

Association of Retired Commissioned Officers

SUBMISSION – COMPOSITION AND TERMS OF REFERENCE

COMMISSION ON THE DEFENCE FORCES

16 September 2020

Camaraderie Through Service





Cumann na nIAR-Oifigeach Coimisiúnca

Association of Retired Commissioned Officers

Camaraderie Through Service

16 September, 2020

Minister Simon Coveney T.D.
Minister for Foreign Affairs and Defence

SUBMISSION – COMPOSITION AND TERMS OF REFERENCE **COMMISSION ON THE DEFENCE FORCES**

Dear Minister,

The Association of Retired Commissioned Officers (ARCO), whose membership reflects a considerable reservoir of expertise and experience on Defence, welcomes the Government's decision to establish a Commission on the Defence Forces.

Arising from the provisions of the Programme for Government, ARCO would like to avail of this opportunity to present its recommendations, which are outlined in Annex A, on the Composition and Terms of Reference for the Government's Commission on the Defence Forces.

Sincerely,
Col. P. Pakenham

Brigadier-General Paul Pakenham (Retd)

President

www.ARCOIreland.com

Distribution for Information

Chief of Staff

Secretary-General



Annex A

ASSOCIATION OF RETIRED COMMISSIONED OFFICERS
SUBMISSION – COMPOSITION AND TERMS OF REFERENCE
COMMISSION ON THE DEFENCE FORCES

INTRODUCTION

1. In the context of the Government’s decision to establish a Commission on the Defence Forces, and the associated intention to consult widely on the Terms of Reference, the Association of Commissioned Officers (ARCO) recommendations on the Commission’s Composition and Terms of Reference are outlined below.
2. The process of determining the Commission’s Composition and Terms of Reference, and the Commission’s subsequent deliberations will be informed, inter alia, by national and regional policy goals, strategies and priorities. Accordingly, this annex includes a flavour of such documents.

DEFENCE

3. **Military Capability**

- a. ARCO strongly contends, that Ireland must have the means and capability to defend its sovereignty, its territory, its citizens and its institutions, and safeguard its national interests and values, while operating in the five domains of Land, Air, Maritime, Cyber and Space.
- b. In this context, ARCO asserts, that Ireland with a commitment to collective security, must possess an adequately resourced conventional military capability on a contingent basis, catering for deterrence, defence, and international commitments, consisting of a balanced and sustainable critical mass of land, air and maritime components, coupled with supportive elements such as Special Forces, Reserve Forces, and a joint information, electromagnetic spectrum and cyber capability.
- c. In parallel, the optimum force structure should provide for expandable capabilities such as engineering, medical, cyber, and strategic lift, at appropriate operational readiness, for national and regional emergencies, and natural catastrophes.
- d. All future arrangements must facilitate cross governmental co-ordination and understanding, and also provide adequate capability to deliver on the myriad of additional tasks assigned to the Defence Forces as prescribed in Chapter 5 of the White Paper on Defence 2015.



REVIEWS

4. **Reform Processes.** The Commission on the Defence Forces follows a multitude of reviews of Óglaigh na hÉireann. Since 1990, the Defence Forces has been involved in significant reform and reorganisation processes. These processes fundamentally transformed the Defence Forces organisation, its structures, its capabilities, and the conditions of service for its personnel. The changes, including the 2012 reorganisation, continue to influence capability development, operational readiness, unit cohesion, the morale of personnel, and the realities of contemporary family life. Apparently, the Secretariat component of the Department of Defence was reviewed only once, in 1991, under the auspices of the Efficiency and Audit Group.

