dependence on migrant labour etc.

Trafficking in persons, especially women, is the world's fastest growing low risk, high yield criminal enterprise. It is modern-day slavery, involving victims who are often forced, defrauded or coerced into sexual or labour exploitation.

The International Labour Organisation (ILO) estimates there are 12.3 million people in forced labour, bonded labour, forced child labour and sexual servitude at any given time. Other estimates range from four million to 27 million.

Prostitution and the trafficking of women have become the third highest 'black market' income earner after drugs and the arms trade.

Malaysia is reported to be the largest receiving country for migrant labour in ASEAN region. It is estimated that we have a thriving sex industry with over 250,000 sex workers, a conservative estimate arising from a research done by UNESCO. Malaysia also has over 360,000 domestic workers who are not recognized nor protected under Malaysian laws. As the numbers of undocumented migrants in Malaysia grow, the government of Malaysia is conducting, at times, controversial, mass arrest and deportation as they are responsible for many social problems and crime.

### **Reasons for Trafficking Women & Children**

Several reasons for trafficking of women and children identified include: i) bonded labour, ii) forced prostitution, iii) smuggling and trafficking of babies, iv) pornography industry, v) drug trade, vi) mail order bride, vii) child labour including begging, viii) removal of organs, ix) foreign students etc.

However, all forms of trafficking in persons follow a similar pattern that involves a person being abducted or recruited in the country of origin, transferred through transit regions and exploited in the destination. It is observed that the person who recruits, transports and exploits is often not the same person. There has been frequent changing nature of modus operandi of the syndicates or traffickers.

### **Malaysian Laws That Govern Human Trafficking**

Malaysia has ratified the UN Convention against transnational organized crime which came into force in September 2003, but we have not signed or been a party of the protocol on human trafficking. This could be because the Protocol's definition of trafficking is very wide, and will entail resources from government like setting up facilities to rehabilitate them, to counsel them, to give them medical care etc. All these involve costs, and Malaysian government is not willing to give them this kind of facilities

with the argument that they have come to our country knowing fully well what they are going into.

In Malaysia, there is no specific law that tackles human trafficking. What we have are the incidental laws. In fact the word "trafficking" only appears in two statutes i.e. the Dangerous Drug Act and the Child Act, where it is an offence to traffic children, buying and selling of children.

At present, the laws that used by police and immigration officers of Malaysia to handle human trafficking cases are section 372 of the Penal Code that deal with prostitution and brothels, section 31, 43 and 48 in the Child Act 2001 that deal with sexual abuse of children, buying or unlawful transfer of possession of a child, and section 55 of the Immigration Act which deal with transporting of person contrary to the Immigration Act and forging or altering travel permit.

So for Malaysia, there is a great urgency to have comprehensive anti-human trafficking laws to deal with the issue. Together with this, other provisions are needed to facilitate the investigation and protection of witnesses, for examples, resources to get testimonies from victims of human trafficking, witness protection scheme and shelter for victims of trafficking. We'll have to look at educating enforcement officers to better understand the human factor involved and polish their skills in identifying genuine victims.

We need laws that are fair on the victims of human trafficking and not subject them to charges of overstaying or entering the country without authorization. We don't want victims of trafficking to also be victims of unjust laws because weak laws and fear are what traffickers use to terrorise their victims!

I wish to take the opportunity to read the 4 resolutions to combat human trafficking in the ASEANPOL Conference on 25<sup>th</sup> May 2006, i.e:

- i) Jointly combat and prevent all stages of human trafficking spectrum and provide effective protection and support services to victims of trafficking, incorporating a blend of criminal justice and victim care responses;
- ii) To enhance real-time information exchange capabilities amongst member countries on the identities, modus operandi and activities of known transnational criminal organizations involved in human trafficking;
- iii) To encourage member countries to conclude bilateral, multilateral and regional agreements and collaboration in combating human trafficking and enhance cooperation in border control management; and
- iv) To encourage member countries to enact national legislation against trafficking in persons.

As human trafficking is closely linked to organised crime, all countries in ASEAN region must take an integrated approach and set up an Inter Departmental Task Force to address all issues and to reduce the trauma suffered by the victims of trafficking. It is also timely for governments in ASEAN to set up regional network to combat this heinous crime.