

Written evidence submitted by The Oxford Research Group (ISD0016)

About Us

Oxford Research Group's Remote Warfare Programme (RWP) was set up in 2014 to examine changes in military engagement, with a focus on remote warfare. This is the trend in which countries like the United Kingdom choose to support local and regional forces on the front lines rather than deploying large numbers of their troops.

Our evidence has shown clearly that the lack of transparency around the UK's remote warfare leads to ineffective accountability. A significant scrutiny gap also means that the Government itself does not understand the impact of its operations and whether they promote stability or instability in the countries of deployment. Our research develops evidence and analysis around three key objectives:

1. To ensure that civil societies and parliaments – including those in conflict-affected countries – have the capacity, information and mandate to scrutinise military interventions and their aftermath.
2. To ensure that the UK Government and military determine success as the positive impact of operations on long-term stability and peace settlement, rather than short-term UK interests.
3. To ensure that UK foreign and security policy focuses on the protection of civilians.

Executive Summary

This evidence submission is split into two sections with Section 1 covering three areas. The first explores why the UK Government must ensure that the Review bridges different languages, cultures, and planning processes across departments. The second considers how external consultation – both here in the UK and in countries where the UK has engaged abroad – can be successfully incorporated into the Review. The third discusses why the UK should prioritise working as a partner, from pre-planning stages through to delivery, as part of military engagements overseas. Section 2 focuses on how the Integrated Review should infuse greater transparency into the UK's national security policies, programmes and best practices to increase democratic accountability of its defence and security policy and actions, given that many aspects of the UK's military engagements overseas are designated as non-combat or exempt from established accountability mechanisms such as the War Powers Convention. To achieve this, we argue that parliamentary committees should be entrusted with a greater role in holding the Government's defence and security policy to account. We conclude with a series of policy recommendations in respect of the areas we address.

The submission draws upon the extensive research conducted by ORG's Remote Warfare Programme over the last four years, including our latest report: '*Fusion in Five Steps: Lessons Learned from Remote Warfare in Africa*'.¹ This report is the culmination of field research in Mali and Kenya, interviews with 35 deployed British Army personnel, and two closed-door roundtables in London that included consultation with experts from academia, government, the military and civil society (in the UK and abroad). The submission also includes initial research based on a series of roundtables ORG has been running on the Integrated Review.

The submission focuses on four of the questions posed by the Committee in its Call for Evidence:

1. What is the purpose, and appropriate scope, for cross-Government collaboration in the Review process? What is the best way to ensure it is effective?
2. Which external stakeholders should be engaged in the Review process? How?
3. What role should international allies and multinational alliances play?
4. What level of detail should be provided to Parliament and the public once the Review is completed?

SECTION 1

1. What is the purpose, and appropriate scope, for cross-Government collaboration in the Review process? What is the best way to ensure it is effective?

Enabling Cross-Government Collaboration

1.1 It is encouraging that the UK Government has committed to taking a whole-of-government approach to the 2020 Integrated Review. This comes in the context of a wider effort to increase the coordination among the UK's departments, most recently reiterated in the introduction of Fusion Doctrine.²

1.2 However, while progress has been made to ease cross-departmental working in Whitehall - as we noted in our own report 'Fusion in Five Steps: Lessons Learned from Remote Warfare in Africa' - challenges remain in bridging different languages, cultures, and planning processes across departments.³ Some experts have argued that these challenges relate to fundamental differences in planning between departments at a strategic, political, and operational level, where the assumptions and calculations are invariably different.⁴ A participant at one of our roundtables argued that the "[r]ole of diplomats is to keep options open; while the role of the military is to shut options down – to get a decision – and this leads to frustration." If the Government intends to facilitate a truly whole-of-government approach to the Integrated Review, these remaining obstacles to cross-departmental working must be addressed.

1.3 This does not mean that the MOD, DFID and FCO should be homogenised and lose their individuality. Each department brings unique and valuable skills which should be recognised and relied upon. However, it is how they use these them collectively; to work together, that needs to be addressed. While the Review cannot hope to address fundamental differences between departments in the few months it has available, one simple way to ensure better cooperation is to build a common language across departments in the Review process. As it stands, differences in terminology are such that this could impede whole-of-government working during the Review and beyond.

