

REPORT

Dialogue & Study Visit

Civil-Military Relations in Germany

**Germany;
November 29 - December 03, 2010**

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PREFACE

A Pakistan delegation comprising members of the PILDAT Dialogue Group on Civil-Military Relations as well as some MPs and academics was facilitated by the Friedrich Ebert Stiftung, Pakistan, alongside PILDAT, to take part in a Study Visit to Germany to learn about the German model of Civil-Military Relations and democratic control on defence sector.

This report presents overview of key meetings and interactions that took place as part of the Study Visit.

Acknowledgments

This report has been prepared with support by the Friedrich Ebert Stiftung, Pakistan.

Disclaimer

PILDAT team has made every effort to ensure a comprehensive overview of the Study Visit and any omission or error is not deliberate. The views, the opinions, findings and conclusions or recommendations contained in this report do not necessarily reflect the views of Friedrich Ebert Stiftung, Pakistan.

Islamabad
January 2011

Introduction and Objectives

A Study Visit of selected members of the PILDAT Dialogue Group on Civil-Military Relations, in addition to others, was facilitated by the Friedrich Ebert Stiftung (FES), Pakistan, in collaboration with PILDAT to Germany from November 28 - December 03, 2010.

The objectives of the Study Visit were:

1. To Study the Civil-Military Relations in Germany
 - Institutional Arrangements
 - Parliamentary Control over defence, intelligence agencies and defence budget
2. To Study the Federal System in Germany
 - The relationship between federation and provinces, its demarcation, conflict resolution mechanisms, etc.
3. To Interact on Regional Security Scenario in South Asia

Delegation

An eight-member delegation from Pakistan participated in the Study Visit. **Mr. Faisal Karim Kundi**, MNA, Deputy Speaker National Assembly of Pakistan led the delegation while other members included **Lt. Gen. (Retd.) Abdul Qadir Baloch**, MNA, former Governor Balochistan; **Lt. Gen. (Retd.) Ali Muhammad Jan Aurakzai**, former Governor Khyber Pakhtunkhwa province (formerly NWFP); **Mr. Mujib-ur-Rehman Shami**, Editor-in-Chief Daily Pakistan and former President of the Council of Pakistan Newspaper Editors; **Mr. Shahid Hamid**, Senior Advocate Supreme Court of Pakistan, former Federal Minister of Defence, Establishment and Law and former Governor Punjab, who was accompanied also by **Mrs. Sarwat Hamid**; **Dr. Syed Riffat Hussain**, Chairman, Department of Defence and Strategic Studies, Quaid-e-Azam University, Islamabad; **Mr. Ahmed Bilal Mehboob**, Executive Director PILDAT and **Ms. Aasiya Riaz**, Joint Director PILDAT. **Ms. Anja Minnaert**, Resident Representative FES Pakistan, also joined the delegates in Germany. **Appendix A** carries detailed profiles of the delegates.



The Pakistan Delegation outside FES office, Berlin

Overview of the Programme

The Study Visit programme included detailed briefings on German institutions such as the German Society for Technical Cooperation (GTZ) and the Friedrich Ebert Stiftung, interactions with Members of the Parliament on Parliamentary control of Security Institutions in Germany. An Expert Talk and Dialogue on Regional Security in South Asia was held during the Visit. The study and dialogue programme was set in Berlin and included visits to Neinburg and Potsdam. In Neinburg, a briefing on the topic of Structure and tasks of the CIMIC Centre and Civil-military cooperation abroad was organised. The delegation visited Bundeswehr Task Force, followed by a briefing on the working of the German German Bundesrat. Dialogue and interaction was organised on the issue of Civil-military cooperation / white paper followed by a Political Sightseeing Tour of Berlin and Tour of the Office of the Federal Commissioner Preserving the Records of the State Security Service of the former German Democratic Republic. The Study Visit concluded with a roundtable discussion with FES-partner organizations, working on Development and Peace in Pakistan. The Study Visit formally concluded at a farewell dinner, at a restaurant by the name of Café Einstein Stammhaus, which was once frequented by the late Albert Einstein and sharing of an overview of the learning of the Study Visit together with the delegation and the FES.