COMMISSION

5. **Programme for Government.** The lack of a formalised and articulated Defence Policy has been identified as a hindrance to the planning and resourcing of the Defence Forces. The Programme for Government prescribes that the Commission on the Defence Forces will be established in 2020 to identify the “medium to longer timeframe **defence requirements** for the State”, a task much broader than the Commission’s title implies, and rightly so.
6. **Scope.** The scope of the Commission’s endeavours should not be limited to the Defence Forces, but must encompass the wider parameters of Ireland’s future Defence Policy, including, but not limited to: deterrence and defence, international and regional obligations supporting Ireland’s foreign policy objectives, cyber-defence, civil-military interface, reserves, funding, emergency planning, defence diplomacy, civil defence, research and development, defence innovation, enterprise and industry.
7. **Timeframe.** Considering the 10-year timeframe for the White Paper on Defence 2015, and the prescribed need for a Defence Forces Strategic Review in 2021, it is highly desirable to revisit and redefine the parameter “medium to longer timeframe” outlined in the Programme for Government.
8. **Active Implementation Plans.** The Commission must not diminish the execution of the White Paper Implementation Plan, (50% of the 95 projects yet to commence, and less than 20% completed), or the recommendations of the 2019 Public Sector Pay Commission as contained in “Strengthening Our Defence Forces”, the Government’s High-Level Implementation Plan (8 of the 15 projects behind schedule). In fact, with the advent of the Commission both of these plans must be reenergised, and adjusted if necessary.
9. **Permanent Pay Review Body.** Likewise, the establishment of the Government’s Permanent Pay Review Body should not have to wait until the Commission reports (expected by December 2021). As advanced on previous occasions, ARCO strongly contends that the Permanent Pay Review Body should be established without delay, and



should work in parallel with the Commission's work. ARCO further recommends that "Pay and Allowances" are not included in the Commission's Terms of Reference (vide Programme for Government).

10. **Consultation with Chairman and Chief of Staff.** It is desirable that the Commission's Chair should be consulted during the selection process for members of the Commission. As the Government's principle military advisor, the Chief of Staff should also have an advisory role in the selection of the Commission's membership.
11. **Chair's Competencies.** Providing oversight and direction, the Commission's Chair should be apolitical, with international recognition in his or her field of expertise. He or she should have a high degree of expertise and experience in national security, defence, and international relations, have a proven track record of independence, professionalism and integrity, and possess the capacity to weld a group of individual experts into an effective and efficient Commission.
12. **Desirable Expertise.** The Commission's work should be implemented first and foremost by a balanced representation of multidisciplinary experts and consultants, who must be:
 - a. Independent in nature, possessing commitment, integrity and credibility, and ensuring continuity in participation.
 - b. Representative of national and international civilian and military experts, having an appropriate balance of operational and academic expertise and experience, with an extensive understanding of the business of Defence,
 - c. With a significant emphasis on the European dimension, drawn from the domain of National Security, National Defence, Foreign Affairs, the European Defence and Security Environment, Academia, Public Sector Governance, Public Sector Finance, Consumers of Defence (including industry), and Civil Society.
 - d. Include military strategic defence planner(s) from an EU Member State(s), preferably from a country with whom we have defence partnerships, such as Battlegroups and PESCO.
13. **Military Advisory Team.** Regarding previous reviews of the Defence Forces, one might like to note that the Price Waterhouse Reviews (1994 and 1998), in addition to a Defence Forces Coordinator and Defence Forces Core Operational Team, availed of high ranking Military Advisory Teams drawn from abroad, principally Canada and The United States of America.
14. **Secretariat.** The Commission should be supported in its role, functions and work, by a full-time Secretariat resourced from the Department of An Taoiseach, Department of



Foreign Affairs and Trade, Department of Defence, and from Defence Forces Headquarters, including a Military Coordinator / Liaison Officer.

TERMS OF REFERENCE

15. **Consultations with Chair and Chief of Staff.** The Commission's Chair should be actively involved in the development and approval of the Terms of Reference. As the Government's principal military advisor, the Chief of Staff must have a key role in this process.
16. **Roles and Deliverables.** Decided by Government, with possible political implications, the Terms of Reference will determine the Commission's outputs. They should be specific, measurable, achievable, relevant and time-bound, providing a clear definition of the Commission's role and deliverables. As in the case of the Gleeson Commission, whose Terms of Reference adequately defined its purpose in three lines, brevity could facilitate an all-encompassing approach. Some sources have advocated that a blank canvas would deliver the optimum output for Ireland's defence requirements. Nevertheless, a stronger view prevails, that unless an issue is included in the Terms of Reference, that particular issue will not be addressed by the Commission.
17. **Strategic Defence Issues.** The Commission should focus on national and regional strategic defence issues, and avoid being side-lined into an overly fiscal directed approach, and unnecessary levels of operational detail.
 - a. National defence issues should derive from the White Paper on Defence 2015, the Review of Foreign Policy and External Relations, [National Security Strategy], National Cyber Security Strategy, and with appropriate consideration of the Good Friday / Belfast Agreement, and the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (Brexit Withdrawal Agreement).
 - b. Regional defence issues should derive from the EU's Treaties, the EU's Common Defence and Security Policy, and commitments to both EU Security Strategies and to NATO's Partnership for Peace.
 - c. In parallel, the Commission should be mindful of the adverse repercussions arising from the resource driven 2012 reorganisation of the Army component, which was the political catalyst for its establishment.
18. **Stakeholders.** The Commission should promote participation, transparency and accountability with all stakeholders, especially the Defence Forces, Representative Associations and Veterans' Associations.