1.4 This can be seen in the context of recent discussion in government about civilian harm mitigation in conflicts. The FCO uses the term "Protection of Civilians" while the MOD maintains the terminology of "Human Security"⁵. While there is much overlap between these two concepts, it seems impractical for two departments, who work closely on these issues, to adopt different definitions. Similarly, our research has found that differences in language used creates confusion between humanitarian and defence actors⁶. This can stymie frank debate when personnel feel unable to work across departments. We heard, for instance, that there had been cases when MOD personnel felt "petrified" by the language in some Conflict Stability and Security Fund (CSSF) and Joint Analysis of Conflict and Stability S (JACS) documents and, feeling they couldn't engage with them, did their own analysis instead⁷. This can limit departments' ability to contribute effectively to joint discussions. The

Review must work to ensure that this is addressed so each of the departments can contribute to the benefit of the Review as a whole.

2. Which external stakeholders should be engaged in the Review process? How?

Going Beyond Whitehall

2.1 In addition to the pursuit of a whole-of-government approach to the Integrated Review, it is also encouraging that the Government has acknowledged the importance of involving civil society in the Review. However, in this process, two things are essential: firstly, the experts consulted must truly represent fresh perspectives from outside of Whitehall; secondly, the Government must provide enough time to incorporate external expertise from outside Whitehall.

Fresh Perspectives

2.2 The Government should commit to ensuring that its engagement with civil society will go beyond its usual group of trusted think tanks. At the same time, there must be a concerted effort to ensure that this engagement will be genuine and of substance.

2.3 It should also include both external experts based in the UK and those based in countries where the UK is engaged overseas. While the British Government has recognised the importance of engaging with varied civil society actors, there are continued challenges when it comes to engaging with new voices⁸. As we observed in our latest report on Fusion Doctrine, the UK Government – like many other governments, it should be said – is often reluctant to engage with “those who offer fresh perspectives and critical feedback”. We also drew on the following observation:

“[The UK Government] seems content with international and local civil society organizations echoing their buzzwords and priorities, or offering technical ideas on 'best practices.' Civil society organizations that want to be included in higher-level discussions often feel they are supposed to leave critical perspectives [...] at home. This kind of echo chamber does not lend itself to improved security interventions, but to groupthink where the same flawed approaches persist despite their clear faults.”⁹

2.4 There must also be greater efforts to consult experts from the regions where the UK is engaged. These civil society groups in-country will often have a much better knowledge of the community they represent than the state elites that the UK and its allies routinely speak to. By consulting such groups, the UK will deepen its understanding “of the local context and culture” and “give voice to often marginalised actors and [open] up the policymaking process to a wider set of perspectives.”¹⁰ The OECD note in their report: 'Security System Reform and Governance' that “[g]iven the weakness of state capacity in many countries,” civil society groups are essential in helping not just to denounce bad policies but also to “make practical suggestions that will help to sustain the reform process.”¹¹ From a security perspective, they are also well placed to help monitor abuses by security and defence actors, including those that the UK may be working with; for example, by playing an active role in holding abusers to account and improving future UK training to mitigate the risk of civilian harm.

The Time Required for Meaningful Engagement

2.5 The short timeline set for the Integrated Review makes it unlikely that external input to the Review will be meaningful. This is true both for engagement with civil society in the UK and in-country. Even before the outbreak of the Coronavirus pandemic, concerns were raised by analysts and experts about July 2020 being set as the proposed deadline to complete the Review. Two experts we interviewed, one who had worked on the 1998 UK review and the other on the 2015 Canadian review (both of which involved wide engagement with key stakeholders), emphasised that extensive engagement with external stakeholders takes time, particularly if it is to have a meaningful impact on the final product. In the case of the Canadian example, we were told that while there had been

extensive public consultation, this had not been effectively incorporated as a direct result of excessive time pressure. As the Canadian review was eventually completed in 12 months, this should serve as a clear warning to the Government that it is likely to struggle to incorporate external expertise into the Review based on the proposed timelines.