Earlier, the delegation was hosted by Pakistan's Ambassador to Germany His Excellency Shahid A. Kamal, to a Dinner reception.

German Society for Technical Cooperation (GTZ)

The first of four working days of the Study Visit to Germany began with a briefing by Mr. Christian Stahmer, country Manager Afghanistan Pakistan, the German Society for Technical Cooperation (GTZ).

He explained that the GTZ carries out the development policy goals of German Government. The GTZ is part of the German Ministry of Economic Cooperation and Development. Currently the GTZ annual budget for Pakistan is 145 million Euros of which the German contribution is 115 million Euros while the balance 30 million Euros is required to be raised by the Pakistani beneficiaries.

The GTZ is part of the Federal Academy for Security Policies which carries out a training once a year of stakeholders. GTZ also works increasingly the German Ministries of Defence and Foreign affairs in addition to Development.

GTZ is working in 90 countries and Security, Conflict Management and Development are the three areas of its work. GTZ makes rapid deployment in disasters worldwide. The GTZ also helped build the architecture of peace and security in Africa and had advised KSA for border management. Before 1990, the GTZ had no direct involvement in military matters. In Afghanistan, the GTZ has helped stabilise provincial development fund. The GTZ has 15000 employees, with 3000 based in the headquarters and 150 in Aghanistan with 1100 Afghan national employees. The GTZ focus in Afghanistan is on northern provinces like Kunduz, Badakhshan, Samangan, etc.

The GTZ has a total budget of 1.5 billion Euros a year. Each country strategy is drawn up by the executive. The GTZ spends 3.5 million Euros on Afghan refugees per year in



(R-L) Mr. Christian Stahmer, Mr. Shahid Hamid & Dr. Riffat Hussain



Delegation being briefed by GTZ

Pakistan.

Welcome Lunch

Ms. Christiane Kesper, Head of Head of Division for International Cooperation, FES

The delegation was hosted to a working lunch by Ms. Christiane Kesper, Head of Head of Division for International Cooperation, Friedrich-Ebert-Stiftung.

The FES is a German political foundation associated with Germany's Social Democratic Party but independent of it. The FES is named after Friedrich Ebert, who was Germany's first democratically elected President, and was established in 1925 as part of his political legacy. The FES headquarters are in Berlin and Bonn and it has offices in over 100 countries including Pakistan. The FES has an annual budget of over 130 million Euros of which 70 million Euros are spent on its offices abroad. It is funded mainly by the Federal Government. Its objects include the promotion of democracy and political education. Its mission statement is to facilitate dialogue both at home and abroad. It is prepared to work with all types of governments except where local conditions make it impossible to do so.

Parliamentary Control of Security Institutions in Germany

The delegation had an interactive discussion with four Members of German Parliament **Mr. Michael Groschek**, MP, **Mr. Hans-Peter Bartels**, MP, **Ms. Angelika Graf**, MP and **Mr. Fritz Rudolf Korper**, MP, at the German Bundestag, the Lower House of the German Parliament, all of whom are ranking members of the Parliamentary Committees dealing with the Budgets, Defence and oversight functions relating to the German Intelligence Services.



German MPs brief the Pakistan delegation on Parliamentary control of defence in Germany

The MPs explained that each Ministry's budget, including defence, is debated, negotiated and approved by the Parliament every year. There is a Defence Committee comprising Parliamentarians drawn from all political parties. The current chairperson is a member of the Opposition Social Democratic Party. The Parliament regulates the size and structure of the Armed Forces on an annual basis through the annual budget. In addition, there is a Parliamentary Commissioner for the Armed Forces, an Ombudsman, who is a Parliamentarian and who reports to the Parliament. He assists Parliament in executing its civil control over the Armed Forces and serves as a liaison between the Bundestag and the Bundeswehr. There also exists a Domestic Service that acts as the protector of the Constitution.

The composition, the functions and the activities of the



(L-R) Mr. Faisal Karim Kundi, MNA, Mr. Shahid Hamid and Lt. Gen. (Retd.) Abdul Qadir Baloch, MNA at the Briefing in Bundestag

Intelligence Services are regulated by the Federal Intelligence Service Act, the Federal Act on the Protection of the Constitution and the Act on the Military Counter Intelligence Service. Each of these Acts contains provisions for Parliamentary scrutiny of the activities of the Intelligence Services.

