Developing A Security Sector Reform Index in the Philippines:
Towards Conflict Prevention and Peace-building
Updated SSRI Baseline and
Proposed National Security Sector Reform Agenda*

in partnership with The United Nations Development Programme,
The Office of the Presidential Adviser on the Peace Process
and The Commission on Human Rights of the Philippines

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Chapter 1
Security Sector Reform (SSR):
A Conceptual Overview[1]

Security Sector Reform (SSR) is among a number of new concepts that have penetrated current discourses on democracy, security, peace, and development. The increasing worldwide understanding of the importance of institutions belonging to the security sector is due to the vital role it plays in the provision of security to the state and its people, its capacity to support or thwart democratization processes, and its enormous contribution to the pursuit of a lasting peace. Scholars, policymakers, multilateral organizations, and the donor community have increasingly recognized that in order to realize sustainable development, it is imperative that the security sector is governed in accordance with democratic principles while ensuring that its various actors perform their mandated functions in an efficient and effective manner. Those working in the pursuit of human security, democratic consolidation, good democratic governance, human development, and post-conflict peace-building underscore the idea that SSR is a project that must be pursued with firm resolve and commitment by all its stakeholders.

Whereas before the security sector was viewed as referring only to the armed forces, it has since expanded to include all actors (whether statutory or not) that have an impact on the provision of (in)security in a given country (Hänggi 2003; 2004). It departs from the traditional preoccupation of defending the state, even as the new focus of security is now every human being in society.[2] In addition, the increasing acceptance of the global norm of democratic civilian control (Diamond and Plattner 1996; Alagappa 2001) has enlarged

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[1] This is an updated version from the chapter from the Project's first publication. See Institute for Strategic and Development Studies (ISDS), *Developing a Security Sector Reform Index in the Philippines Towards Conflict Prevention and Peace-building – Security Sector Reform in the Philippines: A Preliminary Analysis,* Quezon City: ISDS with the United Nations Development Programme and the Office of the Presidential Adviser on the Peace Process, 2009, pp. 4-12.

[2] Scholars have also observed that with the traditional understanding of security, it is often the state whose "dysfunctionality" or overt persecution of its own citizens that is the cause of insecurity and violence (Ball and Brzoska 2002).

the security sector to include the police, the intelligence services, paramilitary organizations, militias, private armed groups and civilian oversight institutions, judicial and penal agencies, and even civil society organizations. SSR seeks a comprehensive and simultaneous transformation of key institutions and groups in order for them to guarantee the physical security of the people and in doing so, also respect democratic principles and human rights.

Like the rest of the developing world, the Philippines takes no exception as a country that needs to embark on a comprehensive SSR project. This is justified based on three grounds. *First*, SSR is pivotal in a country attempting to improve the quality of its democratic regime. As the security sector also comprises the institutions tasked to oversee and manage security forces such as the executive bureaucracy, legislatures, and courts, the pursuit of SSR is also very much part of the task of institution-building for democratic consolidation. *Second*, there is an understanding of the importance of the security sector in conflict prevention and peace-building (HDN 2005). Being in the forefront of lingering internal conflicts in the Philippines, a democratically managed and professional security force is an indispensable component of the peace program of the government. *Lastly*, the security sector occupies a substantial portion of the Philippine government. If successfully carried out, SSR will hugely contribute to the good democratic governance of a country that has often been perceived as one of the most corrupt in the world (Transparency International 2004), as SSR when done properly does build a country's capacity for good democratic governance.

Evolution of SSR

As a concept, SSR is now twenty years old. Some scholars say that it is a by-product of the end of the Cold War. With roots going back to the political transitions in Central and Eastern Europe, SSR has increasingly spread to countries in the developing world undergoing their own political transitions and managing domestic conflict and post-conflict situations. The reduction of the prominence of traditional military assistance in the form of weapons and ammunitions, technology, and equipment and the expansion of the notion of security had implications for the effective provision of security in society. It also reconfigured many existing security relations at the bilateral and multilateral levels (Wulf 2004; Andersen 2006: 6; GFN SSR 2006).

It is generally acknowledged that SSR first received official attention in a speech of Clare Short, the United Kingdom's (UK) Minister for International Development in 1998 (Wulf 2004).[3] In the broadest sense, SSR may pertain to a "plethora of issues and activities related to the reform of the elements of the public sector charged with the provision of external and internal security" (Hänggi 2004:4). The UK's Department for International Development (DFID) defined SSR as the "transformation of the security system which includes all the actors, their roles, responsibilities and actions, so that it is managed and operated in a manner consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework" (2003: 30).

Taking the UK's lead, international organizations soon followed suit. One of the most authoritative definitions of SSR came from the Development Assistance Committee (DAC) of the Organization for Economic Co-operation and Development (OECD), which defined SSR as increasing the country's "ability to meet the range of security needs within their societies in a manner consistent with democratic norms and sound principles of governance, transparency and the rule of law" (OECD 2004).[4] Thus, it extends beyond the narrow focus on defense, intelligence, and policing. Similar to this view is the definition provided by the UK's Global Conflict Prevention Pool (GCPP) which includes security policy, legislation, structural, and oversight issues.

The most important assumption of SSR is that the security sector of the country concerned is dysfunctional. These problems or 'pathologies' (Law 2004) could stem from deficits in security (effective and efficient provision) or democracy (lack of oversight or transparency).[5] Both are to be considered equally important. A functional security sector

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[3] The UK is at the forefront of supporting SSR worldwide. As the leading proponent of SSR, it has created the Global Conflict Prevention Pool (GCPP) which provides funding for two key institutions – the Security Sector Development Advisory Team (SSDAT) and the Global Facilitation Network for Security Sector Reform (GFN SSR). Recently, DFID has decided to merge GFN-SSR with the Governance and Social Development Resource Centre (GSDRC), another DFID-funded resource centre based at the University of Birmingham.

[4] Aside from the OECD, the UNDP has been one of the most pro-active international organizations that has supported SSR initiatives worldwide. In its *Human Development Report* in 2002, UNDP asserted the importance of "democratizing security to prevent conflict and build peace" (2002: 85-100).

[5] Thus, it is necessary for a comprehensive assessment of the governance of the security sector to be first undertaken before a list of SSR activities could be formulated.

that provides a secure environment but is not subject to transparency and accountability is considered deficient. The essence of SSR is the idea that security and democracy are not mutually exclusive. One can have an effective and efficient security apparatus that is at the same time embedded in a framework of democratic governance (Bryden and Hänggi 2005: 27).

Some view that these problems could be addressed through a two-step process, differentiating between 'first generation' SSR from 'second generation' SSR. The former is informed by the insights of the literature on civil-military relations as it concerns the establishment of new constitutional and legal frameworks, institutions, structures, clear lines of responsibility, and accountability for the security sector (See for example, Fitz-Gerald 2003). The more challenging and difficult parts are the reforms associated with the second generation SSR. This encompasses the consolidation of the first generation reforms as well as ensuring the effective operation of institutions, development of expertise and knowledge, diffusion of reform commitments from lower-level officials and other actors, and engagement on SSR issues with non-state actors such as civil society (Edmunds 2004: 50-53; Yusufi 2003: 5-6).

It must be stressed that existing discourses on SSR partly embrace the concept of human security. This means that it shares with human security the shift of focus from the state to the individual. However, SSR only includes the physical security of the individual and other subnational actors and does not include all security threats to human beings such as economic, food, health, and environmental challenges. As conceived by the international donor community, SSR's novelty stems from going beyond traditional military assistance programs undertaken during the Cold War.

While there may be a general consensus on the elements of SSR, it must be understood that thus far, it does not have a common template or model that could be exported to all countries where it is perceived to be necessary. The scope of SSR is often determined by the unique circumstances of the country. One way to determine this is to look at particular nuances of a country's economic development, political system, and security situation in order to determine what will constitute the SSR project. Moreover, the context may give us an idea as regards the prospects of SSR in a given country (Bryden and Hänggi 2005: 28-295). Related to this, Ball provided a more complicated approach.

Customizing SSR depends on several contexts that include not only the political, economic, and social conditions of the country involved. Viewed as a transformative process, SSR should pay equal importance to a country's psychological, institutional, normative, and geopolitical context (Ball 2004: 47-51).

Composition of the Security Sector

As much as there is no common definition of SSR, there is also no consensual idea of what comprises the security sector. A narrow or minimalist view simply defines it as the military and the police. However, a governance perspective suggests that the security sector includes all the institutions and groups that affect and are affected by decisions or actions made related to issues of security and defense (Bryden and Hänggi 2005: 24-25). Table 1 below offers a quick look at the spectrum of security sector actors as seen by various SSR specialists.

Table 1. Constituents of the Security Sector from Various Perspectives

References	Composition	Remarks
Fitz-Gerald (2003); Yusufi (2004); Greene (2003)	- Armed forces - Intelligence services - Police - Judiciary - Paramilitary forces - Border and customs officials	Minimalist
OECD (2000; 2004)	- Core security actors - Security management and oversight bodies - Justice and law enforcement institutions - Non-statutory security forces	Middle-range

Ball (2000); Ball, Bouta, and van de Goor (2003)	• Statutory Security Forces (armed forces, paramilitary forces, intelligence and secret services, police, border and customs officials, reserve units) • Non Statutory Security Forces (private militia, private security companies, private military organizations, liberation armies, guerilla armies, organized crime, nationalist terrorist movements) • Civil Management (executive, national security council, ministry of defense, ministry of internal affairs, ministry of foreign affairs, financial management bodies) • Legislature (parliament, parliamentary committees, commissions) • Legal Framework (constitutional framework, judiciary, Ministry of Justice, prison regime, Human Rights Commission, Ombudsman) • Civil Society (NGOs, media, think-tanks, research institutes, public opinion [makers], electorate) • Other actors (political parties, business community)	Maximalist

Source: ISDS, *Developing a Security Sector Index in the Philippines*, 2009, p.9.

SSR and Development

Through its acceptance of the concept of human security, SSR is ultimately necessary for development. Some quarters attribute SSR to the development donor community which found it difficult to implement development assistance efficiently and effectively in conflict-torn societies or worse, in failed or fragile states such as those located in the African continent.[6] This makes most SSR initiatives as 'donor-driven' having often been initiated by external actors even without the consent or input of the country concerned. Some scholars and practitioners have wisely cautioned against this 'imposing' tendency of donor agencies of developed countries and international organizations (Wulf 2004). Thus, it is increasingly recognized that local will or commitment to SSR is crucial before external involvement or assistance should be provided. In this way, the presence of 'local ownership' among relevant stakeholders will not only be assured but also enable SSR to become sustainable.

It must also be stressed that it is the poor and other marginalized groups (e.g., women and children) that are often the victims of an ineffective, unaccountable, and abusive security forces (Ball and Brzoska 2002). If not through acts of the security apparatus of

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[6] In the 1990s to early 2000s, these included Liberia, Mozambique, and Sierra Leone.

government these 'vulnerable' sectors tend to be susceptible to violence and insecurity perpetrated by non-statutory forces such as gangs, criminal syndicates, and private militias.

SSR is also associated with development as it ensures that the resources allocated to the security forces are in proportion to the security conditions of the country. Through 'right-sizing' the security forces, any excess in the resources could be transferred to the performance of the other tasks of government such as the provision of socioeconomic services and poverty reduction programs.

SSR and Democratic Governance

Traditionally, security and democracy were not seen as concepts that go together. As reflected in the debates found in political philosophy, freedoms or rights associated with democracy are often sacrificed in the altar of the state's defense of civil peace or of regime security. To a great extent, the hallmark of security institutions such as the military has been its lack of transparency and openness to input from other actors. Though a public good, security has often been a policy area where there is limited participation by other actors.

Former United Nations Secretary-General Kofi Annan highlighted the linkage between SSR and democratic governance when he noted that the security sector "should be subject to the same standards of efficiency, equity, and accountability as any other service" (cited in Hänggi 2004: 4). It is also acknowledged that a democratically-run and accountable, effective, and efficient security force is vital in promoting political stability, as it is recognized that the armed forces by nature is the ultimate expression of the role of coercion in governance (Alagappa 2001). The absence or lack of democratic civilian oversight and professionalism in the military constitutes a serious challenge for most consolidating democracies. In the end, the successful implementation of SSR could quell threats to the democratic order and help ensure that democracy will be the 'only game in town'.

As already noted, SSR was used as a framework to engage and coordinate defense and democratic reforms in post-communist Europe (Hänggi 2004). The most illustrative case

of how SSR is linked with democratization is found in the conditions imposed by regional organizations such as the Organization for Security Cooperation in Europe (OSCE), the North Atlantic Treaty Organization (NATO), the European Union (EU), and the Council of Europe on countries that are seeking membership. As part of their 'new defense diplomacy', they have made programs and initiatives associated with SSR as strict criteria for post-communist countries to qualify for membership. These requirements consist of undertaking democratic civilian control over institutions including the military, the judiciary, the police, and parliament (Hänggi 2003; Bryden and Hänggi 2005: 23; Germann 2002).

Based on the experience of democratizing societies, it can be said that there is no guarantee that security will improve in the post-authoritarian period. On the contrary, it has been observed that authoritarianism's propensity to use repression had swept nearly all unresolved issues under the rug such that most democratic transitions have often featured episodes of armed conflict. Furthermore, Luckham (2003) argued that the rude awakenings from the failure to meet expectations and demands in the post-transition period could also stoke political violence.

The security forces comprise a substantial portion of any government and are often provided with tremendous resource endowments. Thus, from the point of view of good governance, the potential for any resource misallocation could be a great source of poor or malgovernance (Fitz-Gerald 2003). Even if one assumes that a country's security forces are democratically-governed and lack the propensity to seize state power, SSR is also important in socializing civilian politicians not to make any attempts to draw the armed forces to partisan politics and disrupt democratic processes (Edmunds 2004: 47).

SSR and Peace-building[7]

Perhaps the more relevant and immediate context of SSR in conflict-torn societies is its contribution to peace-building and human security. Scholars recognize that the term 'human security' covers a wide range of activities and problems, and as a consequence

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[7] For a detailed discussion on the links between SSR and peace-building, see ISDS, *Developing a Security Sector Reform Index in the Philippines,* 2009, pp. 13-16.

intersects with the activities and problems of SSR. Yet there remains a lack of recognition of or low regard for SSR's impact on peace processes, though poor security sector governance has been seen as one of the major causes of the dysfunctional management of the armed forces that contribute to 'unpeace' in conflict-ridden areas. Thus, blame is placed on the security forces as the source of conflict and key obstacle to peace-building (Saferworld 2002). The UN Security Council had recognized, however, that the security force is "an essential element of any stabilization process in any post-conflict environment" (cited in Hänggi 2005: 4), especially its democratic governance. This can be seen in various ways:

First, the security forces are more often than not at the forefront of dealing with armed insurrection and secessionist movements. They assume the 'face' of government in these conflict-ridden areas. Thus, an unprofessional security force not subject to democratic oversight could not only increase its tendency to commit violations of human rights and international humanitarian law, but also be ineffective in the performance of its responsibilities.

Second, the implementation of any final settlement or resolution between the parties to the conflict would require the involvement and cooperation of the security forces (Greene 2003). In this regard, SSR can have a great impact on peace negotiations, as well as the final resolution and settlement of internal conflicts.

Third, SSR does not only concern itself with the improvement of the security forces but includes the development of strong, coherent, and responsive civilian institutions. These institutions do not merely perform democratic oversight functions but are also responsible for most of the tasks in post-conflict peace-building, such as activities related to poverty reduction, infrastructure development, and conflict resolution. These form a significant part of addressing some of 'the roots of conflict' where the government plays a very crucial role (Hänggi 2005: 11). SSR could also pave the way for the institutionalization of effective conflict resolution mechanisms in order to prevent any future conflict from resulting in violence.

The current discourses on human security continue to put a premium on the role of the security sector. They 'reorient' the role of the armed forces, police, intelligence bodies,

and other related agencies to protect the individual and not just the state from threats of violence. Moreover, one of the more important goals of reforming the security sector is to ensure that security for the people is provided for in an efficient and effective manner while being consistent with principles of good democratic governance and human rights.

As already noted, however, SSR does not wholly incorporate the concept of human security. It is mainly concerned with physical security or what is considered as threats to the people's 'freedom from fear' – that is, the freedom from violence, crime, aggression, and conflict. While SSR focuses on contributing to the strategy of 'protection' more than 'empowerment' (Commission on Human Security 2003), it also adheres to the concept of human security in so far as it may have implications for the role and mandate of security forces in the performance of functions related to the other aspects of an individual's security. An expanded definition of security containing aspects that are beyond physical security may mean that the core security forces could dip their hands into non-traditional areas beyond their original or intended missions, and afar from their training and expertise.

Yet SSR is holistic in character. It departs from the orthodox distinctions made between security, democracy, and development by integrating defense reform, police reform, intelligence reform, justice reform, legislative reform, and the like. Seen as separate efforts in the past, SSR is viewed as the framework that could coordinate all these initiatives and programs into a cohesive whole. Its integrative approach and ability to put all of these tasks under one roof is the source of its appeal (Wulf 2003; Forman 2006). As such, it is a comprehensive process to be implemented by a multitude of institutions within the state and civil society through a series of coordinated actions and programs.