19. **Constraints.** Unfortunately, the Programme for Government ring-fenced the strategic issues of Military Neutrality and the Triple Lock. Military Neutrality will not provide an adequate self-reliance deterrence, or credible defence capability against hybrid threats or cyber-attacks. Based on a comprehensive analysis contained in its submission on the White Paper (October 2013), ARCO recommended that the Triple Lock clause should be modified to incorporate “United Nations or European Union authorisation”.

20. **Optimum Terms / Outputs.** Building on the White Paper 2015 and previous reviews of the Defence Forces, and in the context of Ireland’s defence commitments under the UN Charter and the EU Treaties, the prescribed Terms of Reference should provide ample scope for the Commission to conduct research, carry out extensive consultation with key national, regional and international stakeholder groups, and empowered to deliver on the *Future of Defence in Ireland*, catering for both deterrence and defence in the five domains of Land, Air, Maritime, Cyber and Space. Credible issues include:
 - a. Evaluate a strategic level regional and national defence analysis, and an assessment of the defence and security environment (threat assessment),
 - b. Arising from the defence analysis and the defence and security environment, identify defence goals (objectives) with commitments to national sovereignty, national security, international and regional security, and Government support,
 - c. In the evolving defence and security environment, articulate the raison d’être for the Defence Forces.
 - d. Define Ireland’s Defence Policy, providing for the defence of its sovereignty, its territory, its citizens, its institutions, its international and regional duties, and affirming Ireland’s obligations in respect of safeguarding its national interests and values,
 - e. Define Ireland’s ability and willingness to deter, deny or defeat any contemporary or evolving threat to the State, availing of the Defence Forces as a national instrument of power,
 - f. Having identified the key defence and security threats, and Ireland’s international and regional obligations, determine the optimum strategic, operational and tactical capabilities required by the Defence Forces, operating in the Land, Air, Maritime, Cyber and Space domains,
 - g. Define a credible, agile, potent and balanced conventional military force, consisting of permanent and reserve elements, having optimum strength, force structure, deployment and available resources (personnel, equipment, financial,



- and infrastructure),
- h. Examine the challenging pattern of civilian – military interface in the governance, oversight and management of Defence,
 - i. Express defence relationships, security links, and division of capabilities, with international and regional organisations, and partner nations,
 - j. Based on trends within the European Union, commit to an appropriate GDP percentage expenditure on Defence, and on a target ratio of 70:30 between pay and non-pay expenditure,
 - k. Review the Secretariat element of the Department of Defence,
 - l. Define Ireland’s Veterans’ Affairs framework, and
 - m. Describe a coordinated implementation framework, including an oversight body, and the monitoring and evaluation of performance in advancing the Commission’s recommendations.

REFERENCE DOCUMENTATION

- 21. **Background Information.** During the process of determining the Commission’s Composition and Terms of Reference, the Commission’s subsequent deliberations will be driven by national and regional policy goals, strategies and priorities. Likewise, the Commission should become familiar with the numerous reviews conducted on the Defence Forces since 1990, and the single EAG review of the Department of Defence (EAG 1 - 1991). In this context, the following is a flavour of documents, falling within the defence and security domain, which may be useful.
- 22. **Policy.** White Paper on Defence (2000), White Paper on Defence (2015), Review of Foreign Policy and External Relations (2014), White Paper on Defence Update (December 2019).
- 23. **Strategies & Concepts.** [National Security Strategy], National Risk Assessment - An Overview of Strategic Risks, (July 2019), National Cyber Security Strategy (December 2019), Department of Defence & Defence Forces Annual Strategy Statements and Reports, A Global Strategy for EU’s Foreign and Security Policy (June 2016), CSDP Concepts and Strategies.
- 24. **Reviews.** Interdepartmental Committee Report (Brady) 1988, Gleeson Commission (1990), EAG 1 (1991), EAG 2 (1992), Price Waterhouse Review – Army Component



(1994), Price Waterhouse – Air Corps and Naval Service Components (1998), Defence Forces Implementation Plan (1998), Reserve Defence Forces (1996).

Executive Committee

Association of Retired Commissioned Officers

16 September 2020