2.6 They also emphasised – as did many others we spoke to – the difference between government commitments to undertake engagement with external experts and meaningfully incorporating the findings into a review of this scale. We heard concerns that the Government might use its call for external input to show civil society that it is open to external input, without providing evidence of how this would be incorporated into a final policy document. This concern was reinforced by a perceived lack of understanding and – at times - willingness among civil servants to incorporate civil society expertise into policymaking when working to tight deadlines. This, we were told, can often lead to a situation where “external experts [are] consulted rarely and, when they are, asked specific questions about a region or theme rather than being engaged in a meaningful discussion.”

2.7 The Coronavirus pandemic brings additional, significant pressure on the timelines set for the Review. Experts, such as Lord Stirrup (former Chief of Defence Staff) and Lord Ricketts (former National Security Adviser), told *this* committee that the pandemic made the proposed timeline now “impossible” to meet, not least because individuals working on the Review will likely now have been re-assigned to respond to COVID-19. At the same time, however, COVID-19 has shown the acute need for the government to bring in external expertise when it does not exist in-house, and to go beyond its typical group of civil society organisations to understand a broad range of threats facing the UK.

3. What role should international allies and multinational alliances play?

Recognising the multilateral nature of the UK’s defence and security

3.1 The Review must acknowledge that the UK cannot - and should not - operate abroad without coordinating with allies. This is particularly true as many of the regions which are of high interest to the UK, such as the Sahel and Horn of Africa, have particularly complex networks of overlapping unilateral, bilateral and multilateral efforts.¹² There is a distinct risk that the UK will undermine long-term stability and peace settlement in theatres where it is deployed if it does not prioritise improving its approach to international efforts. We recommend the UK should:

- Adapt its approach to international relationships to focus on how to improve long-term peace and security, rather than relying too much on providing short-term military training.¹³
- Be realistic about how the UK can contribute to efforts that are already being undertaken overseas.
- Focus on how it can help international efforts and ensure that it is not duplicating the efforts of other international actors, is filling actual gaps in the international effort and is matching UK capabilities to the weaknesses and shortfalls partners have actively identified.

3.2 Our research on remote warfare in countries such as Kenya, Mali, Somalia, and Nigeria found that, as it stands, the UK approach often exacerbates the already complex and fragmented engagement of international actors. This is partly because the UK does not prioritise coordinating with others on the ground to the same extent that it prioritises building international influence and reputation with allies and host governments. One reason for this is the complexity and difficulty of balancing national, regional and international objectives, which is one of the major pitfalls of working in large multinational coalitions. However, it becomes deeply problematic when nations pursue their agendas at the expense of regional stability. We’ve seen, for instance, that this can lead to a duplication of effort and prioritisation of assistance that will maximise influence, rather than assistance which will address instability.¹⁴

3.3 Smaller countries in Scandinavia and Western Europe have shown that these problems can be managed by fitting their contributions into broader international efforts to ensure maximum impact. The UK, however, does not appear to have adopted such an approach. Instead, its focus on international institutions is often based on building influence among its allies to show that it is indeed a “Global Britain”, rather than on a genuine belief that its objectives are better served through pooling capabilities with allies.¹⁵

3.4 As the UK’s international engagement is increasingly scrutinised (especially as it aims to establish its post-Brexit foreign policy), ensuring that its contributions to allies are effective and have a positive impact on stability will be crucial. The UK must commit in this Review to prioritising working as a partner, from pre-planning stages through to delivery.

SECTION 2:

4. What level of detail should be provided to Parliament and the public once the Review is completed?

Democratic Oversight in a Changed Strategic Environment

4.1 In addition to allowing enough time for civil society engagement to be truly meaningful, the effectiveness of external engagement will also largely depend on the UK Government’s willingness to commit to a transparent conversation about its national security priorities. This will have a significant bearing on how effectively Parliament can fulfil its role in scrutinising UK strategy, judging the success or failure of policies, evaluating the needs of UK personnel, and/or suggesting alternatives to ensure that the UK prioritises an approach to national security abroad that addresses the underlying causes of conflict.