Chapter 2
Background and Rationale
of the Project

As already noted, the concept of security sector reform (SSR) emerged shortly after the end of the Cold War to address the challenges of political change from authoritarian to democratic rule in the former satellite states in Eastern and Central Europe of the defunct Union of Soviet Socialist Republics (USSR) (Wulf 2004:11-12). Originally cast as democratic control of the armed forces (or democratic civil-military relations) where the military would be under civilian oversight by democratically elected political leaders and democratic institutions of governance, the thinking behind SSR was informed by the realization that establishing democratic control of the armed forces of a country can only be achieved if the other actors involved in the delivery of security to the state and its people do so efficiently and effectively and with integrity. Indeed, if only the military and other uniformed services were reformed according to democratic principles and the rest of the security sector actors especially those that perform oversight functions were left out in the reform process, military adventurism is likely to occur (Almonte 2007). Thus, it is important to have not only a 'whole of government' approach to security sector reform, it is also necessary to have a 'whole of society' approach.[8]

When SSR was implemented in Eastern and Central Europe the context was political change or transition from authoritarian to democratic rule. When the concept was exported to Africa, in particular to former colonies of the developed countries in Europe such as the United Kingdom (UK), the context was either intra-state (usually ethnic) conflict or post-conflict situations, where demilitarization, demobilization, and reintegration (DDR) was a key element. Beyond Africa, SSR has not been well-received largely because of its European (Western) origin. In Southeast Asia, the intellectual roots

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[8] A 'whole of society' approach is broader than a 'whole of government' approach because it embraces groups and institutions outside government whose oversight role is critical. This role could include assessment and monitoring of the behavior and performance of security sector actors to ensure good security sector governance.

of democratic civil-military relations in the United States (US) whose assumptions were not seen as applicable to the region's societies (Beeson et.al. 2006) must have undermined its positive reception in the region. However, in recent times SSR has increasingly been regarded as a critical tool for reforming the governance of the security sector. Various SSR and SSR-related programs involving a diversity of security sector actors have begun to proliferate in Southeast Asia, including training programs for security forces, parliamentarians, and members of the broader civil society and academics.[9]

Security Sector Reform and Security Sector Governance

Security sector governance (SSG) is a concept that is often substituted for security sector reform (SSR) especially in societies whose leadership remains highly sensitive to the concept of 'reform'. However, on closer analysis, 'governance' is actually different from 'reform' in the sense that 'governance' refers to the wider arena of philosophical and ideological underpinnings as well as an entire system of structures, actors, processes, and functions by which a particular unit such as a government agency or the state itself is managed. 'Reform' on the other hand, refers to the process of changing an existing reality – whether a condition or set of conditions, or agencies/institutions – presumably for the better, or for improving that reality for the purpose of making it more efficient and effective in the delivery of the good or service for which it was originally intended. Consequently, many ruling or governing elites tend to be sensitive to the notion of 'reform' because the term suggests an inadequacy, ineffectiveness, or inefficiency and equally if not more importantly, a lack of integrity on the part of the object of reform (Hernandez 2011).

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) describes SSG as referring "to the structures, processes, values and attitudes that shape decisions about security and their implementation [while SSR] aims to enhance SSG through the effective and efficient delivery of security under conditions of democratic oversight and control"

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[9] Among them are those undertaken by the Democratic Control of Armed Forces International Security Sector Advisory Team (DCAF/ISSAT), the Association of Security Sector Reform Education and Training (ASSET), and the Friedrich Ebert Stiftung (FES) in Southeast Asia and elsewhere.

(DCAF Backgrounder 2009:1). It further says that SSR provides "a framework for conceptualizing which actors and factors are relevant to security in a given environment as well as a methodology for optimizing the use of available security resources" (DCAF Backgrounder 2009:1).

Categories of SSR Activities

SSR is a comprehensive and holistic process that can only succeed with a 'whole of society' approach. While activities related to SSR can be programmed thematically within certain timelines, the achievement of their targets within specific timelines can be a hugely challenging if not an altogether unpredictable matter. This is due to the fact that success in the attainment of targets is shaped by a multitude of actors and factors, many of which are highly interdependent, interactive, dynamic, fluid, and uncertain, and therefore unpredictable. Thus, the implementation of an agenda for security sector reform must be regarded on the whole as also work-in-progress, whose movement or lack of it can be forward, backward, or even static as specific environmental contexts dictate.

According to a security sector reform expert (Hanggi 2003:18), SSR activities might be categorized into four major groups: (1) democratic control over security institutions, (2) professionalization of the security forces, (3) demilitarization and peace-building, and (4) strengthening the rule of law. Category one (1) includes (a) enhancing oversight capacity, (b) managing public sector review, and (c) capacity-building of civil society groups. Category two (2) includes (a) training for democratic accountability, human rights, international humanitarian law, ethnic and gender sensitivity, (b) promoting community policing, (c) upgrading military and/or police equipage, and (d) formulating professional codes of conduct. Category three (3) includes (a) disarmament, (b) reduction of the availability of small arms and light weapons (SALWs), (c) demobilization, and (d) reintegration. Finally, category four (4) includes (a) building of a strong and independent legal framework, (b) capacity-building for the judiciary, and (c) enforcing the rule of law (Hanggi 2003:18). From these categories, it is evident that SSR is a holistic, comprehensive, and a 'whole of society' undertaking.

The SSRI Project: Origin and Development

In this regard and in an effort to contribute to democratic security sector governance, sustainable peace and development in the Philippines, the defunct Office of the Presidential Adviser on the Implementation of the Feliciano Commission Recommendations (OPAIFCR)[10] and the Office of the Presidential Adviser on the Peace Process (OPAPP) with the support of the United Nations Development Programme (UNDP) undertook a project to develop a Security Sector Reform Index (SSRI) for the Philippines. Begun in 2005-2006, the SSRI Project seeks to develop an assessment tool regarding the performance of the Philippine security sector which can serve as (1) a diagnostic instrument to determine what needs to be done to improve security sector governance (SSG) in the country; (2) a guide to the formulation of a reform program to achieve good/democratic security sector governance; and (3) a monitoring mechanism on the progress (or lack of it) of SSR for good/democratic SSG.

Good/democratic governance of the Philippine security sector can contribute to sustainable peace, security and development. When each of the security sector actors performs their functions efficiently and effectively in accordance with the constitutional and legal framework of governance and these functions are discharged with integrity, tension and conflict can be avoided and reduced if not totally eliminated, thereby creating an environment conducive to sustainable peace and development.

To ensure an independent assessment of the Philippine security sector, it was decided to have a non-government organization conduct a pilot test and baseline building of the draft SSRI for the Project's second phase. The Institute for Strategic and Development Studies (ISDS)[11] took on these twin tasks during the Project's second phase in 2007-

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[10] The Feliciano Commission (FelCom) is a fact-finding commission established following the Oakwood Mutiny of July 2003 through Administrative Order No. 78 of the President of the Republic of the Philippines of 30 July 2003. The Commission headed by retired Supreme Court Justice Florentino Feliciano, Jr., was mandated "to investigate the roots of the rebellion and the provocations that inspired it", and shall "evaluate all the facts and circumstances surrounding the rebellion". It submitted its report to former President Gloria Macapagal Arroyo on 17 October 2003.

[11] Established in 1993, ISDS is one of the better-recognized non-government policy research and advocacy institutions in the Philippines whose areas of concern include track 2 diplomacy, security (including human security) and development, human rights and democratic governance, democratic civil-military relations,

2009. It has carried the Project forward since then. The ownership of the Project by a non-government institution such as ISDS was thought to facilitate the creation over time of a 'multi-sectoral' constituency for SSR in the Philippines. The formation of a consortium of civil society actors that have partnerships with relevant state institutions would greatly push the SSR advocacy into the country's political reform agenda. By being a more participatory and consultative process, the Project would contribute towards an increased public awareness and appreciation of SSR and its role in conflict prevention and peace building.

The Philippine Security Sector

While the 'security sector' can be narrowly defined to include only the uniformed services (i.e., the military, police, paramilitary and intelligence services) or to include every government and non-government entity that is related to the provision of security to the state and its people, the SSRI Project took a middle-range definition of the Philippine security sector (ISDS 2009:30) to include (1) the core security actors or statutory forces to refer to the Armed Forces of the Philippines (AFP) including the Citizens Armed Forces Geographical Units (CAFGUs), the Philippine National Police (PNP), and the Intelligence Services of the AFP (ISAFP); (2) Security management and oversight bodies such as the President as Commander-in-Chief of the armed forces, National Security Council (NSC), National Intelligence Coordinating Agency (NICA), congressional oversight committees (i.e., the Commission on Appointments, Senate Blue Ribbon Committee, committees on appropriations, national defense and security, public order and safety, ethics), executive departments (national defense, interior and local government, budget) constitutional and independent bodies (Commission on Audit, Commission on Human Rights), National Police Commission (NAPOLCOM), and the Office of the Presidential Adviser on the Peace Process (OPAPP); (3) justice and law enforcement oversight institutions (Department of Justice, Ombudsman, Sandiganbayan); and (4) societal institutions (civil society advocacy groups for peace, human rights, justice; investigative media; and academe).

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foreign and security policy, and East Asian regionalism. Among its networks are the Asia Consultative Group on SSR (ACG SSR), the Association of SSR Education and Training (ASSET), and the Global Consortium on Security Transformation (GCST).

As noted above, the SSRI Project also took a 'whole of society' approach by including not only oversight institutions in the government, but also societal institutions that play an important role in monitoring the behavior of the security forces as well as government oversight institutions.

SSRI Variables and Proto-Indicators

Since SSR is about the efficient and effective delivery of security to the state and its people with integrity, the SSRI Project adopted two sets of variables in designing the SSRI. One set of variables covers the 'efficiency and effectiveness' element of SSR and the second set of variables covers its 'integrity' part. The latter took democratic attributes of governance since the Philippines is described by the 1987 Constitution as a democratic polity.

The first set of variables followed a logical sequencing (rather than ordering the variables according to their weight, priority or importance). They are labeled as 'dimensions' of the SSRI and include (1) democratic principles of governance as found in the constitution and the laws,; (2) the extent of knowledge or awareness, and capacity of oversight institutions; (3) performance record of the security sector; (4) SSR programs and initiatives of this sector; and (5) contribution to conflict prevention and peace-building (ISDS 2009:31-33).

The second set of variables labeled 'attributes 'of democratic governance includes (1) transparency; (2) accountability; (3) responsibility; (4) participation; and (5) responsiveness (ISDS 2009:33-34).

A set of proto-indicators was then devised for each one of the dimensions and attributes, seeking merely to determine whether they are present or absent. Further down the future evolution of the SSRI, the research team hopes to identify a few quantifiable indicators that could be representative of each dimension and each attribute. For the current stage of

work, the proto-indicators for each set of variables were cross-tabulated - across the dimensions and attributes - to determine whether they are present or absent.[12]

The SSRI Project: Phases 1 and 2[13]

The above conceptualization was done in internal workshops of the Project's research team during the first phase of the SSRI Project (2005-2006). A consultation meeting with a group of security sector actors was held on 7 June 2006. Validation of the draft SSRI was done at a meeting of participants that attended this consultation meeting as well as through focus group discussions (FGDs) with three groups of AFP personnel (senior and junior officers, and enlisted personnel or EPs) in each of the 12 camps visited throughout the country. These FGUs were held between 25 November 2005 and 27 January 2006 at the AFP Headquarters, Camp Emilio Aguinaldo in Quezon City; the 4th Infantry Division of the Philippine Army in Cagayan de Oro City; the 1st Marine Brigade of the Philippine Navy in Marawi City; the 6th Infantry Division of the Philippine Army in Cotabato City; the Southern Command Headquarters in Zamboanga City; the Central Command Headquarters in Cebu City; the 3rd Infantry Division of the Philippine Army in Dingle, Iloilo Province; the Northern Luzon Command in Tarlac Province; the First Scout Ranger Regiment in Fort Magsaysay, Nueva Ecija Province; the Philippine Military Academy in Fort Gregorio del Pilar, Baguio City; and the Southern Luzon Command in Lucena City, Quezon Province.

A pilot test of the draft SSRI was conducted between 13 September and 20 October 2006 with participants from civil society, the Commission on Human Rights, the staff of legislative oversight committees in both houses of Congress, media, and the AFP. Validation meetings were similarly held with project partners in OPAPP and UNDP. Two case studies demonstrating the linkages between SSR, peace, and development were also undertaken in Bohol Province and in the municipality of Leon in Iloilo Province (ISDS 2009:38-45).

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[12] See Chapter 3: Updated Baseline of the Draft Security Sector Reform Index (SSRI) of this volume for details.

[13] For a detailed description of the methodology used for the draft SSRI, see ISDS, *Developing a Security Sector Reform Index in the Philippines*, 2009, pp. 38-45.

During the Project's second phase, the Project Team built a preliminary baseline on SSR in the Philippines using data it generated during the pilot test conducted through the consultation meetings, FGDs, as well as key informant interviews that served to augment the data generated during phase one of the Project (ISDS 2009:46-99). Among the key informants were former OPAPP Secretary Jesus Dureza, House Committee on National Defense and Security secretary, Roger Rigor, and Ms Karen Gomez Dumpit of the Commission on Human Rights. Additional documentary sources were used for the SSRI baseline-building. Subsequently, dissemination forums on the preliminary baseline were conducted and attended by key SSR stakeholders, and a report on the SSRI was published and submitted to OPAPP and UNDP in 2009.

Among the findings of the second phase include: (1) there exists adequate constitutional and legal framework governing the Philippine security sector; (2) there remains inadequate capacity for effective civilian oversight of the security forces by the executive, legislative, and other authorities mandated to discharge this function, while non-governmental oversight as such (i.e., by media, civil, society, etc.) is absent; (3) consequently, security forces enjoy a wide area of functional autonomy; and (4) there is a performance deficit among the constituent elements of the country's security sector (ISDS 2009:154-155). At the time of the Project's phases one and two, the SSR concept had not yet been officially adopted by the government or any of its instrumentalities.

Not having the opportunity to validate the draft SSRI with the PNP, seeking further inputs to the draft SSRI from civil society and other actors and also to find out if some changes have occurred within each of the two sets of variables since the validation of the draft SSRI with the military, intelligence services, and the oversight institutions in 2006, the research team embarked on a third phase of the Project.

Draft SSRI Validation with the Philippine National Police and Oversight Bodies

Phase three of the SSRI Project took place during June 2010-February 2011 with the following targeted activities: (1) validation of the draft SSRI with the PNP, (2) further validation with oversight institutions in and outside government and baseline data updating, and (3) formulation of a proposed National SSR Agenda (NSSRA) with a conflict prevention and peace-building component.

ISDS organized the phase three research team led by Carolina G. Hernandez, with Herman Joseph S. Kraft and former NAPOLCOM Commissioner Celia S. Leones as consultants, Allan delos Reyes as project coordinator, Maria Rowena G. Layador and Katherine Marie G. Hernandez as research team leaders, and Donalyn Dolina, Stephanie Hilario and Mark delas Alas as research team members.

The validation meetings and FGDs were conducted with the PNP between September 2010 and March 2011. Starting with a consultation meeting with key officers at the PNP National Headquarters in Camp Crame, Quezon City, this activity was followed by validation meetings with selected police regional offices (PROs) in Camp Olivas, San Fernando, Pampanga (PRO 3), Camp Simeon A. Ola, Legaspi City, Albay (PRO 5), Camp Martin Teofilo B. Delgado, Fort San Pedro, Iloilo City (PRO 6), Camp Ruperto K. Kangleon, Palo, Leyte (PRO 8), Camp Bado Dangwa, La Trinidad, Benguet (PROCOR), Camp Catitipan, Davao City (PRO 11), Camp Romeo A. Abendan, Zamboanga City (PRO 9), and Camp Salipada K. Pendatun, Parang, Maguindanao (PRO ARMM).

Further validation meetings with oversight institutions in and outside government were also conducted during this period. These included participants from media, peace and human rights advocacy groups, academe, staff of legislative oversight committees in both houses of Congress, oversight institutions from relevant executive departments (such as national defense, interior and local government), NAPOLCOM, OPAPP, Commission on Human Rights, the Ombudsman, and Sandiganbayan. In addition, key informant interviews were conducted with officials of the Department of Budget and Management (DBM), the Commission on Audit (COA), the National Security Council (NSC) and National Intelligence Coordinating Agency (NICA). The data generated from these meetings, FGDs, and key informant interviews were analyzed and incorporated into the preliminary SSRI baseline developed during phase two of the Project. The analyses of the findings are discussed in the next chapter.

Chapter 3
Data Generation Activities

For the third phase of the Project, the Project Team employed various data generation activities in order to gather more information, feedback, suggestions and recommendations from various components of the security sector. In particular, this phase expanded the scope of the validation meetings to include inputs from the Philippine National Police (PNP). Focus group discussions (FGDs) with various stakeholders and oversight institutions in and outside government were also conducted to generate additional data that will inform an updated baseline for the draft SSRI.

As noted in the preceding chapter, the Project Team conducted field visits and validation meetings in selected PNP regional offices across the country. These validation meetings were structured informally so that participants may freely express their opinions, concerns and suggestions with regard to various dimensions, attributes and proto-indicators being discussed throughout the validation meetings. The policy of non-attribution was observed in all validation meetings and FGDs, as what was also observed during the second phase of the Project.

FGDs were also organized for groups of oversight institutions. Some of these institutions were consulted during the second phase and a re-validation of the SSRI with these institutions was deemed necessary in order to reflect changes or development (or lack thereof) which might have occurred between the two phases. These include civil society groups, media and legislative committees in both Houses of Congress. For the third Phase, other oversight institutions were also invited and asked to generate additional inputs necessary to update the baseline of the draft SSRI, such as executive departments and justice and law enforcement and oversight bodies. In addition to these activities, key informant interviews were also conducted by members of the Project Team. The non-attribution policy was also observed in these FGDs and interviews.