There are two bodies of the German Bundestag specialized in oversight of intelligence activities. First, there is the Parliamentary Control Panel (Parlamentarisches Kontrollgremium of PKGr). It consists of members of the Bundestag and is involved in "political" oversight.

Secondly, there is the G10 Commission (G10 Kommission). The G10 Commission performs more of a judicial function, with regard to surveillance measures restricting the privacy of correspondence, posts, and telecommunications. Without its permission, no such surveillance can take place.

The Bundestag and its other Committees (the Committee on Internal Affairs, the Defence Committee and Committees of Inquiry) are also empowered to deal with intelligence matters.

Expert Discussion on Regional Security in South Asia

An expert talk was organized as a part of the Study Visit featuring as speakers Dr. Syed Riffat Hussain and Dr. habil Christian Wagner, Head of Research on Asia, German Institute for International and Security Affairs.



(L-R) Dr. Rifaat Hussain, Ms. Minnaert and Dr. habil Christian Wagner

The delegation participated in the talk including a select audience of invitees from German think tanks, educational Institutions, the media and Government bodies with interests in South Asia. German residents of Afghanistan, Iran and Pakistan origin also attended. In the discussions that followed the focus was mainly on Pakistan and Afghanistan.

In his presentation, Dr. Rifaat Hussain said that regional security has a direct bearing on global security. Six Ps frame the security issue in South Asia: Population, Proliferation, Protracted territorial disputes, Poverty, Peace process between India and Pakistan and Peace dividend. There is an emerging trend of growing missile capability between Pakistan and India.

Dr. Hussain said that there is a link between poverty and civil war as those countries with US \$ 5000 per capita GDP income have a lesser incidence of civil war at less than 2 %.

Pakistan is witnessing a transition to democratic rule which is a positive development. There is a continuing gridlock in India-Pak peace process. He said that there is a clear US strategic tilt towards India and US also has a utalitarian view of Pakistan. There is a lack of US engagement on Kashmir. India is being viewed as a net provider of security in the region. US President Obama's recent visit to India has reinforced the Indian position.

The region is also witnessing intensifying Pakistan-India rivalry for influence in Afghanistan and as yet there is no regional consensus on how to deal with the Afghanistan issue. The US and NATO forces have failed to win in Afghanistan whereas Pakistan is made the fall-guy in the scenario and FATA is the new battleground. Pakistan is paying an ever-rising price in casualties. The country has

witnessed 207 889 attacks. While Pakistan has deployed 140,000 troops alongside the Western border, the number of ISAF forces from 43 countries constitutes 100,000. Along the Western border, Pakistan Army has 821 border posts whereas there are only 112 border posts from the Afghanistan side by the ISAF forces even though Pakistan is continually blamed failure to stop cross-border infiltration.

Dr. habil Christian Wagner said that regional security in South Asia is one of the greatest issues in the world. Although regional security improved since Mumbai attacks on November 26, 2008, it still remains fragile. India-Pakistan relations are not very good but not very bad either. Poverty, population control, economic disparity, etc., are country issues which need to be solved by respective countries.

Dr. Wagner said that India is trying to improve bilateral relations with its neighbours. He disagreed with Dr. Riffat Hussain that India is seen as a net security provider; India is not a regional power and this is not even what Delhi wants, it wants to improve its economy, he said.

He said that US tilt towards India is not a new phenomenon and President Obama's visit to India underlined the old strategy of US towards India. It should not be difficult for Pakistan to adapt to the new realities, he said. The world's greatest nightmare is this that if something like Mumbai attacks happens again, a much more serious crisis will erupt in the region which will also harm fight against terrorism.

In the Question and Answer session, questions were raised Pakistan's relations with China and how Pakistan offers its unswerving support to China that it the representative government of the whole of China including Taiwan.

