House of Commons

Defence Committee

Intervention: Why, When and How?

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The Defence Committee

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Committee staff

The current staff of the Committee are James Rhys (Clerk), Karen Jackson (Audit Adviser) Ian Thomson (Committee Specialist), Eleanor Scarnell (Committee Specialist) Christine Randall (Senior Committee Assistant), Rowena Macdonald and Carolyn Bowes (Committee Assistants).

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Introduction

1. We note that the Ministry of Defence defined intervention "as the projection of military force (augmented by other agencies as required) outside UK sovereign territory to achieve an effect in securing, protecting or promoting UK national interests through the use or threat of force". However this definition seems to us to be very narrow, as it takes minimal account of the UK's wider responsibilities as a UN Security Council member or as a member of NATO or other alliances where national interests might have to be balanced by wider global responsibilities. We also note that several of our witnesses have referred to humanitarian intervention which does not appear to fit within the Government's definition. We call on the Government to develop definitions of the terms "intervention" and "humanitarian intervention" which can be used across Government Departments and be included in the next iterations of the National Security Strategy and the Defence and Security Review. (Paragraph 7)

Strategic rationale for intervention

2. A strategic and well-articulated vision of the UK's position in the world would lead to more rational decisions on whether or not to intervene as well as a better public understanding of the rationale for any future decision. It would also assist in identifying the strategic objective of such operations, contributing to a more coherent UK foreign, defence and security policy. (Paragraph 21)

3. We remain concerned about the lack of realism in the Government's assertion that there will be no shrinkage of UK influence when resources are still being reduced. We call on the Government to set out in the next National Security Strategy whether it still maintains this assertion and, if so, how it could be achieved. (Paragraph 22)

4. The next National Security Strategy should consider the case for the UK developing a regional strategic focus, particularly in light of new or re-emerging threats to European defence and security. We acknowledge that there will be times when the UK would have to act beyond this regional focus. The next National Security Strategy and the next Defence and Security Review should also include a discussion on the UK's future role in NATO and its resourcing by its members. (Paragraph 23)

5. We continue to support the Government's adoption of an "adaptable posture" in the 2010 Strategic Defence and Security Review. The threats to UK national security remain uncertain and unpredictable and it is important that the Government and UK Armed Forces retain the flexibility to deal with them. The 2010 National Security Strategy said that the national security apparatus had focused on non-state actors and that the current main national security threat was from international terrorism. We agree that these threats remain, but call on the Government to ensure that the next National Security Strategy gives due weight to the likelihood of a return to an increased threat of state versus state conflict and that the force structure, manpower,

equipment and capability decisions in the next Defence and Security Review ensure that UK Armed Forces are able to meet all these threats. (Paragraph 24)

6.   We agree that intervention in its many forms has an important role to play in the UK's national security and maintaining the national interest. We note the MoD's statement that military intervention remains an option of last resort in the UK's national security strategy and should only be considered when other means have failed. Unfortunately, but understandably, the last resort is often seen by the public as the first resort due to the Government's failure to communicate the other means it has employed prior to a decision to intervene. In addressing this perception, the Government should set out how it determines that other means have failed and that intervention is the best option. The Government should consider building on the so-called "Chicago doctrine" from 1999 by including in the next National Security Strategy a statement of the criteria for when and whether to intervene. (Paragraph 31)

7.   We call on the Government to include in the next National Security Strategy (NSS) and the next Defence and Security Review a description of interventions that it regards as non-discretionary and the rationale behind this view. This would give a good indication of UK intent in terms of its national security interests. We note that the Ministry of Defence recognises that some interventions can be regarded as discretionary. While we understand that the Government will need to be selective in undertaking discretionary interventions, it should consider developing a base criteria for these types of interventions to be included in the next NSS. Such criteria would assist the Government in deciding whether an intervention was in the UK's national interest and also assist in communicating and engaging with the public on intervention decisions. The next NSS should also detail what types of discretionary intervention operations the Government envisages the UK would be able to undertake on its own and those which it would undertake with allies. (Paragraph 32)

8.   We have welcomed the establishment of the National Security Council (NSC) and support its attempts to bring greater coordination and focus across Government on security matters to lead to greater operational effectiveness. National security requires a whole government joined up approach. However, we are concerned that the NSC becomes too involved in operational matters and short-term imperatives rather than giving the strategic lead on questions such as intervention policy. (Paragraph 34)

9.   The legal justification for military intervention will continue to be controversial. We note the Government's statement that when there is no UN Security Council Resolution for action, there is a legal basis available under the doctrine of humanitarian intervention which would permit the UK under international law to take exceptional measures in order to alleviate a humanitarian catastrophe providing certain conditions are met. We question whether the Government's position is generally accepted by the international community or the British public. The Government should set out in detail in the next iterations of the National Security Strategy and the Defence and Security Review the principles of its legal position, including its relationship with the UN Charter, international law and the concept of the Responsibility to Protect, on the deployment of UK Armed Forces for

intervention operations. This would assist with providing the public with greater information on, and understanding of, the Government's position on the use of UK Armed Forces rather than waiting to the heat of debate immediately prior to a potential deployment. (Paragraph 49)