The Project Team also employed documentary research and review of current news and updates relating to the security sector. These include: preliminary research on the status of peace and conflict situations in areas with insurgency problems to guide the selection of police regional offices (PROs) to visit, and subsequent coordination with the National Security Council (NSC) to validate the data derived; and research on updates on the current status of laws, statutes and legal provisions concerning the security sector, as well as the progress of different policies and programs which were outlined in the preliminary baseline of the second phase.

List of PROs Visited and FGDs Conducted

Below is the list of validation meetings in various PROs across the country, as well as FGDs conducted by the Project Team with groups of oversight institutions.

PRO Validation Meetings

1. SSRI Validation Meeting, PNP National Headquarters, Camp General Crame, Quezon City (7 September 2010)

2. SSRI Validation Meeting, PRO 3, Camp Olivas, San Fernando, Pampanga (22 September 2010)

3. SSRI Validation Meeting, PRO 5, Camp Simeon A Ola, Legaspi City, Albay (25 September 2010)

4. SSRI Validation Meeting, PRO 6, Camp Martin B. Delgado , Fort San Pedro, Iloilo City (20 November 2010)

5. SSRI Validation Meeting, PRO 8, Camp Ruperto K Kangleon, Palo, Leyte (27 November 2010)

6. SSRI Validation Meeting, PRO CAR, Camp Bado Dangwa, La Trinidad, Benguet (15 December 2010)

7. SSRI Validation Meeting, PRO 11, Camp Catitipan, Davao City (8 January 2011)

8. SSRI Validation Meeting, PRO 9, Camp Romeo A Abendan, Mercedes, Zamboanga City (10 January 2011)

9. SSRI Validation Meeting, PRO ARMM, Camp Salipada K Pendatun, Parang, Maguindanao (15 January 2011)

FGDs with Oversight Institutions

1. FGD with Civil Society, Media and Academe, UP Balay Kalinaw, Quezon City (16 September 2010)

2. FGD with Senate Oversight Committees, Tanada Room, Senate Building, Pasay City (11 October 2010)

3. FGD with House of Representatives Oversight Committees, Ramon V. Mitra Building, Batasang Pambansa, Quezon City (11 October 2010)

4. FGD with the NAPOLCOM, NAPOLCOM Main Office, Makati City (24 November 2010)

5. FGD with executive oversight bodies (DND,DILG), UP Balay Kalinaw, Quezon City (11 January 2011)

6. FGD with justice and law enforcement bodies (DOJ, Ombudsman, Sandiganbayan, CHR), CHR Library, Commonwealth Ave., Quezon City (2 March 2011)

List of Key Informant Interviewees

Below is the list of key informant interviewees from the Commission on Audit (COA) and the National Security Council (NSC).

Commission on Audit

1. Atty. Edna E. Lerit, Supervising Auditor, Office of the COA Resident Auditor, DILG (26 October 2010, DILG Main Office, Quezon City)

2. Director Rizalina Q. Mutia, Cluster B (General Public Service II and Defense) National Government Sector, COA (3 November 2010, COA Main Office, Quezon City)

3. State Auditor V Jaime C. Sanares, Office of the COA Resident Auditor, PNP National Headquarters (4 November 2010, Camp General Crame, Quezon City)

4. State Auditor V Marlene V. Nacua, Office of the COA Resident Auditor, NAPOLOM (9 November 2010, NAPOLCOM Main Office, Makati City)

5. Ms. Soledad G. Doloiras, Chief, Division D-1 (DND-Osec & Attached Agencies), Budget and Management Bureau-D, DBM (19 November 2010, DBM Main Office, Manila)

6. Ms. Zenaida P. Viloria, Chief, Division D-2 (DILG-Osec & Attached Agencies) Budget and Management Bureau-D, DBM (19 November 2010, DBM Main Office, Manila)

7. State Auditor III Mirasol M. Flores, Office of the COA Resident Auditor, AFP General Headquarters (25 November 2010, Camp Aguinaldo, Quezon City)

National Security Council

1. Ms. Ma. Carmina Acuña, Director III, Policy and Strategy Office, NSC (10 November 2010, ISDS Office)

2. Mr. Cyril P. Cusi, National Security Specialist, NSC (10 November 2010, ISDS Office)

Chapter 4
Updated Baseline of the Draft
Security Sector Reform Index
(SSRI)

Described in some detail in the previous chapter, the validation meetings for the draft SSRI yielded the data required for updating the preliminary baseline built during the Project's phase two. (See Chapter 3 of this volume.) Not only did the participants provide information on the sources of data for each proto-indicator, but they also gave the Project Team access to these data.

The key informant interviews and access to relevant official documents made possible by the participants in the validation meetings and interviews augmented the data generated in the validation meetings.

As the draft SSRI will benefit from the use of more sophisticated data collection methods and analysis as well as a more precise identification of quantifiable and representative indicators for each of the variables, it is necessary to state that the Project is still largely in its early development stage. The process used to generate this updated baseline is regarded as a scoping mechanism of the proto-indicators of the SSRI. This updated baseline is intended to inform and guide the future development of the SSRI.

This baseline is divided into five (5) dimensions and five attributes of good democratic governance. Each proto-indicator for each of these dimensions and attributes is assessed based on their presence or absence in the security sector institution under consideration. The tables in the succeeding pages indicate the proto-indicators cross-tabulated along the five dimensions and five attributes of good democratic governance.

Democratic Principles of Governance

This dimension of the draft SSRI is confined to determining the presence or absence of constitutional laws, policies, and institutions that guarantee the democratic governance of the Philippine security sector. Having gone through the results of the data generation activities for the third phase of the Project, *the Project Team concludes that there is present and adequate constitutional legal and institutional framework for democratic SSG in the country*. The 1987 Constitution is clearmandating democratic principles to govern the security sector. This fundamental document is supported by legislative statutes, executive decrees, and policy pronouncements by government agencies. Institutions are either created by the Constitution itself (constitutional bodies) or its by-laws or by the security sector institution concerned.

For example, the constitutional provision that created the Office of the *Ombudsman* became a guide in the provision of a deputy ombudsman in charge of the military and other law enforcement agencies.The creation of the National Police Commission (NAPOLCOM) seeks to ensure a more efficient administration and supervision over the police force. One major legal constraint in ensuring transparency, however, is the absence of a law that provides the details on the public's right to information. Congress has yet to pass such a law that will empower citizens to demand access to information from the government, although House Bill No. 3732 known as the Freedom of Information Bill has been introduced in the House of Representatives.[14] This is particularly significant for information regarding the security forces since they are perceived to be a very secretive part of government. Such a law could help the public and even the government itself in securing the necessary information to understand security issues and matters and in improving civilian oversight over the security forces.

The legal framework of the country is also explicit in defining the responsibilities of the agencies within the security sector. Though present practice is still far from what is provided legally, the country's legal framework made it clear that there needs to be both

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[14]The House of Representatives failed to ratify the Bill due to lack of a quorum in 2010. While President Benigno Aquino III acknowledged the importance of the Bill, it was not included in the 17 priority bills sent to Congress by the government.

an institutional and functional separation between the military and the police,[15] Also, specific government agencies in the executive, legislative and judicial branches are mandated the task of civilian oversight over the security forces. This function is also shared with non-government entities such as civil society and media.

The country's legal framework over the security sector is also clear on how to exact accountability. For example, Republic Act 3019 (Anti-Graft and Corrupt Practices Act) and Republic Act 6713 (Code of Conduct and Ethical Standards for all Government Officials and Employees) provide for how officials and personnel in the security sector could be made answerable and sanctioned if proven guilty of any violation. Internally, the military has a Code of Ethics far stricter than that for public officials. As for the police, various programs and activities were spearheaded by the PNP, such as the Moral Recovery Program and the PNP Ethical Doctrine Manual to provide for moral and ethical guidelines for all members of the police force.

In terms of participation, the Constitution and its by-laws generally provide voice to the public and organized groups in the country to participate in affairs related to the security sector. This is evident in the constitutional mandates providing for initiative and referendum as means to exercise popular sovereignty and enhance people's participation and involvement in government actions and decisions. The creation of a party-list system in principle opens up a more direct representation in policy making through sectoral representations at the House of Representatives.

Mechanisms for a more responsive security sector are also in place to accommodate complaints and suggestions, as well as reform initiatives. The Office of Military Affairs under the Office of the President and the NAPOLCOM are the government agencies tasked to receive complaints and other related matters involving the military and police personnel, respectively. Other bodies have also been created to recommend and institute reforms especially in the security forces. The creation of both the Davide and Feliciano Commissions and the subsequent reports that both Commissions submitted to the Office of the President included recommendations to avoid future rebellious activities by the

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[15] Republic Act 8551, or the PNP Reform and Reorganization Act of 1998, however, pointed out that the Department of the Interior and Local Government (DILG) and the police will only have a supportive role in counter insurgency operations.

military, as well as to improve the administration and supervision of the military forces. Similarly, the PNP's Integrated Transformation Program had been established to inititate institutional changes and reforms in the police force. Republic Act 9184, or the Government Procurement Reform Act, on the other hand, aims to promote good governance by ensuring transparency in the procurement process and the fulfilment of government contracts, among other goals.

Dimension 1: Democratic Principles of Governance

DIMENSION 1: DEMOCRATIC PRINCIPLES OF GOVERNANCE		
Definition: *Absence or presence of constitutional provisions, legal arrangements, enactments or regulations on principles and norms governing the security sector*		
Proto-Indicator	**Definition**	**Sources**
I. TRANSPARENCY		
a) structures		
a.1 internal to the security sector institution	Examples are the Office of the Inspector General and Provost Marshall for the AFP and the Internal Affairs Service of the PNP	
a.2 external to the security sector institution	Examples are the COA and BIR	Article IX-D, 1987 Constitution
b) mechanisms		
b.2 Code of Conduct and Ethical Standards	Norms of conduct for public officials and employees embodied in Republic Act 6713	RA 6713 (Code of Conduct and Ethical Standards for all Government Officials and Employees)
b.3 Statement of Assets, Liabilities and Net-worth	Mandatory periodic submission of SALN for public officials and employees in compliance with RA 3019	RA 3019 (Anti-Graft and Corrupt Practices Act), Internal Rules of the Office of Ethical Standards and Public Accountability in the AFP

II. RESPONSIBILITY		
a) clear mandate	Constitutional and legal framework which provides for the structure of government	1987 Constitution
a.1 system of checks and balances	A constitution that strictly observes the division and separation of powers and rule of law.	Art. VI (Legislative), VII (Executive), and VIII (Judiciary), 1987 Constitution
	a.1.1 The Executive is responsible for allocating defense its appropriate place in the nation's priorities and for ensuring defense requirements that are consistent with national goals and economic resources.	Art.VII Sec. 18;; Art. VI Sec. 25(1) (5), 1987 Constitution
	a.1.2 The power to declare war resides in democratic civilian institutions (i.e., Senate)	Art. VI Sec. 23, 1987 Constitution
	a.1.3 Commission on Appointments confirmation for specific presidential appointees (including high-ranking AFP officers)	Art. VI Sec. 18, 1987 Constitution
a.3 institutional separation between core security forces	There is an explicit separation of the roles and functions, and objectives of the police, the military, the intelligence services, and paramilitary units, where military is confined to external defense.	Military- Art. II, Sec. 3-4, 1987 Constitution; Police-PNP Law, PNP Reform and Reorganization Law; NICA Law
a.4 oversight civilian bodies over the security forces	Presence of civilian bodies within and outside the State that perform various oversight functions over the security forces.	
	Societal institutions (independent and autonomous from the State) that provide alternative sources of information, hold other actors in the security sector accountable through exposing malpractice, and gives opportunity for popular debate, discussion, and criticism of security issues and actors.	Art. III Sec.7; Art. XI Sec. 1, 1987 Constitution
b) capability and	Clear identification of the jurisdiction, roles, and	1987 Constitution, PNP Law, PNP Reform and

effectiveness	functions of the core security sector actors	Reorganization Law
b.1 well-defined qualifications	For heads and officers of security sector institutions	(internal to each security sector institution)
b.2 meritocracy	Promotion system based on work performance and civil service rules and regulations	Civil Service Commission- Art. IX-B, 1987 Constitution and PD 807; Civil Service Rules
III. ACCOUNTABILITY		
a) professionalism		Civil Service Rules
b) patriotism		
c) other core values	Honor, Loyalty, Valor, Duty and Solidarity	AFP Code of Ethics, RA 3019, RA 1379 (An Act Declaring Forfeiture in Favor of the State any Property Found to Have Been Unlawfully Acquired by Any Public Officer or Employee and Providing for the Proceedings Therefor)
IV. PARTICIPATION		
a) popular sovereignty		RA 6735 (An Act Providing for a System of Initiative and Referendum and Appropriating Funds Therefor)
a.1 inititative		
a.2 referendum		
b) consent of the governed	Holding of periodic/regular elections	1987 Constitution, Article V, Batas Pambansa Bilang 881-Omnibus Election Code of the Philippines
c) representation		Political parties, Party-list system – Art. VI Sec. 5,

		1987 Constitution; RA 7941 (An Act Providing for the Election of Party-List Representatives Through the Party-List System, and Appropriating Funds Therefor)
c.1 president is the commander-in-chief		Art VII Sec.18, 1987 Constitution
c.2 members of the legislature are members of the Commission on Appointments		Art VI Sec.18; Art. VII Sec. 16, 1987 Constitution
d) voice		Article III, Sec. 4,7, and 8, 1987 Constitution
V. RESPONSIVENESS		
a) receptiveness	Core security sector institutions accommodate changes	Office of Military Affairs for the AFP, NAPOLCOM for the PNP
a.1 complaints		Davide Commission Report (DavideCom), Feliciano Commission (FelCom) Report, Philippine Defense Reform Program, RA 9184 (Government Procurement Reform Act), PNP Integrated Transformation Program
a.2 suggestions		
a.3 reforms		
b) approachability		AFP Internal Grievance System
c) conduct promoting democratic values		

Extent of Knowledge, Awareness, and Capacity of Oversight Institutions

In assessing this dimension, the FGD participants generally concluded that most of the proto-indicators are present in their respective institutions. However, additional information they provided indicates that much is to be desired in the extent of knowledge, awareness, and capacity of oversight institutions in the country. Some institutions are not aware that they have an important role in the oversight of the security forces, and this was evident even during the preparation stages for the validation meetings when the Project Team was inviting participants from some oversight institutions to participate in the meetings. This finding is an automatic 'dead-end' as being uninformed of their function implies that they do not have nor have developed any capability to perform such a mandate. This finding is especially apparent with oversight institutions outside government e.g., civil society and the media. Another challenge in this dimension is to make sense of the complex interrelationship between these oversight institutions. As a best practice in security sector governance, it is important to have a coordinated network of institutions where information could be shared in order to produce effective and democratic oversight.

The updated baseline data that was gathered by the Project Team yielded the following findings. *First*, as already mentioned in the first dimension, oversight institutions in government are generally empowered by laws and their own rules in order to perform oversight. There could be very little room for being arbitrary as specific protocols or guidelines need to be followed. For example, the Philippine Congress has its own rules on how to conduct investigations or hearings in aid of legislation. However, it can be asked whether these rules are faithfully observed, or if legislative hearings are really conducted in aid of legislation.

Second, since there is no formal network of oversight institutions over the security forces, there are gray areas that could produce confusion. For example, police oversight by the National Police Commission (NAPOLCOM), the Department of the Interior and Local Government (DILG), and the local government units (LGUs) has to be clarified as these bodies all claim to have authority over the PNP. Another example is the ambiguous nature of intelligence oversight. There is a need for the roles of intelligence agencies such as the National Intelligence Coordinating Agency (NICA) andthe National Security

Council (NSC) to be specified in a manner that will generate effective oversight over the intelligence community, a group which cuts across almost all government agencies. Oversight institutions in the administration of justice such as the Department of Justice (DOJ), the Office of the Ombudsman and Sandiganbayan likewise must coordinate closely especially with regard to investigation, prosecution and punishment of government officials involved in corrupt practices, as bureaucratic processes sometimes impinge and overlap on the role of one another.

Third, the Project Team also found certain gaps in civilian oversight. Among them is the exemption of PNP officials from being confirmed by the Commission on Appointments (CA). Moreover, Congress also does not have a formal oversight function over the foreign peacekeeping missions of the AFP. Congressional oversight is not routine or subject to a regular procedure as the legislature is prone to look mostly into the 'controversial' issues that implicate the security forces, instead of exercising oversight across the various tasks and activities performed by the security forces. As an example, legislative inquiries have become a staple activity in both Houses of Congress after allegations of corruption and misuse of organizational funds haunted the Armed Forces, as well as allegations of betrayal of public trust on the Ombudsman.[16]

Fourth, there is a big gap between expectations and capability among civilian oversight institutions. The lack of human, financial, and technical resources has been the weakness that all civilian institutions often state in the validation meetings. For example, the Committee on National Defense and Security of the House of Representatives has ninety-three (93) members with eight (8) sub-committees but it only has seven (7) staff members. There was even an instance when the Senate Committee on Public Order and Safety had only one (1) staff member who was also its committee secretary. Moreover, there is great expectation from the police forces on the ground for the NAPOLCOM to address problems, despite the fact that the NAPOLCOM is not mandated as a grievance mechanism. Beyond the shortage of staff members, a more pressing concern is the

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[16] This included the issues of the misuse of AFP funds by some military personnel, especially from the Office of the Comptrollership (J6), even allegedly benefiting family members with anomalous bank accounts and frequent travels abroad.

development of their skills for civilian oversight through education and training, especially in relation to their oversight functions over the security forces.