In response to Pakistan's relations with the US, Pakistani delegates pointed out that drone attacks inside Pakistan violate international law and are counter-productive. For every single culprit killed through the drone attacks, there are 200-300 innocent civilians losing their lives as what Americans term as "collateral damage." Corruption is an important issue but corruption is not just specific to Pakistan and it is not a major driver of regional insecurity.

In response to a question about general impression in Afghanistan and the rest of the World that Pakistan is not conducting operating against Taliban, or it is not doing enough, Pakistani participants termed it as an unfair

accusation.

Lt. Gen. (Retd.) Ali Muhammad Jan Aurakzai, former Governor Khyber Pakhtunkhwa province said that on the 2600 kilometre long border between Pakistan and Afghanistan, Pakistan has a border post at every 2 kilometres with 40 persons per post. US has surveillance capability and if it sees infiltration, who doesn't it stop and shoot infiltrators crossing from Pakistan into Afghanistan? Pakistan had also proposed fencing of border but the US and Afghanistan did not agree. There are deep-rooted ties between people of Pakistan and Afghanistan across the border and people are related to each other and even have cross property ownership. About 200,000 residents of the area from two sides cross the border per day. Pakistan is hosting 280,000 Afghan refugees even today and the world does not pay any attention towards repatriating them. In a grand Afghan Jirga in Kabul, we asked what is Pakistan's involvement in Afghan problems and they said it is 10 to 15 %. United States has not managed to bring 85 to 90% of Afghanistan but continues to blame Pakistan for a security problem in Afghanistan that constitutes, in the words of Afghans themselves, not more than 10-15%.

Answering another question about the preferred Pakistani option of in negotiated settlement in Afghanistan, Dr. Hussain said that there is tremendous ignorance in the US/NATO part on how to move forward with a negotiated settlement. Pakistan's thinking is that President Karzai should take the lead in a negotiated settlement and we support that. Pashtuns should be given their due share in power. Pakistan has no preferred parties in Afghanistan we do not seek strategic depth in Afghanistan.

Lt. Gen. (Retd.) Ali Muhammad Jan Aurakzai said that if US has not won so far in Afghanistan, it is unlikely to achieve that with an additional 30000 troops. It is time for negotiated solution. Conditions tied to such negotiations are not appropriate. The war in Afghanistan is being lost. Taliban know this. Taliban may not be seen in isolation. They have support of local population. They know they are winning and can afford to wait till 2014. Negotiations are the answer without playing favourites. Pakistan is Afghanistan's neighbour and if Afghanistan is in trouble, so is Pakistan. In the last 30 years, Pakistan has stood by Afghanistan in every crisis from housing over 6.5 million refugees to fighting a war.

Asking a question, Mr. Schuman said that the international community has continually changed its target in Afghanistan from transforming Afghanistan to ending



(1st R) Lt. Gen. (Retd.) Ali Muhammad Jan Aurakzai sharing views

violence and now it just wants an Exit Strategy. What does Pakistan want and what are its expectations from Germany which is a UNSC member from January 2011 onwards.

Responding to the question Dr. Wagner said that the international community's fight is against Al-Qaida and probably Taliban are not terrorists. Pakistan should worry about representation of its own minorities in Pakistan. Germany is not expected to play any different role now inside the UNSC than it is paying already with the commitment of its troops in Afghanistan. NATO will probably take the lead in setting the agenda for a negotiated settlement.

Dr. Hussain said that the US-supported war against Soviet Union in 1980s is the main reason why we find most of the internal acts of terrorism traced back to FATA and Pakistan.

Structure and tasks of the CIMIC Centre

In the afternoon the delegation travelled to Neinburg for a visit to the CIMIC, the Centre for Civil and Military Cooperation. Lieutenant Colonel Herft gave a briefing to the delegation about the CIMIC.

The CIMIC works in tandem with German Armed Forces operating abroad to provide the link with the civilian environment in the operational areas. Their functions include provision of humanitarian aid and construction of development projects in the areas in which the German forces are operating. The CIMIC Policy is to protect Germany and its citizens. In Germany, the CIMIC works for domestic disaster relief and national defence while abroad its goals include counter insurgency, stabilization



(L-R) Ms. Aasiya Riaz, Mr. Ahmed Bilal Mehboob, Mr. Shahid Hamid, Dr. Rifaat Hussain, Mr. Faisal Karim Kundi, Lt. Gen. Rainer Glatz, Lt. Gen. (Retd.) Abdul Qadir Baloch, Lt. Gen. (Retd.) Ali Muhammad Jan Aurakzai and Mr. Mujib-ur-Rehman Shami at the Bundeswehr Operations Command headquarters

operations, Re-constitution, nation building and humanitarian aid.