4.2 A commitment to greater transparency in the Review would lead to a more constructive dialogue between the UK Government, Parliament, and the wider public over the breadth of the UK’s changing strategic priorities. This will be paramount to the success of any post-Brexit foreign policy, especially as memories of the UK interventions in Iraq and Afghanistan post-9/11 still feed parliamentary and public distrust of UK engagements abroad.¹⁶

4.3 While the character of military engagements has changed over the last two decades, mechanisms for providing oversight over the UK’s conflict interventions have not kept up.¹⁷ The Integrated Review must consider how the UK Government can infuse greater transparency into the UK’s national security policies, programmes and best practices to increase democratic accountability of its defence and security policy and actions.

The Limits of the War Powers Convention

4.4 Since 2003, the War Powers Convention (WPC) has provided Parliament with “the opportunity to debate decisions to commit troops to armed conflict...before the troops are committed”.¹⁸ This has allowed British MPs to debate decisions to deploy the British armed forces (ex-ante) five times over the last 17 years. But the WPC is limited because it can only be invoked when deployments are designated as ‘combat’ operations.¹⁹ This means that, while there has been a significant increase in the number of UK train and assist missions in the last decade (designated as ‘non-combat’), these are used without comparable transparency or accountability to combat deployments.²⁰ Avoiding parliamentary accountability of the UK’s overseas engagements – outside those missions designated as ‘combat’ – undermines British democracy. Moreover, UK Special Forces (UKSF) are exempt from the convention as part of the UK Government’s long-held policy not to comment on UKSF activity.²¹ This is despite evidence of their increased use over the last decade.²² The WPC is, therefore, a limited accountability mechanism because it only applies in very specific circumstances.

When is the UK at War?

4.5 This speaks to a wider problem with focusing solely on the WPC as the answer to democratising the UK's defence, security and foreign policy. Since January 2019, British troops have been deployed to Afghanistan as part of the NATO Resolute Support Mission,²³ 250 British troops have been earmarked to deploy to the UN peacekeeping operation in Mali (MINUSMA)²⁴ - the most dangerous peacekeeping mission the UK has deployed on since Bosnia – and UKSF have reportedly been engaged in gun battles with Houthi rebels in Yemen, a conflict the UK Government says it is not a party to.²⁵ But as deployments exempt from the WPC – because they are designated as non-combat or, in the case of UKSF, are exempt from any external scrutiny – they have not required prior parliamentary approval. This is despite UK troops being deployed in what can only be described as conflict environments.

4.6 This is indicative of how changes in the character of military engagements have weakened democratic accountability, as we see growing military commitments in areas where the UK is not generally considered to be at war, as well as a rise in the use of covert capabilities, like UKSF. As Crispin Blunt MP has observed, ministers are “dancing on pretty thin ice when it comes to differentiating between a training mission in a combat zone and other missions”.²⁶ The bottom line is that these activities should not be excluded from parliamentary accountability simply because they do not meet the political threshold for invoking the WPC. So how should this be addressed?

Why Scrutiny Matters

4.7 As the Government's chief adviser on national security, Professor John Bew, has himself acknowledged, the UK Parliament has a “rich tradition of serious engagement with, and high-quality debate about, international affairs and Britain's place in the world”, often acting “as the focal point for a healthy and robust dissenting tradition that challenges the core assumptions of the government of the day.”²⁷ Therefore, Parliament's role in scrutinising the Government's National Security Strategy should be encouraged. And a way to increase transparency and accountability should be to increase information-sharing with parliamentary select committees.

Government Information-Sharing with Parliamentary Select Committees

4.8 In the first instance, the Joint Committee on National Security Strategy (JCNSS) should be provided with greater access to information so that it can fulfil its role in holding the Government's national security strategy to account. Under Dame Margaret Beckett's Chairmanship, for example, members of the committee complained that the “Government failed to provide sufficient evidence for the committee to carry out any evaluation”, specifically with regards to the CSSF.²⁸ Dame Margaret said: “It is impossible for us to tell whether the fund is meeting the Government's goals or having the intended impact on the ground.”²⁹ But this is not an issue limited to the JCNSS.

4.9 The Defence Committee also complained of “a lack of external engagement in the course of the NSCR”, exemplifying the need for committees to have access to information – and the right information – so they can hold the Government to account over its defence and security policy.³⁰

4.10 There are three categories of information that the Government should be able to provide to select committees: 1) basic information (neither sensitive nor classified); 2) Official-Sensitive information (not necessarily classified but may reveal sensitive information about the UK's partnerships if disclosed publicly); and 3) classified information that would directly undermine the UK Government's national security interests if disclosed publicly.