Lastly, the data revealed deficits in transparency, particularly regarding the availability of information to the interested public. The participants from media that this group consulted complained that the security forces, specifically the military have not been forthcoming in making basic information available to the public. Without reliable and updated information, no genuine oversight is possible.

Table 9. Dimension 2: Extent of Powers, Knowledge or Awareness, and Capacity of Oversight Institutions

DIMENSION 2: EXTENT OF POWERS, KNOWLEDGE OR AWARENESS, AND CAPACITY OF OVERSIGHT INSTITUTIONS			
Definition: *Awareness of powers and extent of capacity of institutions to conduct oversight of the core security forces*			
Proto-Indicator	**Definition**	**Presence (P)/Absence (A)**	**Comments**
I. TRANSPARENCY			
a) well-defined rules and procedures	This refers to well-defined rules and procedures on the following: security policy making or review; budget formulation, review or audit; arms and military procurement; reorganization of core security forces; conduct of investigations or hearing; confirmation of appointments; and prosecution of erring officials.	P	Most oversight institutions especially in government follow well defined rules and mechanisms for each of the aforementioned concerns based on existing institutional guidelines.
b) publicly accessible information	This refers to presence of programs and mechanisms, easy access to documents, and proper coordination with media.	P	Oversight institutions in government generally agree that basic information are readily accessible to the public; some sensitive, classified

			and confidential information however, are not readily available especially when public safety requires it; sometimes other requirements are necessary to obtain data, such as for example a court order.
	II. RESPONSIBILITY		
a) clear oversight mandate	This refers to the awareness of the mandate by heads and technical staff; well-defined areas of jurisdiction, coherent legal or policy mandate; clearly defined tenure; and inhibition to act beyond the mandate.	**P**	Oversight institutions and their personeel know their mandated functions both as an agency and as government employees in that particular agency. There is less awareness, however, of their oversight capacity over the security forces, especially those from outside government.
b) alignment of vision/mission statements with mandate	This refers to the proper alignment of the oversight institution's mandate with its self-defined goals and objectives through its vision and mission statements	**A**	In some cases, constitutional mandate is influenced by the leadership of a particular institution e.g., Congressional Committee's mission varies depending upon the legislative agenda of the Chair.

Draft Version

c) resource efficiency	This refers to the appropriateness or fit between: personnel and workload; personnel and office space; equipment and workload; and budget and mandate.	**A**	Problems arise when appointees due to political accommodation often lack the technical expertise for the position. Research budget is too centralized with the Chair. Development of skills takes a long time as these are gained through experience and training.
d) training and skills	This refers to educational level; presence of training and skills programs; and level of output in the performance of oversight functions.	**P**	Regular skills development programs are organized by government institutions; oversight institutions outside government are deemed to possess technical capabilities, educational skills and experience based on the nature of their work e.g., Civil society networks on security and justice
e) coordination in shared functions	This refers to the coordination of various oversight institutions both within and with each other.	**A**	Coordinated actions are limited within each institution; there is no sufficient coordination across various institutions across government and non-government institutions e.g., Unclear ccordinated efforts among justice and law enforcement oversight institutions; mutual suspicion between government actors and civil society

III. ACCOUNTABILITY			
a) authority structure	This refers to the presence of a structure to enforce accountability at the vertical (between a principal and an external agent) and horizontal (checks and balances between coequal institutions).	**P**	There exist sufficient mechanisms to exact accountability from public officials. Some investigations result in actual filing of charges against individuals.
b) compliance with applicable norms and rules	This refers to the ability of oversight institutions to enforce merit criteria, prevent conflicts of interest, promote civil behavior, and implement civil service rules.	**P**	All the staff members are subject to Civil Service Rules. However, there is anecdotal evidence that some political appointees do not have Civil Service prescribed qualifications.
c) control of corruption	This refers to the ability of oversight institutions to enforce anti-corruption policies such as prohibiting private transactions, influence peddling, and private accounts; and the observance of ethical conduct.	**P**	In the Lower House, there is an Ethics Committee constituted for this purpose. Recently legislative hearings have been convening to investigate corruption anomalies in the security sector.
IV. PARTICIPATION			
a) representation	This refers to the presence of groups in oversight institutions based on political party affiliation, geography, and sector.	**P**	Representation in this case is evident especially in legislative oversight institutions e.g., each committee is composed of congressmen from majority and minority parties including party-list representatives. Those with appropriate professional background

			or come from concerned geographical area become members of the appropriate committee.
b) utilization of appropriate external expertise	This refers to the utilization of expertise from academe, media, business, and other civil society organization at hearings or investigations, policymaking (including budget), information dissemination, and training.	**P**	In the Congress, Committees utilize expertise of those in the government and private sector as resource persons during hearings.
V. RESPONSIVENESS			
a) receptiveness	This refers to the ability to receive suggestions and inputs; criticisms; demands; and change in methods, attitudes, and behavior.	**A**	Oversight institutions in government, for instance have not been very receptive of inputs from other actors in relation to their oversight functions over the security forces.
b) approachability	This refers to the presence of trust in leaders, institutions, and their ability to perform their functions or mandate.	**P**	Some civil society and advocacy groups have been conducting surveys and studies on public trust in relation to government mandate e.g.,. SWS, Pulse Asia showing relatively higher trust ratings by a select number of government officials
c) conduct promoting democratic values	This refers to the policies aimed at inducing respect for pluralism, dissent, minority views, and differences.	**P**	Generally present especially in relation to greater participation from actors within and from

			outside government. In the Congress, for example, House Rules provide for the right of dissenting members to submit a Minority Report explaining his disagreement over a majority decision.

Performance Record of Core Security Forces and Oversight Institutions

This dimension refers to the performance of oversight institutions and core security sector actors across five (5) attributes of good democratic governance. Under the attribute of *transparency*, there are two proto-indicators: (1) structures and mechanisms for transparency (e.g., recruitment and promotion of personnel and staff in oversight institutions; bidding and procurement of supplies and equipment in offices, agencies, etc.; and meetings, hearings, investigations that are open to the public and interested sectors); and (2) public information programs. While these proto-indicators are generally present, accessibility is quite limited especially if they are strictly seen as 'internal' to the pertinent actors (e.g., the AFP). Some information, such as bio-data and statements of assets, liabilities and net worth (SALNs) are considered confidential. Public access to reports or hearings is also limited. The public may, however, access some information on training programs.

Under the attribute of *responsibility*, there are four (4) proto-indicators, namely: (1) clear definition of the mandate and functions of the office; (2) capability and effectiveness of officials and personnel in carrying out their mandate; (3) efficient management of resources to carry out the mandate, functions, and responsibilities of the office; and (4) equity in the delivery of service provided by the office. While the mandate and function of oversight institutions and core security actor offices are enshrined in the 1987 Constitution, these are somehow affected by the unwarranted meddling of politicians. For example, politicians in legislative oversight committees tend to overstep the bounds

of military institutional autonomy in the exercise of their oversight functions. With regard to the police forces at the regional and provincial levels, the meddling of politicians, specifically local government executives in the appointment of police regional and provincial directors, have also been identified in focus group discussions as having adverse effects on the morale of the police.

In carrying out the mandate of security sector actors and institutions, capability and effectiveness are affected by a number of factors, such as the upgrading of equipment and training of personnel. In order to measure and monitor improvements in capabilities and effectiveness of officials and staff, regular performance evaluation is usually undertaken. However, access to this data or information is not readily available to the public as they are considered confidential.

Resource efficiency as a proto-indicator under this attribute could not currently be adequately assessed because security sector institutions and actors have not yet determined an acceptable level of human resources to attain the goals, outputs, or sustain effective performance of duties, mandate, and responsibilities of the office. There is also no agreement on the acceptable ratio between budget and expenditures, as well as between equipment and human resources, at least as far as the AFP and the PNP are concerned. Equity in the delivery of services is, however, generally observed both as a principle and operational norm in the AFP and the PNP.

Under *accountability*, the proto-indicators are the existence of: (1) a clear definition of authority and responsibility structure; (2) redress mechanisms to address internal and external grievances and complaints (including human rights complaints); (3) sanctions for corruption; and (4) performance review and assessment mechanisms. The first three (3) proto-indicators are present and available in the AFP through the OESPA/Inspector General and court martial in dealing with corruption issues. The first three (3) proto-indicators are available in the PNP through its Internal Affairs Service (IAS), and through the NAPOLCOM, and the Office of the Ombudsman. The fourth proto-indicator, may be ascertained through the Human Rights Offices of Both the AFP and the PNP. Mechanisms also exist in the AFP to implement human rights laws and standards, as indicated in the AFP Human Rights Handbook.

Under the attribute of *participation*, there are two (2) proto-indicators: (1) vertical and horizontal coordination between and among oversight institutions, agencies, and actors in the process of carrying out their mandate, duties, and functions in security sector reform; and (2) rapport with civil society and other sectors. These proto-indicators are present in the AFP and the PNP, except that with the first proto-indicator, coordination is constrained by inadequate facilities for communication with oversight institutions other than the Executive Departments (the Department of National Defense (DND), and the Department of the Interior and Local Government (DILG), in particular). Notwithstanding the existence of a public information office, civil-military operations remain a thorny and controversial issue largely due to the generally unfavorable image of the military among the general public. Social Weather Stations (SWS) survey results since 1999 show that the AFP is perceived by the public to be among the most corrupt government agencies in the country. It also rated consistently low in the net sincerity surveys in fighting corruption conducted by the SWS from 2005 to 2007.[17]

On the other hand, Figure 1 shows the PNP doing better than the AFP as among the most corrupt government agencies in the country from October 1999 to December 2004.

Figure 1: The 4th Quarter 2004 Social Weather Report

AGENCIES NAMED AS CORRUPT, OCTOBER 1999 TO DECEMBER 2004							
	Oct99	Dec99	Mar00	Sep00	Nov02	Nov03	Dec04
GSIS		1			2	13%	22%
AFP			1		1		21
BIR	8	11	11	6	17	15	9
DPWH	14	15	20	12	16	16	9
PNP	11	11	9	4	4		6
DECS	7	8	8	13	6	7.6	5
BOC	8	15	8	5	8	11	5
SSS		1	2		5		5
NAPOCOR							3
DOH	2	3	6	2	2		1
DOLE	1	1	2	1	1		1
Congress	2	5	4	1			0.4
Municipal Government	-	3	4	1	1		1
LTO	4	5	4	1	5		3
DENR	3	2	2		2		2
DSWD	1	-	1	1			0.5
DILG	2	2	2	1	1		0.3
None	-	-			32	8.4	26
Don't know/Can't say	52	48	45	17	24	24	20
Can't recall	-	-	-	-		4.1	-
Refused	-	-	2	-		2.6	0.4

Q. Sa kasalukuyan, anu-anong mga ahensiya o korporasyon ng gobyerno, kung mayroon man, ang may masama ang reputasyon dahil sa pangungurakot? (ALLOW MULTIPLE RESPONSE, PROBE FOR ABBREVIATION)

4th Quarter 2004 Social Weather Report   Copyright © 2004 by Social Weather Stations
November 23 – December 2, 2004 National Survey   5

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[17] Culled from the December 2004 Social Weather Stations (SWS) Surveys and the 2006-2007 SWS Surveys of Enterprises on Corruption.

Figure 2:Net Sincerity in Fighting Corruption,
2005-07 Surveys

Source: The 2005-2007 SWS Surveys of Enterprises on Corruption
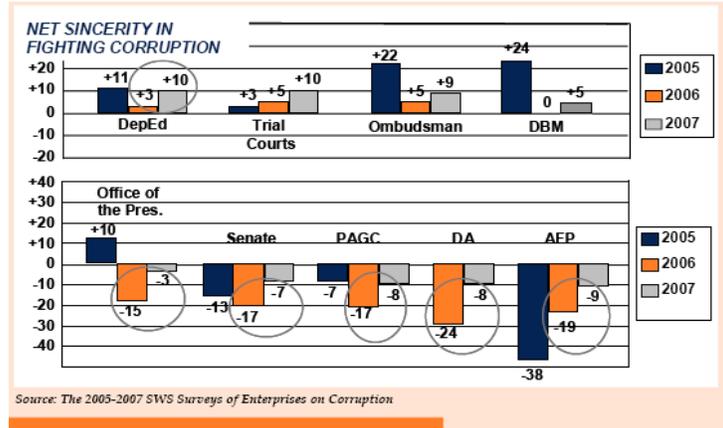
Under the fifth attribute, *responsiveness*, there are four (4) proto-indicators: (1) existence of a mechanism to evaluate goals *vis-à-vis* outputs or performance of institutions, agencies, and actors in security sector reform; (2) complaint mechanism that processes complaints on pertinent SSR issues; (3) public confidence in the performance of oversight institutions, agencies, and actors; and (4) conduct or performance of institutions, agencies, and actors that promote democratic values and practices. The first two (2) proto-indicators are present in the AFP and the PNP, specifically through annual accomplishment reports and filing of administrative complaints, respectively. Public confidence as a proto-indicator could be monitored through regular public opinion polls. *The presence or absence of the fourth proto-indicator is difficult to ascertain*. Under the 1987 Constitution, the AFP is supposed to uphold the Constitution's democratic norms and values, but at the same time, the military chain of command must be followed at all times, which in some instances may be abused and could deviate from democratic norms and values. Another controversial constitutional provision is on the army as the protector of the people and the state,[18] a provision which has been used to legitimize military adventurism of soldiers implicated in failed coup attempts and mutinees. It must, however, be stressed that nowhere in the 1987 Constitution can one justify the right of the

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[18] Sec. 3, Article XI, 1987 Constitution of the Philippines.

AFP to determine whether a civilian government is acting against the welfare and interests of the people or whether the government has lost its legitimacy to govern. For the PNP its Integrated Transformation Program aims to be a roadmap towards a 'more responsive' police force through improved public trust and confidence in the criminal justice system.

Dimension 3: Performance Record of Oversight Institutions and Core Security Sector Actors

DIMENSION 3: PERFORMANCE RECORD OF OVERSIGHT INSTITUTIONS AND CORE SECURITY SECTOR ACTORS			
Definition: *Performance of oversight institutions and core security sector actors based on good governance*			
Proto-Indicator	**Definition**	**Presence (P)/ Absence (A)**	**Sources / Comments**
	I. TRANSPARENCY		
a) structures and mechanisms	This refers to the existence of structures and mechanisms (e.g., committees, offices) for transparent governance	**P**	There are matters which are considered "internal" to the institution (i.e., highly confidential) and meetings or hearings thereon cannot be divulged to the public. The structure is multilayered, selective, and limited.
	a.1 recruitment and promotion of personnel and staff in oversight institutions	**P**	Information is internal to each oversight institution.
	a.2 bidding and procurement of supplies and equipment in offices and agencies	**A**	Although mechanisms are in place for transparent bidding and procurement process, these are rarely observed in actual bidding and procurement practice in the core security forces.

	a.3 meetings/hearings/investigations are open to, and results of these are documented and accessible to the public and interested sectors	**P**	Provost Marshall, Inspector-General
b) public information programs	b) This refers to presence of public information programs	**P**	AFP Spokesperson, PNP Directorate for Information and Communications Technology Management
	b.1 public information office is accessible to the public general	**P**	AFP Spokesperson, PNP Directorate for Information and Communications Technology Management
	b.2 documents on budget and expenditure is accessible public	**P**	Department of Budget and Management (DBM), General Appropriations Act
	b.3 regular press/media releases to provide views and perspectives of all actors involved	**P**	● Information Offices of concerned agencies
	b.4 competent staff to respond to public information que or concerns	**P**	Information Offices of concerned agencies
	b.5 access to other relevant records (e.g., profile of auth and staff, training programs, etc.) related to transparency	**P**	Some information (bio-data, SALNs) are considered confidential –thus, access is limited. But other information such as training programs could be found in official websites of concernend agencies
	b.6 reports of meetings/hearings/investigations are avail accessible, and archived	**P**	However, there are limitations and not all are accessible to the public.
II. RESPONSIBILITY			
	a) This refers to a clear definition of the mandate and	**P**	Mandate is clear as enshrined in the 1987 Constitution but

a) clear mandate	functions of the office and its officials.		the problem is the meddling by politicians. AFP's, PNP's and oversight institutions' autonomy should also be respected.
	a.1 officials have knowledge of their mandate and functions	**P**	Employee handbooks for government officials indicate these.
	a.2 staff and operations people also have knowledge of the mandate of their office and its functions	**A**	Some functions are not properly communicated to the soldiers, policemen, and members of oversight institutions
b) capability and effectiveness	b) This refers to the level of capability and effectiveness of officials and personnel to enable them to carry out the mandate and functions of the office.	**P**	There is however a need to upgrade equipment, personnel, and skills in all agencies.
	b.1 authorities appointed to positions must be competent based on accepted standards of merit	**A**	Not all appointees possess the necessary skills and training fit for the position
	b.2 staff and operations personnel must be competent based on accepted standards of merit	**P**	Concerned agencies' guidelines on promotions
	b.3 there is sustained training and skills improvement programs to improve the capabilities and effectiveness of officials and staff	**P**	Members of the AFP, PNP, and officials in oversight institutions in government undergo further training.
	b.4 there is regular performance evaluation of officials and staff	**P**	While there are regular performance evaluations, access to these are limited because the nature of the information might be confidential
	c) refers to the efficient management of resources to carry out the mandate, functions, and responsibilities of	**P**	General Appropriations Act Annual audit reports prepared

