

# **International cooperation on military training and defence procurement**

## **Summary of the report of the Parliamentary Control of the Administration for the attention of the Council of States Control Committee**

of 11 March 2015

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### **Overview**

*Over the past 15 years, Switzerland has entered into a number of international agreements in the field of military cooperation. The Control Committees (CCs) commissioned the Parliamentary Control of the Administration (PCA) to assess these arrangements. In June 2013, the relevant FDFA/DDPS sub-committee of the Council of States CC decided that the cooperation both on military training and defence procurement should be investigated. The focus was on the legal and strategic parameters for international cooperation and their observance, particularly with regard to the conclusion of international agreements on training and defence procurement cooperation with individual states. Multilateral cooperation within the framework of international organisations, i.e. NATO, was excluded from the evaluation.*

*The PCA conducted a systematic analysis of the administration's documentation and agreements on training and defence procurement cooperation with other countries. Piecing together the agreements proved to be difficult and time-consuming. In addition, interviews were held with Federal Administration staff and statistical analyses conducted using available data from the administration on international activities.*

### ***International cooperation in training deemed better than in defence procurement***

*The competence to conclude agreements on international cooperation in military training and defence procurement rests with the Federal Council; responsibility for implementation of agreements on military training rests with the departmental defence sector, and on international defence procurement with armasuisse. The evaluation drew different conclusions for the two fields. Overall, international training cooperation is deemed to be lawful and appropriate, despite the broad scope of the legal parameters and – in places – the lack of a detailed strategy. The PCA's assessment of defence procurement cooperation is more critical.*

*The shortcomings highlighted concern defence procurement cooperation to a far greater extent than international cooperation in the field of training.*

### ***Patchy transparency regarding existing cooperation agreements***

*The framework agreements and the implementation agreements are not recorded in full in one of the available lists (Classified Compilation, annual report to Parliament on international agreements concluded by the Federal Council, FDFA database of*

international agreements). This makes it difficult to gain an overview of existing agreements. Some of the reasons given for the gaps are, in the view of the PCA, somewhat questionable, particularly the classification of defence procurement framework agreements as 'agreements of limited scope' not for publication.

### **Legal status of defence procurement agreements unclear**

*The question of whether international agreements are legally binding cannot be determined from their title alone, but instead depends on their content. Contrary to FDFA recommendations, framework agreements in the field of defence procurement are concluded as 'Memorandums of Understanding', a title actually reserved for legally non-binding agreements. Thus, not all of the armasuisse staff interviewed were aware that the framework agreements are legally binding. Furthermore, not all implementation agreements in the defence procurement field were properly approved by the Federal Council or another body appointed by it, and the Federal Assembly was not always informed of the fact that agreements had been concluded.*

### **Lack of steering in the defence procurement field**

*In stark contrast to the military training field, where each individual international activity of the armed forces is centrally registered and checked, there is a lack of steering in the defence procurement field. Firstly, there are no clear strategic parameters which could serve as a basis for such steering; secondly, there is no defined steering body: armasuisse's foreign relations unit keeps a central record of the framework agreements, but has no overview of the implementation agreements or individual activities. It merely fulfils a supporting function in the running of international activities by the individual sectors, but has no controlling tasks to date.*

### **Goal orientation not guaranteed**

*The legal and strategic parameters guiding international cooperation in the military field are very broad. According to the primary strategic goals, international cooperation should enable Switzerland to counter threats and risks to its security more efficiently and effectively. In the field of military training each international activity is appraised, but the strategic goals are not part of the criteria. In terms of defence procurement, international cooperation arrangements are not directly connected with these goals. The extent to which international cooperation is expected to contribute to the various tasks of the armed forces remains open in both areas.*

### **Impact on foreign policy given too little consideration**

*The armed forces consistently examine the foreign policy expediency of its international training activities. In the area of defence procurement however, the Federal Council has only recently defined strategic parameters and principles by which procurement plans are to be assessed for compatibility with the country's foreign policy in future, following an earlier CC inspection. The extent to which these parameters and principles will be applied in a systematic and standardised manner remains to be seen. Furthermore, based on statements made by interviewed staff of the Federal Administration, it is unclear for the PCA whether, in concluding framework agreements on military training and defence procurement, sufficient consideration is given to the fact that Switzerland enters into long-term ties to the*

*other state which have a symbolic impact on foreign policy in general, not only in the military field.*

The full report is available in German and French; the Italian version should be ready around January 2016: [www.parlament.ch](http://www.parlament.ch) > Bodies and Council Members > Committees > Parliamentary Control of the Administration PCA