The key functions of the CIMIC are to establish and maintain Civil-Military relations; inform, consult and support civil environment (i.e., water projects, humanitarian aid, support civil environment with military assets as a last resort and to contribute to Military decision-making/planning process and operation (assessment of the civil situation).

Funds for CIMIC do not come from Military budget but are part of other ministries' budgets or donations (from industrial companies, individuals, etc.) or from EU funds for Afghanistan. Former Generals can raise funds but not the serving officers.

In response to a question, Lieutenant Colonel Herlt said that Army can only be deployed in Germany only after a state of war is declared to protect certain installations and industry. CIMIC comes in case of a disaster coping of which is beyond the capacity of the civil. In recent times CIMIC was deployed to help in two floods and one snow storm in Germany.

The Bundeswehr Task Force

On the third day of the Study Visit, the delegation travelled to Potsdam which is the headquarters of the Bundeswehr Operations Command.

The delegation was given a detailed briefing on the organization and activities of the German Armed Forces with special focus on the German troops deployed in Afghanistan under the control of the (Joint) Operations Command.

The question and answer session after the briefing was handled personally by Lt. Gen. Rainer Glatz, the Commander of the Operations Command, and by his Deputy Commander Rear Admiral Hartmann.

The (Joint) Operations Command draws personnel from all the three services, as also from the Joint Medical Command, and controls the deployment of all German forces operating outside Germany including in Afghanistan, Kosovo, Sudan, Congo, Somalia and Bosnia.

The delegation was briefed that the German troops are deployed outside Germany only if:



Pakistan delegation being briefed at the German Bundesrat

- i. The deployment is mandated by UN
- ii. It is approved by German parliament
- iii. It is a multi-country operation

A total of 7000 German troops are deployed overseas at present. Germany has the third biggest troops contributor in ISAF in Afghanistan. Germany believes that support to the Afghan National Security Forces is the earliest way of exit from Afghanistan. The ANA and ANP training is ahead of schedule and effectiveness of ANA is significantly improving, the delegation was told in answer to a question. The Commander of the Operations Command also said that looking ahead, Germany believes that military option alone without reconciliation efforts in Afghanistan will not work.

Answering questions about the system of democratic control of Defence in Germany, Commander of the Operations Command said that in Germany military will always follow political leadership's commands and there is no question about it. The German Parliament extends German troops mandate for 12 months at one time so Parliament's mandate, supervision and control is key.

The German Bundesrat

In the afternoon the delegation was taken to the German Bundesrat, the Upper House of the German Parliament equivalent to Pakistan's Senate.

In addition to a detailed visit of the Bundesrat building, a detailed briefing was given to the delegation by Bundesrat Parliamentary Relations Officer on composition, power and functions of the Bundesrat.

Bundesrat is not the second chamber. Number of

members from each state in the Bundesrat varies according to population while the range is from 3 to 6 members each state. All members to the Bundesrat are nominated by the Government of the State. States can change their members anytime but there has to be one person who is duly authorized by the respective state. There are 16 states and 69 votes. Only one person from a State casts vote and votes of a state can not be split. 35 votes are needed to carry a decision. The authorized person can vote as per his personal wish against the state wish but will have to be dismissed if so happens.

The Speaker of the Bundesrat is elected for a specific period, rotating every year. There is, for the first time, a female Speaker of the Bundesrat. The Speaker acts as the President of the Federal Republic in his absence.

The Bundesrat meets 11 to 13 times per year. It meets on Fridays every 3 weeks while it observes a summer break. Duration of Bundesrat sessions varies from session to session and in the past sessions have lasted from between 20 minutes to 8 hours. Each plenary session lasts for a day.