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			by COA
c) resource efficiency	the office		Performance review records of concerned security sector actors
	c.1 acceptable level of human resources to attain goals, outputs, or sustain effective performance of duties, mandate, responsibilities of the office	**A**	There is a need to improve hardware capability in all government agencies comprising the security sector, particularly the AFP and the PNP
	c.2 acceptable ratio between budget and expenditures	**A**	At the moment, there is no acceptable ratio.
	c.3 acceptable ratio between equipment and human resources	**A**	At the moment, there is no acceptable ratio.
d) equity in delivery of service	d) This refers to fairness and equal access to services provided by the office.	**P**	A key concern with the AFP and the PNP is the inability to provide services in far-flung areas of the country. Oversight institutions provide better access to services.
	d.1 non-discrimination in distribution of service to individuals and groups in society	**P**	AFP and PNP Human Rights Offices
	d.2 non-discrimination in the enforcement of rules and decisions, which should be widely disseminated to the public	**P**	AFP and PNP Human Rights Offices
	d.3 service provided is appropriate, efficient, and effective based on resources used, time spent, and outcome or output	**P**	AFP and PNP Annual Accomplishment Reports
III. ACCOUNTABILITY			
a) authority structure	a) This refers to the existence of a clear definition of authority and responsibility structure.	**P**	OESPA/Inspector General

			NAPOLCOM, DILG
b) redress mechanism	b) This refers to the existence of a mechanism to address internal and external grievances and complaints, including human rights complaints.	**P**	In the AFP, internal complaints are lodged with OESPA or with the Provost Marshall. External complaints are filed with the DOJ. Even if the complaint is not service-related, the complainant can file with the AFP for administrative or disciplinary sanctions, but there is absence of protection program for complainants. In the PNP, complaints may be filed at the Office of the Ombudsman, the NAPOLCOM, and the PNP Internal Affairs Services (IAS).
c) sanctions for corruption	c) This refers to the existence of mechanisms to sanction corruption and give appropriate rewards and penalties	**P**	OESPA/J1 in the AFP; Ombudsman; NAPOLCOM and IAS in the PNP
d) performance review and assessment mechanism	d) This refers to the existence of a mechanism to assess and evaluate performance of the institution, including implementation of human rights laws and standards.	**P**	The AFP and the PNP both have human rights offices to address this concern
IV. PARTICIPATION			
a) vertical and horizontal coordination	a) This refers to existence of vertical and horizontal coordination between and among oversight institutions, agencies, actors in the process of carrying out their mandate, duties, and functions in security sector reform	**P**	There is coordination within and among the core security forces and the oversight institutions in government. Coordination is particularly strong between the core security forces and the

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			Executive Departments
b) rapport with civil society and other sectors	b) This refers to existence of mechanism to engage civil society and other sectors in order to get feedback and/or inputs that would enhance level of performance of these institutions, agencies, actors in security sector reform.	**P**	There are activities sponsored by the AFP (i.e., conduct of medical-dental missions) to build rapport with local communities. However, the AFP in general still has an unfavorable image among the public Information on this indicator pertaining to the PNP may be obtained from the Directorate for Information, and the Directorate for Programs and Plans. Information on efforts in regional and local communities are available in the Police-Community Relations Offices in PNP Regional Offices
V. RESPONSIVENESS			
a) receptiveness: goals vs. outputs evaluation mechanism	a) This refers to the existence of a mechanism to evaluate goals vis-à-vis outputs or performance of institutions, agencies, actors in security sector reform.	**P**	According to J1, there are annual accomplishment reports and quarterly reports from the different branches of service and by the GHQ. But there is no flexible and timely response to immediate needs Performance evaluation records for members of the police force provide information for this proto-indicator

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b) receptiveness: complaint mechanism (issue specific, individual, media)	b) This refers to the existence of a mechanism that processes complaints on pertinent SSR issues by individuals, groups, other institutions, and/or as reported by the media.	**P**	Within the AFP only administrative matters, criminal aspects can be filed in appropriate courts Complaints pertaining to police forces may be filed to the Office of the Ombudsman and the IAS. NAPOLCOM has also become a mechanism to hear grievances from members of the police force
c) approachability public confidence (trust rating/public approval)	c) This refers to level of confidence in the performance of oversight institutions, agencies, or actors as reported by public opinion polls.	**P**	AFP continues to be relatively unpopular among the public The PNP initiated the "Mamang Pulis/Aleng Pulis" Program to engender a greater degree of confidence by the public to the police force. However, the PNP also has experienced a downsurge in its popularity, especially with regard to incidents like the August 23 Hostage Situation
d) conduct promoting democracy	d) This refers to performance of duties, institutional and agential behavior that promote democratic values and practices.	**P**	Although the AFP promotes and supports democracy, internally, the AFP cannot be democratic since it strictly follows the chain of command. Democratic values and practices are highlighted in the PNP Integrated Transformation Program

SSR Programs and Initiatives

This dimension involves the establishment of proto-indicators that will determine the presence or absence of reform programs within the security sector as well as provide some basis for looking into the content and process of reform programs and the effect that these have on both its targeted audience, (e.g., the men and women of the armed forces and the police, and the general public). At present, there are a number of ongoing programs with the objective of reforming specific aspects of the security sector. Much of these reflect the recommendations of both the Davide and the Feliciano Commissions. They also include the changes that are directed by the PNP Law. The initial findings on this dimension show that most of the proto-indicators are present in the security institutions about which the validation meetings were conducted.

As regards *transparency*, the reform programs include clear attempts to provide to the soldiers information regarding the reform programs being implemented by the AFP. These are done through the normal channels of information and command, as well as through monitoring until February 2007 by the Office of the Presidential Adviser for the Implementation of the Feliciano Commission Recommendations (OPAIFCR). There is, likewise, information available through programs started by the AFP Command to disseminate military reform programs to the public. Most of the documents that detail these programs, however, are unavailable to the public. This deficit also extends to the lack of involvement of informed and/or interested publics in the process of making policies related to security sector reform. The effect of this lack of involvement and the impact of the reform programs on the perceptions of the public regarding the security sector in general and the AFP in particular is unclear as the available data remain sketchy. For the PNP, information on reform programs may be obtained through their Directorate for Information, Directorate for Programs and Plans, and Directorate for Operations.

To a large extent, lines of *responsibility* are very clearly defined within the military on paper. The FGDs conducted with the military indicate that to the extent that personnel are trained and qualified for their functions, these lines of responsibility are observed. However, positions are not always occupied by qualified people. In the context of the reform programs themselves, the prospects for progress are limited by the lack of appropriately-trained personnel. The situation is even worse in the PNP and other civilian

agencies tasked with intelligence and investigative functions. Although lines of responsibility for the police forces are defined in the PNP Law, the PNP Reform and Reorganization Law, and the PNP Integrated Transformation Program, these lines are actually blurred in contemporary realities. Again, the meddling of politicians in the conduct of police functions attests to this. The lack or inadequacy of professional programs for career advancement in the PNP also needs to be addressed.

The issues with progress in reforming the security sector are not only due to staffing concerns, but also to systemic concerns that stem from poor (or indifferent) planning. For example, target phase lines are not clear. While reports regarding the implementation and effects of implementation of reform policies are submitted to the appropriate authorities, it is not clear what happens to these reports and how oversight agencies act on them or if they do act at all. Nonetheless, the effect of the reform programs is clearly evident in one area: there have been noticeable improvements in the condition of enlisted personnel, and in the perception of the rank and file of the AFP and the PNP about their situation. These changes, however, are not reflected in the general public's perception of the core security forces.[19] Further assessment of the effectiveness of the reform programs requires more specific surveys of both the members of the security sector and the public in general.

Issues of *accountability* exist at different levels of the chain of command. These largely stem from the uneven (again questions of indifference crop up) implementation of the reform policies depending largely on who the commander on the ground is. As noted above, there is clear concern for those policies that deal with improving the condition of members of the police force, enlisted personnel and their families. Even if these may still fall short of the ideal (as indicated by the complaints made by military rebels), there are very clear advancements in the welfare of the rank and file of the AFP, and even more so with the PNP. The implementation of policies regarding grievance mechanisms within the military is less impressive though initiatives at command levels have already been put in place. To what extent soldiers are able to and have actually taken advantage of these avenues is not clear, since available data are based on the number of text messages

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[19] While there are no specific opinion surveys on this issue, general public perceptions about the security forces suggest much room for improvement. See the Social Weather Stations (SWS) surveys over the years on this issue.

received by the military service or command in question, for example, without information on the nature of the grievance and the response made to them.

Such openness is even less clear as far as the relationship between the AFP and the general public is concerned. At present, issues like reports on human rights violations (particularly extra-judicial killings) undermine the public's image of a reforming military. Grievance mechanisms that involve civilians and the military are even more difficult to put into place and implementation is dependent on the military commander in the area. Public perception of the police, has also experienced a downsurge, with recent events such as the Quirino Granstand hostage-taking incident of 23 August 2010, and the rise of automobile theft, contributing to the public's negative perception of policemen/women,

As indicated in the previous dimensions, consultation mechanisms that allow the involvement of the public in helping the core security forces in the performance of their tasks as part of the reform programs, exist; but most of these are informal in nature. Even public relations policies that emanate from AFP Headquarters or the Department of National Defense vary in their implementation depending on the area commander's assessment of their importance to the unit's mission. It is often the case that this assessment may not even be based on mission accomplishment. The situation on the ground may require more than military skill on the part of the unit commander – a situation that might stretch AFP resources.

As can be gleaned from the initial and very basic assessment made of military and police reform the policies most consistently enforced are those that have to do with the welfare of soldiers and policemen/women. This may indicate a certain level of *responsiveness* from the highest levels of the AFP and the PNP to these issues. At the same time, however, on other issues (particularly those on local concerns) responsiveness has been very *ad hoc*. This reflects the degree of seriousness with which the military commander or police regional and/or provincial director in the area appreciates the need to respond to conditions on the ground, including concerns emanating from the public.

From the above, it can be said that there are reform programs being undertaken by the core security sector actors, in particular, the AFP and the PNP. During the period covered by the second and third phases of the Project, however, these programs appear to be

fragmented in that they do not yet fall within an overall reform program that covers and links the constituent elements of the Philippine security sector and their good democratic governance.

Dimension 4: SSR Programs and Initiatives

DIMENSION 4: SSR PROGRAMS AND INITIATIVES			
Definition: *Existence of specific security sector reform programs and their implementation*			
Proto-Indicator	**Definition**	**Presence (P)/ Absence (A)**	**Sources and Comments**
I. TRANSPARENCY			
a) structures and mechanisms	This refers to the existence of formal and institutionalized arrangements that enhance public and constituent access to information on progress expected of and achieved by existing reform programs.	**P**	FelCom report These cover mostly reports *to* members of the AFP. Information available from the PNP Directorate for Information, Directorate for Programs and Plans, and Directorate for Operations
a.1 discussion of rationale for reform agenda	This refers to the extent to which the public and reform constituents are involved in the formulation of clearly stated goals and objectives behind existing reform programs.	**P**	FelCom report These cover mostly reports *to* members of the AFP. Information available from the PNP Directorate for Information, Directorate for Programs and Plans, and Directorate for Operations

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a.2 monitoring of reform goals and objectives	This refers to the existence of formal and institutionalized arrangements that allow for the determination of progress in the attainment of reform goals and objectives.	**P**	FelCom report These cover mostly reports *to* members of the AFP. Information available from the PNP Directorate for Information, Directorate for Programs and Plans, and Directorate for Operations
a.3 feedback on progress and challenges to reform	This refers to the existence of regular reports on the results of reform monitoring that are made available to the interested public and reform constituency.	**P**	FelCom report These cover mostly reports *to* members of the AFP. Information available from the PNP Directorate for Information, Directorate for Programs and Plans, and Directorate for Operations
b) public information on security sector reform programs and implementation	This refers to activities conducted by security sector actors which are intended to enhance public and security sector constituency awareness of reform programs, their objectives, and their implementation.	**P**	FelCom report These cover mostly reports to members of the AFP. They conduct trainings and are informed of what CHR is supposed to do. Information available from the PNP Directorate for

			Information, Directorate for Programs and Plans, and Directorate for Operations
b.1 media programs for general public	This refers to core security actor participation in public information programs in television and radio.	P	FelCom report, not regular Information available from the PNP Directorate for Information
b.2 information dissemination for immediate constituents (soldiers, police)	this refers to programs initiated by security sector actors that are designed to provide information to and educate security sector reform constituents on security sector reform objectives.	P	FelCom report Information available from the PNP Directorate for Information Information on region-oriented SSR programsis areavailable from all PNP Regional Offices
b.3 information dissemination for oversight bodies	This refers to activities conducted by security sector actors which are intended to enhance awareness of reform programs, their objectives, and their implementation among the oversight bodies.	P	Standard operating procedures are followed in submitting reports to requisite offices.However, not all details are available to the public.
b.4 information dissemination for legislature	This refers to activities conducted by security sector actors which are intended to enhance awareness of reform programs, their objectives, and their implementation within the legislature.	P	Briefings and reports submitted – although these are not available to public, not regularly produced, and usually prepared only at the insistence of the

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			members of the legislature.
b.5 information on budget and expenditures of reform programs	This refers to the openness and easy availability of records pertaining to budget and expenditures of reform programs.	**P**	Standard operating procedures are followed in submitting reports to requisite offices.However, not all details are available to the public. Other information may be obtained upon request. COA audit reports are uploaded regularly and annually at the COA website.
c) impact or effects of transparency	This refers to the extent public and security sector constituency awareness of and interest on the security sector and security sector reform are affected by arrangements designed to enhance public and constituent access to information on progress expected of and achieved by existing reform programs.	**A**	There are anecdotal reports from security sector constituents through the FGDs conducted by the Project Team. More data is needed, such as those that could be provided by surveys.
c.1 increased awareness of reform program	This refers to heightened recognition among the public and security sector constituents of the existence of security sector reform programs.	**A**	There are anecdotal reports from security sector constituents through the FGDs conducted. More data is needed, such as those that could be provided by surveys.

c.2 increased knowledge of reform program issues	This refers to heightened comprehension among the public of the issues that made security sector reform necessary.	**A**	Public awareness on SSR as a conceptual tool and a reform strategy is still low.
c.3 increased support for reform programs	This refers to increasing positive response among the public to security sector reform program.	**A**	
II. RESPONSIBILITY			
a) mandate expansion or limitation under reform program	This refers to the clear delineation of the functions of different security actor agencies as well as oversight agencies and institutions based on the reform agenda.	**P**	Davide Com and FelCom recommendations, and operational orders within the security sector itself The agenda may require specific delineation of functions, but this may not always work out in actuality. Also, operational orders are not available to the public. The PNP Law, the PNP Reform and Reorganization Law,

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			and the PNP Integrated Transformation Program
a.1 knowledge of mandate expansion or limitation by authorities	This refers to the extent to which officials in the core security sector and oversight institutions understand what are supposed to be the changes, if any, in the functions of their agencies and the specific offices in their agencies.	**P**	FGD reports Available upon request to concerned agencies
a.2 coordination between civilian and uniformed authorities	This refers to the clear delineation between the functions of the civilian authorities and the uniformed services, and the synchronization of these functions.	**P**	Davide Com and FelCom recommendations, and operational orders within the security sector itself. The agenda may require specific delineation of functions, but this may not always work out in actuality. The PNP Law, the PNP Reform and Reorganization Law, and the PNP Integrated Transformation Program

a.3 clarity of vertical tasks and functions	This refers to clearly defined changes in the chain of command and the tasks of the offices within the change of command as mandated by the security sector reform agenda.	**P**	Orders are given by higher authorities who delineat changes. Usually, higher offices are more forthcoming than subordinate commands especially at combat unit level. The PNP Law, as well as the PNP Reform and Reorganization Law provides for the delineation of functions and roles of the police forces and the local government units.
a.4 clarity of horizontal tasks and functions	This refers to clearly delineated changes in the tasks and functions of offices and institutions supporting the different levels of the chain of command prompted by changes in the chain of command mandated by the reform agenda.	**P**	Orders are given by higher authorities who delineat changes. Usually, higher offices are more forthcoming than subordinate commands especially at combat unit level. The PNP Law, as well as the PNP Reform and Reorganization Law provides for the delineation of functions and roles of the police forces and the local government units.

b) capability building for reform program	This refers to activities that are designed to develop the capacity of security sector actors to undertake reform.	**P**	Philippine Defense Review, PNP Integrated Transformation Program, and reports from FGDs conducted There is still a need for more detailed and systematic ways to determine the kind of activities and whether these are being conducted by all units.
b.1 reform program goals, objectives and targets	This refers to policies and activities that are intended to increase the capacity of security sector actors to meet reform goals, objectives and targets.	**P**	Philippine Defense Review, PNP Integrated Transformation Program, and reports from FGDs conducted There is still a need for more detailed and systematic ways to determine the kind of activities and whether these are being conducted by all units.
b.2 reform program progress	This refers to policies and activities that are directed at monitoring progress in the attainment of reform goals and objectives.	**P**	Reports from FGDs Regular reports are being submitted to higher authorities on reform progress.
c) resource efficiency in reform programs	This refers to adequacy of material and human resources in the implementation of reform program.	**P**	Reports from FGDs; documents on the AFP can also be accessed General Appropriations Acts (GAAs)