4.11 *Access to basic information:* At its most basic level, it is often difficult or impossible for civil society and parliamentary committees alike to get a good, full understanding of where the UK is participating in remote warfare.³¹³² In part, this is because of inconsistent and partial reporting on UK activities abroad by the MOD, which makes it difficult for Parliament to hold this department to

account. Some narrative may be given in the MOD's annual reports, but this often only gives a snapshot of activities in a selection of countries where the UK works. Budgetary information when it is given is rarely consistent between countries or over time. This makes it hard to get a sense of how much time and effort the UK is putting into capacity building and engaging with its local allies.³³³⁴ It also makes it difficult to understand if these projects are cost-effective.³⁵ One way the Government could address this is by committing to publishing unclassified versions of the National Security Council (NSC) country strategies as part of the Review, which successive governments have pledged to release but failed to deliver.³⁶

4.12 Access to Official-Sensitive Information: Ministers often argue it is necessary to keep support to foreign governments secret to uphold confidence in government-to-government (or military-to-military) relationships.³⁷ However, there is an important role for Parliament in ensuring such arrangements stay secret but also receive sufficient oversight. The Government could consider ways to brief parliamentary select committees on such material on a more formal and routine basis. This could include vetting members of a committee like the JCNSS, which may provide the Government with assurances that the information it shares would be handled sensitively by committee members. At the same time, members (and their staff) would have the evidence they need to be able to better evaluate government policy. Given that the JCNSS is made-up of Chairs from seven parliamentary select committees – including the Intelligence and Security Committee – this would address concerns about creating a two-tier system among select committees, as all committees with a stake in the UK's national security are represented on this body. While it is positive to see the previous Government commit to sharing information on CSSF Annual Reviews with the JCNSS in confidence, increasing information-sharing would ensure this becomes more systematic.³⁸

4.14 Access to Classified Information: There is no parliamentary mechanism for oversight of UKSF. This is despite significant open-source information about the UK Government's use of its Special Forces.³⁹ There is a balance that needs to be struck between the need for tactical secrecy over UKSF operations and the growing public expectation that governments be open about their defence and security strategies. The Review offers an opportunity for the Government to relax its blanket opacity policy – to provide Parliament with unclassified briefings to increase the opportunity to question government strategy and debate the implications of their involvement in conflicts overseas – but also to consider providing either the Intelligence and Security Committee or a sub-committee of senior members of the Defence Committee (pending security vetting) with the mandate to oversee UKSF.⁴⁰ This is an area which has received growing parliamentary attention in recent months and reflects how the current approach fails to account for the fact that in today's information age, building policies on the assumption of complete secrecy is becoming increasingly untenable.⁴¹

5. Policy Recommendations:

As well as ensuring broad-ranging access by Parliament to government decision-making on the Integrated Review, the Government must also set clear indicators against which they can be held to account. We make the following recommendations:

Cross-Governmental collaboration in the Review process

1. Encourage staff in all departments (and at all levels) to work effectively when participating in cross-departmental teams, particularly by ensuring that language used in the Review is agreed and understood by all departments.

Engaging external stakeholders

2. Ensure that the civil society groups consulted during the Integrated Review process truly represent fresh perspectives from outside of Whitehall, including by reaching out to civil society groups abroad in countries where the UK operates.
3. Be realistic about the time needed to have meaningful engagement with external experts, including those from civil society.

The role of international allies and multinational alliances

4. The UK must avoid an approach which focuses too much on influence and reputation and prioritise international coordination and long-term peace and stability. It must ensure it is not duplicating the efforts of other international actors; and that it is filling actual gaps in the international effort, and is matching UK capabilities to the weaknesses and shortfalls partners have actively identified.

Enabling Parliament to fulfil its role

5. The Integrated Review should prioritise infusing transparency into the UK's national security policies, programmes, best practice and activities to increase democratic accountability.
6. As part of this transparency drive, the Review should consider expanding the role of parliamentary select committees (such as Defence, Foreign and the JCNSS) to have greater access to information and establish a system for this to be done. This could include vetting members of committees to enable their access to information which is classified as either official-sensitive or classified.

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Endnotes

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