All federal laws have to be passed by Bundesrat. There are no parliamentary parties in Bundesrat and each time there is a state election, members change. The Bundesrat members do not live in Berlin but they live in states.

In 1949, it was decided that the first President should come from the largest state by population and then the next most populous state and so on. President does not necessarily have to be a political person like Chancellor.

The Bundesrat secretariat has a staff of 200. The Bundesrat has 16 Standing Committees. The Defense Committee meets very rarely about once or twice per year while other committees regularly meet. Bundesrat also passes federal



(L-R) Lt. Gen. (Retd.) Abdul Qadir Baloch, Dr. Rifaat Hussain, Mr. Shahid Hamid and Capt. Karsten Schneider

budget but it can not block it.

Civil-Military Cooperation

The fourth day of the Study Visit commenced with a briefing by Capt. Karsten Schneider, Division Chief of the Operations Staff of the German Armed Forces.

Capt. Schneider discussed with the group working of the National Security Council and the inter-link between political hierarchy and Armed Forces. The Briefing included the history of this relationship during the days of the German Empire prior to the First World War and during the period of the Weimar Republic in between the two World Wars.

The German military was brought back, which was banned after World War II though with a political consciousness that it is a necessary evil but has to be controlled. The Constitution explicitly defines the functions of the military. The Military's Commander in Chief in peace time is the Defence Minister and it is only in a state of defence (when Member of Parliament can not convene, etc.) that this functions moves to the Chancellor. In response to a question he said that he did not foresee such a scenario if Germany were to have a 9/11 type scenario.

He explained that there are 3 major methods of Parliamentary Control of the Military. These are through the Defence Council, chaired by the Opposition; annual size

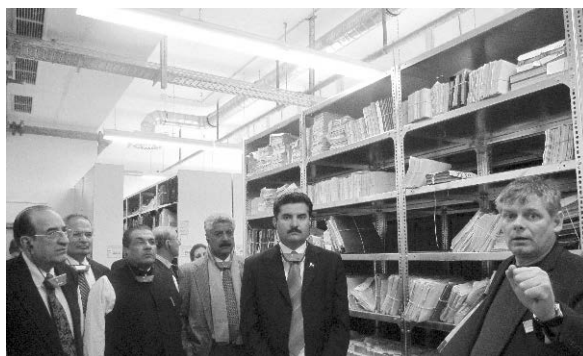
and structure of the Military controlled and regulated under the annual budget law and through the Armed Forces Ombudsman, installed by the Parliament and often a former Member of Parliament. The cabinet approves the promotion of all high-ranking commanders. There is a Personnel Conference in the Military that looks at the 4 and 3 star promotions but it largely follows the Minister of Defence's choice.

There is also a Cabinet Committee on Defence. The Federal Security Council has a very limited function. Chancellor has a diplomatic and security advisor as secretary of the Council. It is a small body in which the Chief of Defence is a permanent guest but not a member.

Office of the Federal Commissioner Preserving the Records of the State Security Service of the former German Democratic Republic

The delegation visited the office of the Federal Commissioner preserving the records of the State Security Service (Stassi) of the former German Democratic Republic (East Germany). This office preserves a veritable morgue of millions of files opened by Stassi on every citizen of East Germany of any importance during the period of Communist rule before the re-unification of Germany in 1990. The citizens of the erstwhile East German Republic insisted on the preservation of these files and their right to inspect the same.

Roundtable with FES-partner organizations



Delegation visiting the office of the Federal Commissioner preserving records of the Stassi of the former GDR



(L-R) Mrs. Serwat Hamid, Mr. Ahmed Bilal Mehboob, Mr. Shahid Hamid and Mr. Mujib-ur-Rehman Shami at Brandenburg Gate in snowy Berlin

working on Development and Peace on Civil-military cooperation (from a development cooperation point of view)

The final working event of the fourth day was a round table discussion with representatives of the Federal Ministry for Economic Cooperation and Development, Venro which is an umbrella organization of development NGOs, the Confederation of German Trade Unions and the Joint Conference Church and Development. The topic was civil-military cooperation from a development cooperation point of view.

Delegates asked questions about various aspects of development priorities for Pakistan.

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