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			Annual Audit Reports prepared by COA
c.1 adequacy of human resources to reform goals and objectives	This refers to whether or not there is sufficient *qualified* staff involved in the implementation and monitoring of progress in the reform program.	**P**	Information is available from personnel files of AFP and PNP. Report on FGD with NAPOLCOM indicates that the human resource requirements are inadequately met, particularly for potential members of the police force.
c.2 adequacy of budget to expenditures	This refers to whether or not there is adequate funding to attain quality results in the attainment of reform goals.	**P**	Reports from FGDs but documents from AFP can be also be accessed. Information from statements indicates inadequacy of funding. GAAs Annual Audit Reports prepared by COA
c.4 adequacy of equipment to human resources	This refers to whether or not the staff involved in reform implementation and monitoring have sufficient equipment to attain quality and timely results.	**A**	Reports from FGDs; documents from the AFP can also be accessed. Information from statements indicates inadequacy of equipment. Information on the PNP may be accesed though the Directorate for Operations, and from

			the Regional Offices
d) impact of reform programs on delivery of services	This refers to whether or not reform policies and activities have resulted in better provision of services to the public and security sector constituency.	**A**	A survey is necessary to acquire such information.
d.1 increase in the quality of services and the delivery of services to all ranks in the military and police	This refers to improvements in the benefits, health and welfare packages available to all members of the military and the police forces.	**P**	Reports from FGDs Recent programs of the government are introducing better benefits for regular members of the security forces.
d.2 improvement in pattern of enforcement	This refers to greater adherence to the spirit of rules, laws, regulations and the rules that govern their implementation.	**A**	A survey is necessary to acquire such information.
d.3 increased appropriateness, efficiency, effectiveness	This refers to an enhanced propriety, skill and ability to achieve results in the performance of their prime function among the core security actors.	**P**	Efficiency reports accomplished by several security sector actors
III. ACCOUNTABILITY			
a) reform of authority structure	This refers to changes directed by reform programs as to who exercises authority over whom and what.	**P**	DavideCom and FelCom Recommendations Felcom Report PNP Integrated Transformation

			Program
a.1 appointment of civilian head of the Defense Department	This is in response to the principle of civilian supremacy over the military wherein the position of Defense Secretary is supposed to be held by a non-military official; neither is it supposed to be held by someone who had officially retired from military service.	**A**	DavideCom and FelCom Recommendations Enforcement is questionable, as the current Defense Secretary is a former military personnel.
b) creation or reform of grievance or redress mechanism	This refers to the establishment of and/or reform of existing mechanisms within and outside the core security institutions that are directed at receiving and addressing grievances from the public and core security sector constituencies against core security sector institutions or personnel.	**P**	FGD reports Implementation is uneven across units.
b.1 institutionalized mechanisms for hearing out the grievances of soldiers, police and members of the coast guard	This refers to formal/institutionalized arrangements inside the Armed Forces or the Police Force that can be utilized by members of the military, police and the coast guard to seek redress on their grievances; this could be established at different levels on the chain of command.	**P**	FGD reports with the AFP, PNP, and Oversight Institutions
b.2 institutionalized mechanisms for hearing out grievances of the public against the military, police or coast guard	This refers to formal arrangements inside the Armed Forces or the Police Force that can be utilized by the public to seek redress on their grievances; this could be established at different levels on the chain of command.	**P**	FGDs show that there are mechanisms present at different levels but these are not institutionalized as security sector policies.

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b.3 protection for complainants	This refers to guarantee given to complainants of non-retaliation from subject of a complaint, whether these be individual persons, groups or entire institutions within the security sector.	**P**	While there are mechanisms present and protection is made available to complainants, these are not institutionalized.
b.4 establish an autonomous internal affairs office	This refers to an office that can receive and investigate complaints, especially of abuse, against personnel in the military, police and the coast guard; while answerable to the heads of the military, the police and the coast guard, this office operates independently of the chain of command.	**P**	AFP and PNP Human Rights Desks AFP Human Rights Handbook
c) creation or reform of corruption control mechanism		**P**	FelCom report PNP Integrated Transformation Program FGD Reports with Oversight Institutions
c.1 strengthen office of the Ombudsman	This refers to providing the office of the Ombudsman with the necessary material and human resources to undertake its oversight functions.	**P**	Report on FGD with representatives from the Office of the Ombudsman As of the time of writing this report, however, the Ombudsman is facing probable impeachment due to allegations of betrayal of public trust.
c.2 simplify procurement procedures	This refers to making procurement procedures less bureaucratic and more transparent.	**P**	Reports on FGDs with Ombudsman, Sandiganbayan, and

			Department of Justice
			RA 9184
c.3 limit discretionary powers of commanders over resources available to them	This refers to reducing the amount of resources available to commanders that be used at their discretion.	**P**	Felcom reports General Appropriations Acts (GAAs) Annual Audit reports by COA
c.4 decentralizing control over resources available to operating units	This refers to the need to release adequate resources for the operational use of field units down the chain of command with some leeway on auditing rules.	**P**	Felcom reports General Appropriations Acts (GAAs) Annual Audit reports by COA
c.5 strict implementation of control measures over supplies	This refers to the strict enforcement of existing rules or hardening of existing rules on release of supplies.	**P**	Felcom reports General Appropriations Acts (GAAs) Annual Audit reports by COA
c.6 tenure limits for finance and procurement officers	This refers to the institution of maximum terms of office for finance and procurement officers.	**P**	Felcom reports Information available from the PNP Directorate for Programs and Plans
d) reform of performance review and assessment system	Performance review mechanisms must be transparent and include clear performance measures that have a basis on the performance record of individual personnel.	**A**	Existing mechanisms have clear criteria but how the criteria are applied is unclear.
e) increased awareness of and respect for human	This refers to enhanced recognition of human rights (and its component provisions) and the importance of strictly abiding by it in the day-to-day operation of	**P**	AFP and PNP Human Rights Offices

rights	security sector actors.		AFP Human Rights Handbook, PNP Integrated Transformation Program
f) reform of rewards and punishment mechanism	The basis for the awarding of rewards and the imposition of punishments must be reviewed; the results of that review must be the basis for a reform of the system.	**P**	FGD Reports with representatives from the Office of the Ombudsman, and the NAPOLCOM
IV. PARTICIPATION			
a) improvement in vertical and horizontal coordination to implement reform program	This refers to the institutionalization of mechanisms for coordination in the implementation of the reform program along the chain of command within agencies and institutions, and between agencies and institutions.	**P**	FGD reports There is a need to get a clearer picture of how these institutionalized mechanisms work.
b) involvement of civil society and other sectors in the reform program implementation	This refers to the actual participation of civil society in the implementation and monitoring of security sector reform	**P**	FGD Reports particularly those on Civil Society Organizations (CSOs), The Academe, and the Investigative Media
c) sustained consultation with actors, institutions, sectors, and communities on reform program implementation	This refers to the establishment of institutionalized consultation mechanism which could be replicated at different levels of relations that would ensure the involvement of civil society and other sectors in the implementation of reform programs.	**P**	FGD Reports on Civil Society Organizations (CSOs), The Academe, and the Investigative Media FGD Reports on Oversight institutions in Government

V. RESPONSIVENESS			
a) sustained monitoring of reform program implementation	This refers to the regulated observation of the implementation of the different aspects of existing reform programs; security sector actors must be receptive to criticisms and comments on further reform.	**A**	FGD Reports on Civil Society Organizations (CSOs), The Academe, and the Investigative Media FGD Reports on Oversight institutions in Government
b) improvement in complaint mechanism due to reform program implementation	This refers to the changes in the complaint mechanism that are prompted by the reform program (see b in Accountability).	**P**	FGD Reports on various PNP Regional Offices
c) impact of effective reform program implementation	This refers to the extent the implementation of the reform program has brought about changes in the behavior and attitude of security sector reform actors in the performance of their duties	**A**	There is a need for survey data on this proto-indicator.

Contribution to Conflict Prevention and Peace-building

The way by which security policies are implemented can greatly affect conflict prevention and peace-building, almost to the same extent as the contents of these policies themselves. SSR is directly related to conflict prevention and peace-building as seen in this volume's conceptual overview, particularly in the processes of demobilization, demilitarization, and reintegration (DDR) of former rebels into the military and police forces. Dimension 5 seeks to cover the contribution of SSR to conflict prevention and peace-building in the Philippines. It inquires into whether the principles of good democratic governance are observed in the area of conflict prevention and peace-building and the role security sector actors have played in this area.

Since the concept of human security focuses on the security of the individual rather than that of the state and the individual's right to physical safety, basic freedoms, and access to sustainable prosperity are included in it, the peace agenda being pursued by government must embrace the concept in earnest. The expected contribution of reforming the security sector is the "actual guarantee of citizen's security and that it is a result of the combined effects of economic, social, political, cultural, etc., where the military-political component is losing its primacy and monopoly" (Karkoszka 2003). However, rather than developing indicators for human security, the Project Team generated proto-indicators for each of the five attributes of good democratic governance for this dimension out of the conviction that without good democratic governance human security cannot be adequately and effectively addressed.

To recall, the five attributes of good democratic governance considered in this project are transparency, responsibility, accountability, participation, and responsiveness.

For the attribute *transparency*, the two (2) proto-indicators are (1) structures and mechanisms defined to include ceasefire, peace agreement, respect for rule of law and human rights, respect for international humanitarian law (IHL), and expenditure for internal security operations, and (2) public information programs defined to include public information office, accessible public information program on peace and DDR, and media/press releases.

The *responsibility* attribute's three (3) proto-indicators are (1) clear mandate defined to include an agency to address peace, peace policy/programs, and post-conflict programs (DDR), livelihood/skills training, literacy and education; (2) capability and effectiveness defined to include competence of authorities, recruitment of technical expertise/advice, and coordination and responses; and (3) resource efficiency defined to include a budget to implement programs, budget alignment with priorities, and provision for sustainability of affected communities.

The third attribute of *accountability* has five (5) proto-indicators: (1) authority structure defined to include vertical accountability (evidenced for example by performance reports), and horizontal accountability; (2) redress (or grievance) mechanism defined to include traditional authorities and formal/alternative authorities; (3) effective law

enforcement; (4) sanctions for corruption defined to include investigation, filing of cases, and conviction; (5) review and assessment mechanism defined to include reconciliation and peace programs and financial integrity/credibility of programs.

The *participation* attribute, on the other hand has two (2) proto-indicators: (1) public consultation mechanism for stakeholders and other relevant actors in peace policy-making or formulation, and (2) peace-building activities referring to mechanism(s) for these actors for peace-building activities.

Finally, for the fifth attribute of *responsivenes*s, the three (3) proto-indicators are (1) receptiveness, defined as evaluation mechanism needs assessment, provision during armed hostilities, provision for post-conflict needs, and complaint mechanism; (2) approachability, which refers to the trust by the affected communities for government authorities who are seen as able to carry out their mandate; and (3) conduct promoting democracy, referring to the observation of human rights and the training for human rights promotion and protection.

The updated baseline data were collected from documents and other materials held by the Office of the Presidential Adviser on the Peace Process (OPAPP) which is the main agency or arm of the government in implementing its peace programs and policies. Other data sources include peace agreements, news reports, and informal interviews. Some of the programs discussed in this report are the same as those implemented by certain core security sector actors.

Peace-building in the Philippines is a multi-level government and inter-agency effort. Despite two continuing armed challenges to the government, namely by the Moro Islamic Liberation Front (MILF) and the Communist Party of the Philippines-New People's Army (CPP-NPA), no line agency has so far been created to address this concern. Although the Presidential Adviser on the Peace Process is a part of the Cabinet, the OPAPP is not a line agency and is dependent on the cooperation and goodwill of other government agencies and institutions at both the local and national levels.

The peace programs and policies under OPAPP can be said to fall within the SSR label, especially so that the AFP during the period covered by the third phase of this study has

adopted SSR as one of the pillars of the national security and peace policy framework. However, the updated baseline SSRI data do not reflect the conflict prevention role of SSR. Furthermore, there is a need to test the instrument in post-conflict areas to assess whether and to what extent the activities of the various security sector actors in conflict prevention and peace-building have indeed contributed to the reduction of conflict. The two case studies (in Bohol Province and the municipality of Leon in Ilo-Ilo Province)[20] undertaken by the Project Team during the Project's second phase, to inquire into the role of various security sector actors in conflict situations and how conflict was eased, if not completely eliminated could be illustrative in this regard. These could also provide lessons that might be useful in other areas in the country that are still in conflict. Having said these, it is possible to examine whether the conflict reduction and peace-building measures pursued by the OPAPP partake of the various attributes of good democratic governance.

Results show that for the first attribute (*transparency*), both proto-indicators were present. In particular, a monitoring mechanism for civil society organizations through the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law (CARHRIHL) exists but no one from OPAPP monitors the expenditures incurred for the Internal Security Operations (ISO) of the military. Both radio and print are used as mechanisms to disseminate information, the usual contents include activities and projects of the Office. OPAPP described this particular activity as being aggressively done that it established a Media and Public Affairs Office. In addition, documents and updates on OPAPP's activities are made available through its website. Advisories are also distributed to local networks or through radio or print media. OPAPP also holds three (3) regional dialogues – one each for Luzon, Visayas, and Mindanao - which are aimed at soliciting participation from various stakeholders.

OPAPP also has a DDR Center whose programs are included in its Social Integration Program (SIP) for rebel returnees. In addition, OPAPP pointed out in 2007[21] that there were inter-agency committees on various peace programs and the Peace Institutions Development Office (PIDO) 'localizes' the government's peace policy and programs.

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[20] See ISDS, 2009, *Developing a Security Sector Reform Index in the Philippines,* pp. 100-153.
[21] Email exchanges with Romulo B. Halabaso, Director IV, Policy and Program Development Office, OPAPP, 31 May to 7 June 2007.

OPAPP is able to localize these programs through Executive Order No. 569 signed in 2006 mandating the Regional KALAHI Convergence Groups and the Presidential Assistants to act as regional arms of the peace process and Regional Peace Advisors, respectively.

For the attribute *responsibility*, two (2) of the three (3) proto-indicators are present. OPAPP clearly knows its mandate and is fully aware that it exercises oversight functions most especially in the implementation of the National Peace Plan of the Government and the Social Integration Program (SIP) for DDR programs. However, the extent of the participation of local government units (LGUs) or local communities is not made clear in the SIP documents. In addition, there is an absence of employment and resettlement provisions under the SIP, although local development plans are part of the Conflict Prevention and Peace Building (CPPB) portfolio.

There are also some responsibilities borne by LGUs such as the LGU-based *Balik Baril* program supported by spouses of rebel returnees. Despite having a clear mandate and the presence of post-conflict programs under this attribute, government agencies including OPAPP need to enhance their capability and effectiveness in carrying out the government's peace programs. For instance, there is still no desk for the Commission on Human Rights (CHR) in places like the Autonomous Region for Muslim Mindanao (ARMM), although OPAPP had initiated the setting up of a human rights (HR) desk in areas where the CHR is not present. OPAPP took this step since respect for human rights is high on the peace agenda. However, the existence of new avenues that provide for the interface between and among the OPAPP, the AFP, and the PNP, such as the Mindanao Peace Process Dialogue point to a greater willingness for inter-agency cooperation.

On the capability and effectiveness proto-indicator of *responsibility*, the agency acknowledges that it has limited competent personnel. Recruitment remains a problem because being an attached agency to the Office of the President, it cannot offer a viable career track or security of tenure to potential recruits. Cognizant of this problem, OPAPP has adopted remedial measures through its Human Resources Development Facility. It also hires consultants on a limited scale using the facility extended by UNDP to OPAPP that allows them to tap experts with good track records from the NGO community and from academe.

With regard to the coordination and response mechanism, in the absence of its institutionalization, personal contacts have proved to be useful in cases when violence occurs between government forces and armed groups. Coordination between local and national authorities on the one hand, and core security sector actors on the other, is present especially in an outbreak of violence, whether conflict-related or otherwise. The AFP and PNP work closely together and share function in addressing armed threats or criminality in their assigned areas. The military is primarily responsible for addressing security threats brought about by insurgency and secessionism, while the police focuses on law enforcement, public safety, and peace and order.

Resource efficiency is the only absent indicator under this attribute. OPAPP does not have a regular budget of its own to implement the peace programs under its charge and relies instead on support from other government agencies and LGUs. It is unfortunate that the main government arm in charge of peace promotion efforts does not have the requisite budget and institutional structure to support the government's peace program. OPAPP was also not clear on how much this 'requisite budget' should be. As already noted, resources are difficult to obtain as OPAPP has to coordinate with other government agencies to load some of the peace programs into these agencies' respective budgets. Fortunately in Mindanao, OPAPP has resources from the UNDP-managed Acts of Peace Programme,[22] a multi-donor five-year program for Mindanao set up by partners from the international donor community.

For the attribute *accountability*, the first proto-indicator covering both vertical and horizontal accountability is present. OPAPP's financial accounts are subject to review by the Commission on Audit (COA). It is also required to submit Annual Reports to Congress. In addition, citizen-based monitoring and evaluation is done on a project basis. Consequently, monitoring and evaluation appears to be intermittent. For the second proto-indicator - redress mechanism - OPAPP relies on the *barangay* justice system, indigenous grievance systems, and those provided for in the peace agreement with the MNLF. The Ceasefire Committee can also act as a redress mechanism and in some

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[22] This is the Action for Conflict Transformation (ACT) for Peace Programme which started in 1997 by the Philippine Government and the United Nations Multi-Donor Programme (UNMDP) for peace and development in Mindanao. UNDP serves as the managing agent for this program.

instances OPAPP has become an alternative redress mechanism where all sectors and affected parties to the conflict come to its offices. This mechanism is an addition to the complaint mechanism under the Joint Enforcement Monitoring Committee (JEMC).

In the case of the third proto-indicator for accountability, there are various agencies that could contribute to effective administration of justice and law enforcement. While the Ombudsman, *Sandiganbayan*, and the former Presidential Anti-Graft Commission (PAG-C) [23] might be helpful in contributing to effective justice delivery and law enforcement in that they perform prosecutorial, judicial, and investigative functions relative to corruption cases, respectively, effective law enforcement is an executive function that at present cannot be easily identified in the area of conflict prevention and peace building. Moreover, systematic data on investigation, filing, and conviction rates for the Ombudsman, *Sandiganbayan*, and PAG-C relative to conflict prevention and peace-building still need to be generated.

On the fifth proto-indicator, there is a system in which contracts for projects and programs are reviewed after their completion. In addition, OPAPP also looks at good practices and lessons learned from each completed project. A caveat in this regard is that the accountability system that is part of the peace programs under OPAPP is mandated by donor agencies. Outside of this accountability mechanism, there is also the routine submission of yearly reports to COA and Congress as already noted above.

For the attribute *participation*, a mechanism that utilizes or involves stakeholders and other relevant actors in peace policy-making/formulation exists. Such mechanism is also present in conflict-affected areas, according to OPAPP. It spends much time going to the ground especially when there is a new consensus (pending agreement with rebels) and it conducts comprehensive regional peace consultations (events-based consultations) as part of its activities.

In addition, current peace programs provide for the participation of stakeholders such as NGOs, members of the MNLF, and peace and development advocates. They constitute

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[23] President Benigno Aquino III issued Executive Order No. 13 on 24 November 2010 to abolish the PAG-C in line with his policy of streamlining the government bureaucracy.

the Project Coordinating Committee for these programs. In fact, NGOs are part of the governing body of the government's UNDP-managed Acts of Peace Programme in Mindanao. Moreover, the UNDP-supported CPPB Program also includes the participation of LGUs in identifying program interventions to attain sustainable peace and development on the ground. Moreover, relevant stakeholders are consulted and informed about the peace policies of the government on a regular basis, although this is not necessarily in conformity with OPAPP's events-based consultation mechanism. Relevant stakeholders include women, partners in the CPPB Program, and those involved in the Acts of Peace Programme.

Moreover, some of the policy agenda of partners are informed or shaped by (1) peace fora and conferences conducted either by OPAPP or by its partners (such as Waging Peace Conferences), or (2) printed materials on certain issues. OPAPP also consults with its partners on proposed executive-legislative agenda for peace. These partners include peace advocates supportive of the peace process, or those who work with OPAPP on peace issues, civil society groups, including church and media, national government agencies, and LGUs.

In other words, there is widespread participation of relevant stakeholders, including strong civil society participation in the formulation and pursuit of the peace agenda as well as in the peace programs, in spite of intermittent declaration of all-out-war against the insurgents by other former presidents, an act that usually does not sit well with members of civil society organizations.

On the fifth attribute (*responsiveness)*, the Project found that all proto-indicators are present except for approachability. Requiring a perception survey on the main agency implementing peace programs including the military, the Project is not able to examine this proto-indicator as this matter falls beyond the present scope of the Project. Responsiveness in this case could mean being receptive to the needs and complaints of the people in the context of conflict prevention and peace-building, particularly in conflict-affected areas and those covered by peace agreements. An alternative source could be data from polling agencies such as the Social Weather Stations and Pulse Asia. Unfortunately, present perception data from these firms do not cover this particular issue.

The participation of affected communities in a needs-assessment process is not in place in areas of conflict or post-conflict, except for Mindanao. Some form of consultation mechanism is relatively well-developed there since its people tend to be more process-conscious than elsewhere in the country.

Just the same, there are programs that address the issue of provision for affected populations during continuing armed hostilities. One example is the *Kalayaan ng Barangay* program which incidentally is part of the Philippine Defense Reform (PDR) program. For post-conflict needs, one can refer to development projects identified under the peace agreement between the GRP and RPM-P/RPA/ABB and in the Report on the Implementation of the 1996 GRP-MNLF Peace Agreement of April 2006. In the GRP and RPM-P/RPA/ABB peace agreement, projects identified are nationwide in scope.

The interview with OPAPP indicated that present programs touching on conduct promoting reconciliation, peace and democracy do not sufficiently reflect the recognition of the need to have adequate human rights training for security forces involved in conflict prevention and peace-building activities. These programs should also include cultural sensitivity.

The above discussion on Dimension 5 of the draft SSRI has not taken into account the intermittent all-out war policy of the government. In this regard, it might be pointed out that the persistence of this armed approach to security does not facilitate conflict prevention and peace- building. The core security actor used for this purpose – the military – remains oriented towards internal security rather than external defense, a condition not favorable to security sector reform and good democratic governance of the security sector, as well as democratic civil-military relations.

Dimension 5: Contribution to Conflict Prevention and Peace-Building

<table>
<tr><td colspan="4">DIMENSION 5: CONTRIBUTION TO CONFLICT PREVENTION AND PEACE-BUILDING</td></tr>
<tr><td colspan="4">Definition: Contribution of security sector actors in conflict prevention and peace-building based on the good governance attributes</td></tr>
<tr><td>Indicator</td><td>Definition</td><td>Presence (P)/ Absence (A)</td><td>Sources / Comments</td></tr>
<tr><td colspan="4">I. TRANSPARENCY</td></tr>
<tr><td rowspan="6">a) structures and mechanisms</td><td>This refers to the presence of mechanisms that could monitor peace programs/agreements/ policies of government</td><td></td><td rowspan="6">Status of the Implementation of the 1996 GRP-MNLF Final Peace Agreement (April 2006)</td></tr>
<tr><td>a.1.ceasefire</td><td rowspan="5">P</td></tr>
<tr><td>a.2 peace agreement</td></tr>
<tr><td>a.3 respect for rule of law and human rights</td></tr>
<tr><td>a.4 respect for international humanitarian law</td></tr>
<tr><td>a.5 expenditure for internal security operations</td></tr>
<tr><td rowspan="4">b) public information programs</td><td>This refers to the presence of a public information prog the various peace programs of the government and whe media and the public have easy access to these informa</td><td rowspan="4">P</td><td rowspan="4">Information regarding the government's peace policy and programs are available at the OPAPP website.</td></tr>
<tr><td>b.1 public information office</td></tr>
<tr><td>b.2 accessible public information program on peace ar disarmament, demobilization, and reintegration (DDR)</td></tr>
<tr><td>b.3 media/press releases</td></tr>
<tr><td colspan="4">II. RESPONSIBILITY</td></tr>
<tr><td></td><td>This refers to the presence of an office that has a clear mandate to address the problem of peace including</td><td>P</td><td>E.O. No. 125 of 1993 (Defining the Approach</td></tr>
</table>

	the presence of peace policy/ programs.		and Administrative Structure for Government's Comprehensive Peace Efforts); E.O. No. 3 of 2001 (Defining Policy and Administrative Structure for Government's Comprehensive Peace Efforts), which also provides for an enhanced and strengthened OPAPP
a) clear mandate	a.1 agency to address peace	P	
	a.2 peace policy/programs (peaceful settlement, human development, poverty reduction)	P	National Peace Plan, Medium Term Philippine Development Plan (MTPDP), Kalayaan Barangay, GRP-MNLF Implementation Report of April 2006, ODA funded projects, Philippine Development Assistance Program, Pro-Peace Program, *Balik Baril* Program
	a.3 post-conflict (DDR): livelihood/skills training, literacy and education	P	Social Integration Program; GRP-RPM-P/RPA/ABB Peace Agreement; Joint Enforcement and Monitoring Committee (JEMC) rules and procedures as amended by EO 117 (Reconstitution of the JEMC)

b) capability and effectiveness	This refers to the knowledge/training of government authorities to undertake peace related mandate and carry out their mandate making use of the expertise inside and outside of government.	**P**	The OPAPP has a Human Resources Development Facility for this purpose but it is inadequate.
	b.1 competence of authorities		
	b.2 recruitment of technical expertise/advice		The AFP and the PNP work closely together to address security threats related to insurgency and secessionism.
	b.3 coordination and responses		
c) resource efficiency	This refers to the congruence/alignment of budget with priority programs and their sustainability.	**P**	In relation to its budget, the OPAPP regularly conduct programs relating peace consciousness and development, among others. Sustaining these projects is separate issue that needs to be assessed further.
	c.1 budget to implement programs		
	c.2 budget alignment with priorities		
	c.3 Provision for sustainability of programs in affected communities		
III. ACCOUNTABILITY			
a) authority structure	This refers to the presence of accountability structures both within government and a mechanism whereby those outside of government can also make responsible institutions accountable.		
	a.1 vertical accountability (performance reports)	**P**	Commission On Audit
	a.2 horizontal accountability	**P**	Acts for Peace-stakeholders and NGOs form part of the Project Coordinating Committee.
b) redress mechanism	This refers to the presence of complaint mechanism that makes use of both traditional (tribal settlement)	**P**	GRP-MNLF Implementation Report of April 2006 (ODA-

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	and formal authorities.		funded)
	b.1. traditional authorities	**P**	Barangay justice system program (ODA-funded)
	b.2 formal/alternative authorities	**P**	JEMC Primer on the Peace Agreement between GRP and RPM-P/RPA/ABB
c) effective law enforcement	This refers to the implementation of peace policies without favoring particular actors, sectors, or stakeholders	**A**	Peace negotiations are yet to be fully realized.
d) sanctions for corruption	This refers to the ability of government institutions to address the problem of corruption.	**P**	The Ombudsman and Sandiganbayan have jurisdiction over corruption cases, although recently there have been questions as regards the effective and efficient functioning of these offices especially in graft and corruption cases.
	d.1 investigation		
	d.2 filing of anti-corruption cases		
	d.3 conviction		
e) review and assessment mechanism	This refers to the ability of those outside government to monitor and make independent assessments of the peace programs and also the ability of government institutions to review their own programs including their financial accountability.	**P**	For example, various sectoral and religious organizations have always pushed for the full implementation of the GRP-MNLF Peace Agreement.
	e.1 reconciliation and peace programs	**P**	OPAPP Annual reports as seen from their website
	e.2 financial integrity/credibility of programs	**P**	Audit reports prepared annually by COA

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IV. PARTICIPATION			
a) public consultation mechanism	This refers to the presence of a mechanism that utilizes or involves stakeholders and other relevant actors in peace policy-making/formulation.	**P**	Regional and Multi-Sectoral Consultation of OPAPP
b) peace building activities	This refers to the presence of a mechanism that utilizes or involves stakeholders and other relevant actors in peace building activities.	**P**	Conflict Prevention and Peace-building (CPPB) Programme and Acts for Peace Programme; Payapa at Masaganang Pamayanan (PAMANA) Program of OPAPP
V. RESPONSIVENESS			
a) receptiveness	This refers to the presence of a mechanism that determines the needs of affected and previously conflict-affected communities and also utilizes/involves affected communities and coordinates between national and local government authorities	**P**	IDP baseline study of OPAPP
	a.1 evaluation mechanism needs assessment		Kalayaan sa Barangay project
	a.2 provision during continuing armed hostilities		Projects under the peace Agreement between the GRP and RPM/RPA/ABB
	a.3 provision for post-conflict needs		Agreement between GRP and RPM/RPA/ABB
	a.4 reduction of violence		
	a.5 complaint mechanism		National Peace Plan as part of the MTPDP 2005-2010
b) approachability	This refers to the trust given by affected communities to government authorities and their ability to carry out their mandate.	**A**	Survey is necessary to obtain such data.
c) conduct promoting democracy	This refers to the observation of human rights and the training for human rights promotion and protection.	**P**	Strong linkages between CHR and OPAPP

Chapter 5
Findings, Conclusion, and Recommendations

Some three (3) years have elapsed since the SSRI Project conducted a pilot test and built a preliminary SSRI Baseline during the second phase of the Project.

Since then, a number of SSR training and other activities involving a variety of stakeholders from both government and the broader civil society have taken place, always in partnership with individuals and institutions from an increasingly enlarging global, regional, and even domestic SSR epistemic communities and their partners in the international donor community led by the OECD, DAC, DFID, International Development Research Centre (IDRC), DCAF, FES and the Henri Dunant Center for Humanitarian Dialogue as well as the United Nations.[24] Since then, the Armed Forces of the Philippines has adopted SSR as one of the pillars of its internal peace and security plan, and the Philippine Government through the OPAPP, has established an office dedicated to DDR issues.

Programs adopted by Philippine-based research and advocacy institutions particularly the ISDS[25] either alone or in partnership with counterparts in the broader Asian region have also helped popularize SSR and the critical role it plays in the promotion and achievement of the effective and efficient delivery of security to the state its people with integrity, in the political transition from authoritarian to democratic rule, in the creation

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[24] Among them are the series of activities undertaken by DCAF and FES involving civil society, academic and research organizations, and members of parliaments and legislatures on SSR and related activities.

[25] ISDS is a founding member of global SSR and SSR-related networks including the Global Consortium on Security Transformation (GCST) and the Association of SSR Education and Training (ASSET), is convenor and secretariat of the Asia Consultative Group on SSR (ACG SSR), and a key partner in regional initiatives such as the Asia Project on Peace Building and Security Sector Governance in Asia (with partners from South, Southeast, and Northeast Asia) and the Security Sector Initiative program administered in Southeast Asia by the Rajaratnam School of International Studies (RSIS) in Singapore.

of a comprehensive environment conducive to the prevention of conflict, and the achievement of sustainable peace and development in the service of human security.

Findings

Yet, in spite of the proliferation of SSR norms and ideas among an increasing number and variety of stakeholders as well as the increasing number of SSR activities and programs, the Project's third phase did not show significant improvements in the state of the country's SSR. The most important gains in SSR advocacy in the past include the adoption of the 2003 PNP's Integrated Transformation Program, the establishment of the DDR Office in OPAPP, the adoption of SSR as among the pillars of the 2010 AFP Internal Peace and Security Plan, the adoption of the AFP Handbook on Human Rights, the plans of the Philippine Human Rights Commission to mainstream SSR in the teaching of human rights and international humanitarian law to the military and the police, and the most strategic of all these gains, the Philippine Government's plan to adopt a National SSR Agenda (NSSRA) for immediate implementation.

The validation of the draft SSRI conducted with the PNP and oversight institutions in both government and the broader civil society during the Project's third phase between June 2010 and February 2011 indicated the findings enumerated below. Many of them reflect a number of findings of the draft SSRI pilot test and baseline building during the Project's second phase reported in 2009 (ISDS 2009: 154-155).

The main findings of the draft SSRI validation activities undertaken during the Project's third phase are:

1. There is sufficient constitutional and legal framework for democratic governance including of the security sector in the Philippines.

2. Institutional and functional arrangements in place relating to the core security sector actors (security forces and intelligence services) remain below the standards of democratic civil-military relations such as the continuing reliance on the AFP in internal security provision.

3. There remains a performance deficit among the constituent elements of the Philippine security sector including the AFP and its CAFGU, the PNP, intelligence services, oversight bodies in the three branches of government, as well as the system of administration of justice.

4. There is a continuing misperception, misuse, and even abuse of the oversight functions and powers among government oversight institutions (e.g., this observation is evident in the behavior of legislative committees charged with budgetary, confirmation, and investigation in-aid-of-legislation functions).

5. There remain serious overlaps in the mandates, jurisdiction, powers, etc., among government oversight institutions that contribute to the continuing inefficiency and ineffectiveness of the delivery of security to the state and its people without full observance of democratic principles of governance, such as transparency and accountability.

6. SSR remains a largely unknown and uncharted governance tool for most of the government oversight institutions on the one hand, and as an assessment and monitoring vehicle among the non-government oversight mechanisms located in the broader civil society, on the other.

Conclusion

In view of the poor and largely undemocratic state of security sector governance in the Philippines, there is therefore, an urgent imperative to undertake SSR for good democratic governance of the country's security sector. Below is a set of recommendations which are indicated by the findings of the Project's third phase.

Recommendations

Guided by the information and subsequent analysis derived from data-generating activities in the third phase of the Project and in pursuit of the imperatives for SSR, the following are the Project Team's recommendations for a more effective and efficient provision of security by the country's security forces, with emphasis on good democratic governance and integrity in public service. These recommendations form part of the

proposed National Security Sector Reform Agenda (NSSRA) prepared by the Project Team as part of the third phase of the Project

Some specific recommendations for particular members of the security sector are outlined below.

   A. **Pertaining to the Core/Statutory Security Forces, including their Training and Education**

   A.1. The Armed Forces of the Philippines

   A.1.1 Re-examine the officer recruitment system that prioritizes the PMA, including options for an alternative structure for officer recruitment and training;

   A.1.2 Restructure the curriculum of military service schools to develop a politically non-partisan officer corps;

   A.1.3 Rcruit competent civilian academics into the faculty of the PMA and other military teaching and training institutions;

   A.1.4 Eliminate practices and systems that violate the principles of meritocracy, fairness and objectivity in education and training, as well as in promotions and appointments, such as the 'bata-bata' system; 'ruling class mentality', recruitment source, etc;

   A.1.5 Provide the AFP including its training commands with the requisite resources (expertise, leadership, manpower, financial, material, etc.) to discharge its mandated tasks;

   A.1.6 Re-examine the rationale behind the CAFGU concept, while in the meantime restore CAFGU units to their legal role/function and capacitate them accordingly;

   A.1.7 Redress the sources of legitimate military grievances to reduce politicization among the ranks; especially the achievement of transparency and accountability in the AFP; and

A.1.8 Punish military offenders equally, strictly and speedily.

A.2. Philippine National Police

A.2.1 Re-examine the PNP Law especially in terms of the appropriate agency that should exercise oversight jurisdiction over the police;

A.2.2 Take adequate measures to improve the police to population ratio to increase police visibility;

A.2.3 Provide adequate resources (manpower, financial, material, etc.) to police stations;

A.2.4 Ensure access by police personnel to their three minimum needs: education for their children, a roof over their head, and medical care for their family;

A.2.5 Professionalize personnel recruitment from the entry level all the way to promotion and assignment;

A.2.6 Adopt actionable measures against graft and corruption among the police such as strict enforcement of applicable rules and regulations, effective exercise of oversight functions by their Internal Affairs Service (IAS), and the like; and

A.2.7 Adopt and strictly adhere to meritocratic criteria in appointments to oversight bodies (depoliticize appointments).

A.3. The Intelligence Services (e.g., ISAPF, intelligence units in the military and the police at the operational level, NICA, among others)

A.3.1 Ensure the political non-partisanship of intelligence officers through professional training and education;

A.3.2 Ensure that the President as Commander-in-Chief of the AFP has access to all relevant intelligence information having to do with security issues;

A.3.3 Strive to 'civilianize' NICA as recommended by the Davide Commission; and

A.3.4 Observe strict compliance with 'secrecy' regulations especially with regard to classified and sensitive information; and

A.3.5 Strictly enforce prescribed sanctions against intelligence leakages and their agents.

B. Pertaining to Oversight Institutions in Government

B.1. The Executive

B.1.1 Depoliticize appointments to cabinet positions charged with oversight functions over the security forces by using meritocratic criteria to ensure recruitment not only of the best and the brightest, but also those with highest standards of ethics, morality and integrity;

B.1.2 Conduct an inception training program for all incoming heads of executive-branch oversight bodies and other relevant bureau officials regarding their legitimate oversight role;

B.1.3 Strictly apply sanctions for wrongdoing by oversight officials;

B.1.4 Provide sufficient resources to oversight bodies to enable them to discharge their functions effectively; and

B.1.5 Devise and implement programs to institutionalize transparency and accountability among oversight officials.

B.2. The Legislative (Relevant oversight committees such as the Senate Blue Ribbon Committee, committees on budget, ethics, justice, national defense and security, and public order and safety)

B.2.1 Conduct SSR and SSG training for the staff of legislative oversight committees;

B.2.2 Undertake regular programs where officials and staff of legislative oversight committees can interact with relevant SSR/SSG stakeholders including civil society organizations, media, and academe to discuss SSR/SSG issues that facilitate better understanding and appreciation of the legislative oversight function among them which can help improve legislative oversight; and

B.2.3 Ensure that the members of Congress that sit in these legislative committees have the ability and competence to discharge the oversight function through various modalities including genuine inter and intra-party consultations for this purpose.

B.3. The Judiciary and the Administration of Justice Institutions

B.3.1 Depoliticize appointments to positions in the judiciary and offices dealing with the administration of justice particularly the Ombudsman and the Sandiganbayan by among other measures, requiring as a minimum the actual practice of law for appointment as judges, justices, and top officials of the DOJ and the Ombudsman, among others;

B.3.2 Uphold the disqualification of persons with a 'conflict of interest' in the administration of justice involving all cases;

B.3.3 Make accountable erring officials through the strict enforcement of sanctions provided by law for wrongdoing; and

B.3.4 Forge an understanding with aid agencies to recruit in the implementation of their aid programs well-qualified professionals and persons of integrity.

B.4. Constitutional and other Independent Bodies (e.g., Commission on Audit, Civil Service Commission, Commission on Human Rights)

B.4.1 Depoliticize appointments to the constitutional and other independent oversight bodies – a practice inimical to good security sector governance is the appointment of party members who lost in elections to constitutional bodies and also the bench;

B.4.2 Make accountable erring personnel of constitutional and other independent oversight bodies for wrongdoing through strict and even enforcement of the law;

B.4.3 Persuade constitutional and independent oversight bodies to conduct a performance audit of their institution to determine gaps in performance and adopt the necessary reform measures;

B.4.4 Conduct training in SSR/SSG within constitutional and other independent oversight bodies; and

B.4.5 Mainstream SSR/SSG in CHR training on human rights and international humanitarian law with the military and the police.

C. Pertaining to Other Government and Non-Government Measures

C.1 Rationalize relevant Philippine laws (about security, defense, peace and order, public safety, structure, relationships, and mandates of government bodies in charge of these areas, etc.)

C.2 Enact relevant laws to achieve SSR and good SSG (these should include the proposals identified in sections A and B above, and D to F below as appropriate)

C.3 Strictly and fairly enforce the laws (this can happen only with competent and ethical government officials)

C.4 Conduct a fair, peaceful and transparent election process (this requires an omnibus amendment to existing election laws, the appointment of credible, competent, and fair COMELEC officials, among many others)

C.5 Put premium on meritocratic principles in filling official positions (if it is not possible everywhere in government, then it should be adopted in strategic/critically important offices that can make a difference in good democratic governance such as the executive departments dealing with security and justice, the courts, and the constitutional commissions and other independent bodies); and

C.6 Undertake and implement a teaching and training program in responsible citizenship in a functioning democracy (the rationale being that a democracy cannot function well if its citizens are irresponsible; this requires the attainment of some of the more important 'social requisites of democracy' talked about in academic literature).

D. Pertaining to Oversight Actors Outside Government (the broader Civil Society)

D.1 Reform Philippine media beginning with education and training of its members. Most teaching and training institutions in mass communication focus on 'how to' (write news, produce a public affairs show or documentary, etc.) and lack the

substantive part of 'what to' report about, focus on a public affairs show, put in a documentary, etc. At the same time, the subculture of sensationalism, 'envelopmental' journalism, political partisanship, etc, and the consequent negative implications of media ownership for developing and maintaining a 'professional' media – as opposed to media that focuses on what sells and whose interest to prosper other than the whole society's –must be addressed;

D.2 Build the capacity of CSOs engaged in security and justice advocacies (including human rights and peace advocates);

D.3 Adopt SSR and SSG in formal education at all levels, but especially in the secondary and tertiary levels;

D.4 Provide mechanisms for interested and capacitated members of the broader civil society (NGOs, media, academe, business, etc.) to dialogue for information exchange, practical joint activities, even monitoring the performance of security sector actors in government; and

D.5 Support the idea of developing a Philippine constituency for security sector reform and good security sector governance.

E. Pertaining to the Non-Statutory 'Security Providers / Illegal Armed Groups, and Privatization of Security

E.1 Adopt a coherent and comprehensive counterinsurgency plan to neutralize the armed components of communist insurgency and ethnic secessionism. To borrow a leaf from Oquist, the three conflicting approaches to the peace process (pacification, victory, and institutional positions) need to be dropped, and the role of different government entities in the various stages of the peace process has to be re-examined to achieve coherence;

E.2 Re-study the law on private security companies while in the meantime, strictly monitor their organization and use including the recruitment of active military and police personnel (with their guns and other equipage supplied by government) on a part-time or temporary basis;

E.3 Strictly and evenly enforce the applicable laws regarding these groups; and

E.4 Strictly regulate the activities of Private Military and Security Corporations (PMSCs) operating in the country, especially in their recruitment activities among active duty military and police personnel.

F. Pertaining to the Peace Process

F.1 Adopt a unified, coherent, and comprehensive approach to peace making and peace building in which the functions of all relevant sectors fit into this unified approach;

F.2 Design and implement a local program incorporating good SSG to create a local environment conducive to lasting peace;

F.3 Conduct peace talks with parties in effective control of their armed components and territories in which they operate;

F.4 Ensure that security forces and civilian agencies of the government perform their roles effectively and with integrity in general and in regard to the peace process in particular; and

F.5 Ensure that there is understanding that post-conflict measures in SSR apply only to areas of the country in conflict and that the rest of the country have a different SSR context. In this regard, training and education in SSR/SSG for OPAPP personnel will go a long way towards the mainstreaming of SSR/SSG in the peace process.

Chapter 6
Future Work for the SSRI Project

The draft SSRI remains a work-in-progress until it is able to generate appropriate quantifiable and representative indicators for each of the component elements of the two sets of variables (i.e., SSRI's dimensions and attributes). This requires the following processes:

(1) Conceptual refinement of the indicators of the draft SSRI;

(2) Adoption and refinement of appropriate methodologies;

(3) Generation of quantifiable indicators representing each of the dimensions and attributes of the draft SSRI;

(4) Multi-sectoral validation of the revised SSRI through focus group discussions (FGDs), key informant interviews, field work, library and documentary research, and use of the Delphi method; and

(5) Generation of an empirically-grounded revised SSRI baseline based on the revised SSRI.

In order to continue the informed monitoring and assessment of the state of security sector reform for good democratic governance of this sector, there is a need to establish within the ISDS a monitoring team that would also conduct studies, prepare and issue periodic reports using the updated SSRI baseline previously generated from phases one (1) to three (3) of the SSRI Project. It is also necessary to continue the conduct of various activities with relevant partners in and outside of government to create a constituency for SSR and good security sector governance in the Philippines.

An appropriate vehicle for this is the proposed National Security Sector Reform Agenda (NSSRA) which will include various SSR and related activities that involve the country's stakeholders in the goal of achieving good governance for sustainable peace and development.

In the meantime, the SSRI Project Team can assist and participate in the implementation of the proposed NSSRA. Some of the specific forms of assistance and participation may include

(1) Generation of SSR teaching modules customized for various stakeholders;

(2) Conduct of SSR training programs, including 'training the trainers' programs;

(3) Generation of SSR teaching and training materials;

(4) Conduct of case studies on SSR and SSG and their conversion into teaching and training materials; and

(5) Creation of speakers bureaus in partnership with SSR stakeholders at all levels of governance.

Draft Version

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Bibliography

Alagappa, Muthiah, Ed. 2001. *Coercion and Governance: The Declining Political Role of the Military in Asia*. Stanford: Stanford University Press.

Almonte, Jose. 2007. *To Put our House In Order We Must Level the Playing Field.* Manila: Foundation for Economic Freedom.

Andersen, Louise. 2006. "Security Sector Reform in Fragile States." *Working Paper No. 2006/15*. Copenhagen: Danish Institute for International Studies.

Armed Forces of the Philippines. 2010. *Internal Peace and Security Plan: Bayanihan.*

Ball, Nicole and Michael Brzoska. 2002. *Voice and Accountability in the Security Sector*. Bonn: Bonn International Center for Conversion.

Beeson, Mark, Alex J. Bellamy and Bryan Hughes. 2006. "Taming the tigers? Reforming the security sector in Southeast Asia." *The Pacific Review.* 19(4):449-472.

Commission on Draft Security. 2003. *Human Security Now: Protecting and Empowering People*. New York: United Nations.

Diamond, Larry and Marc Plattner (Eds.). 1996. *Civil-Military Relations and Democracy.* Baltimore: John Hopkins University Press.

Edmunds, Timothy. 2004. "Security Sector Reform: Concepts and Implementation." In Philipp Fluri and Miroslav Hadzic, Eds. *Sourcebook on Security Sector Reform*. Geneva: DCAF.

Fitz-Gerald, Ann. 2003. "Security Sector Reform – Streamlining National Military Forces to Respond to the Wider Security Needs." *Journal of Security Sector Management* 1(1): 1-21.

Forman, Johanna Mendelson. 2006. "Civil Society, Democracy and the Law." In Marina Caparini, Philipp Fluri, and Ferenc Molnar, Eds. *Civil Society and the Security Sector: Concepts and Practices in New Democracies*. Geneva: DCAF.

Geneva Centre for the Democratic Control of the Armed Forces. 2009. *DCAF Backgrounder: Security Sector Governance and Reform.* Geneva:DCAF.

Germann, Wilhelm. 2002. "Responding to Post Cold War Security Challenges: Conceptualising Security Sector Reform." *Working Paper No. 94*. Geneva: DCAF.

GFN SSR. 2006. *A Beginner's Guide to Security Sector Reform*. Birmingham: GFN SSR.

Greene, Owen. 2003. "Security Sector Reform, Conflict Prevention and Regional Perspectives." *Journal of Security Sector Management* 1(1): 1-15.

Goetz, Anne Marie, Mary Kaldor and Robin Luckham. 2003. "Democratic Institutions and Democratic Politics." In Sunil Bastian and Robin Luckham (Eds.) *Can Democracy be Designed? The Politics of Institutional Choice in Conflict-torn Societies.* London: Zed Press.

Hänggi, Heiner. 2003. "Making Sense of Security Sector Governance." In Heiner Hänggi and Theodor H. Winkler, Eds. *Challenges of Security Sector Governance*. Geneva: DCAF.

Hänggi, Heiner. 2004. "Conceptualising Security Sector Reform and Reconstruction." In Alan Bryden & Heiner Hänggi, Eds. *Reform and Reconstruction of the Security Sector*. Geneva: DCAF.

Hänggi, Heiner. 2005. "Approaching Peacebuilding from a Security Governance Perspective." In Alan Bryden & Heiner Hänggi, Eds. *Security Governance in Post-Conflict Peacebuilding*. Geneva: DCAF.

Hernandez, Carolina G. forthcoming 2011. "Peace-building and Security Sector Governance in Asia: A Philippine Case." In Yuji Uesugi. Ed. *Peace-building and Security Sector Governance in Asia.* Geneva:DCAF.

Human Development Network. 2005. *Philippine Human Development Report: Peace, Human Security and Human Development in the Philippines.* Manila: Human Development Network.

Institute for Strategic and Development Studies. 2009. *Developing a Security Sector Reform Index in the Philippines Towards Conflict Prevention and Peace-building – Security Sector Reform in the Philippines: A Preliminary Analysis* Quezon City: Institute for Strategic and Development Studies with the United Nations Development Programme and the Office of the Presidential Adviser on the Peace Process.

Karkoszka, Andrzej. 2003. "Security Sector Reform – The Concept, Its Political Correctness and Growing Importance." In Kurt Spillman, Andreas Wenger and Michael Hess (Eds.). Setting the 21st Century Security Agenda. Zurich: International Relations and Security Network.

OECD. 2004. *Security System Reform and Governance: Policy and Good Practice. A DAC Reference Document*. OECD: Paris.

Social Weather Stations. 2004. *Fourth Quarter 2004 Social Weather Report.* www.sws.org.ph.

Social Weather Stations. 2007. *The 2006-2007 Surveys of Enterprises on Corruption.* www.sws.org.ph.

The Fact-Finding Commission (to Investigate the Failed Coup of December 1989) 1990. *The Final Report*. Makati: Bookmark Publishers.

The Report of the Fact-Finding Commission Pursuant to Administrative Order No. 78 of the President of the Republic of the Philippines dated July 30, 2003, 17 October 2003.

Transparency International (TI). 2004. *Global Corruption Report*. Berlin: TI.

United Nations Development Programme (UNDP). 2002. "Democratizing Security to Prevent Conflict and Build Peace." In *Human Development Report 2002: Deepening Democracy in a Fragmented World*. Oxford: Oxford University Press.

Wulf, Herbert. 2004. "Security Sector Reform in Developing and Transitional Countries." In Clem McCartney, Martina Fischer and Oliver Wils. Eds. *Security Sector Reform: Potentials and Challenges for Conflict Transformation*. Berlin: Berghof Research Center for Constructive Conflict Management.

Yusufi, Islam. 2004. "Understanding the Process of Security Reform in Southeastern Europe." *Journal of Security Sector Management* 2(2): 1-18.

Relevant Legal Documents / Laws Cited

The 1987 Constitution of the Republic of the Philippines

Batas Pambansa Blg. 881 (The Omnibus Election Code of the Philippines, 1985)

Republic Act No. 1379 (An Act Declaring Forfeiture In Favor Of The State Any Property Found To Have Been Unlawfully Acquired By Any Public Officer Or Employee, 1955)

Republic Act No. 3019 (Anti-Graft and Corrupt Practices Act, 1960)

Republic Act No. 6713 (Code of Conduct and Ethical Standards for all Government Officials and Employees, 1989)

Republic Act No. 6735 (An Act Providing for a System of Initiative and Referendum and Appropriating Funds Therefor, 1989)

Republic Act No. 6975 (PNP Law, 1990)

Republic Act No.7941 (Party-list System Act, 1995)

Republic Act No. 8551 (PNP Reform and Reorganization Act, 1998)

Republic Act No. 9184 (Government Procurement Reform Act, 2003)

Presidential Decree 807 (Civil Service Decree of the Philippines, 1975)

Executive Order No. 125 (Defining the Approach and Administrative Structure for Government's Comprehensive Peace Efforts, 1993)

Executive Order No. 3 (Defining Policy and Administrative Structure for Government's Comprehensive Peace Efforts, 2001)

Executive Order No. 117 (Reconstituting the Joint Enforcement and Monitoring Committee to Implement the Peace Agreement between the GRP and the RPM-P/RPA/ABB, Repealing Executive Order No. 335 dated January 4, 2001, and for Other Purposes, 2002)

Executive Order No. 569 (Defining the Role of the Regional Kapit-Bisig Laban sa Kahirapan (KALAHI) Convergence Groups in the Comprehensive Peace Process and Providing Funds for the Purpose, 2006)

Executive Order No. 13 (Abolishing the Presidential Anti-Graft Commission and Transferring its Investigative, Adjudicatory and Recommendatory Functions to the Office of the Deputy Executive Secretary for Legal Affairs, Office of the President, 2010)

House Bill No. 3732 (Freedom of Information Bill, 2010)