10. We welcome the Government's publication of summaries of its legal position on the deployment of UK Armed Forces. We note the Government's view that the confidentiality of the Attorney General's full legal advice needs to be upheld and that legal privilege is an essential component of the UK's legal system. We hope that the publication of summaries of the Government's legal position on the deployment of Armed Forces will continue to be regarded as normal and best practice. We recommend that these notes should always state how this position was formulated and who was consulted. We further recommend that the Government should undertake to continue to publish its legal position on the deployment of the Armed Forces. (Paragraph 51)

11. The role of Parliament in conflict decisions is a contentious issue. The House of Commons' decision in August 2013 to reject the potential deployment of military force to Syria (despite provisions in the Government's resolution that would have required efforts to secure a UN Security Council Resolution authorising such action and a further vote in the House of Commons on direct UK involvement) has significantly added to the debate on what the role of Parliament should be in conflict decisions and its relationship with the Royal Prerogative on such matters. The Government should intensify its efforts to resolve this matter. We regard Parliament's role as one of a strategic inquisitor on military deployments. As a first step, we call on the Government to clarify its position on whether it wishes to legislate to formalise the requirement to consult Parliament on military action or whether it favours codifying the role of Parliament in a Parliamentary resolution. We do not consider it appropriate for the Government to wait until the next possible military deployment to resolve this issue. We conclude that, wherever possible, Parliament should be consulted prior to the commencement of military action, but recognise that this will not always be possible such as when urgent action is required. We call on the Government to commit to ensuring that a summary of the legal justification on military action is available to Parliament in advance of any such debate. (Paragraph 65)

12. We understand and acknowledge the current lack of appetite for military operations given the experiences and tensions of the past decade for operations in countries such as Afghanistan and Iraq. However, it is also necessary to understand and acknowledge that there are consequences to decisions by the UK and the international community not to intervene in humanitarian or non-humanitarian situations. Non-intervention decisions have implications for the UK's place in the world and its influence which are as profound as a decision to undertake an intervention operation. Decisions not to intervene could have wide global implications for efforts to deter hostile actions by other states or non-state actors. The Government should be more forthright in stating the consequences of non-intervention when it proposes intervention actions. The next National Security Strategy and the next Defence and Security Review should also include an indication

of how the Government balances and decides between these two choices. (Paragraph 70)

13. We welcome the Government's intention that any deployment of UK Armed Forces should have a clear strategic aim. While conscious that deployments will differ and some will be of an urgent nature we repeat our call that the Government should develop this concept by undertaking a more detailed, comprehensive and strategic assessment before deciding to intervene. This should address the strategic ends, ways and means, including generating the necessary parliamentary support. We call on the Government to set out in the next Defence and Security Review how it determines and measures success against the strategic aims set for the deployment of UK Armed Forces. We have seen no sign that its approach has resulted in a more strategic use of the Armed Forces since the 2010 Strategic Defence and Security Review. (Paragraph 74)

Interventions: How?

14. The Government must ensure that the plans and resources for Future Force 2020 enable the Armed Forces to carry out the roles intended for them, including that of undertaking intervention operations. We note the commitment to a 1% real terms increase in the equipment budget from 2015 but this must not be achieved by further manpower cuts. We also note the concepts listed in the 2010 SDSR (readiness, reconstitution, reinforcement, regeneration and dependency) as being central to achieving the optimal effect for Future Force 2020. We will explore the MoD's progress in fulfilling these concepts as part of our forthcoming inquiry into Future Force 2020. (Paragraph 80)

15. We agree that the UK will be required to work closely with allies and partners in interventions, not just in terms of military capability and force size but as a means of maintaining and demonstrating legitimacy. We note the Ministry of Defence's statement that it may sometimes be necessary to limit or modify the objectives of a possible intervention to achieve the broadest possible support from the international community. However, this must not be at the risk of undermining the strategic aim of the intervention operation. We agree with our witnesses that regional ownership of interventions can on occasions be important and desirable. The next National Security Strategy and the next Defence and Security Review should set out how the Government plans to develop regional partnerships which will help in delivering the UK's national security objectives. (Paragraph 86)

16. We note the US's stated intention to have a greater strategic focus on the Pacific region. However, the level to which the US will reduce its strategic focus on, and interest in, European affairs is unclear, particularly in the light of recent events in Ukraine. We call on the Government and other European NATO countries to develop a strategy for the future role of NATO and its resourcing that takes this into account. This should include a vision of the leading role to be played by the UK in encouraging European NATO states to take on a greater degree of responsibility in NATO operations. The NATO summit in September 2014 provides an opportunity for consideration of such matters. The summit also provides an opportunity to discuss the role of non-NATO countries in NATO-led operations. We call on the

Government, in its response to this Report, to set out how it intends to take these matters forward at the summit. (Paragraph 87)

17. The development of new capabilities, such as the ability to take offensive cyber action, has profound implications for the way the UK intervenes. Although these capabilities bring with them advantages, in terms of not putting UK Armed Forces personnel in harm's way, their use also raises a number of questions. The next National Security Strategy and the next Defence and Security Review should consider the implications of these capabilities and their use in future interventions. (Paragraph 89)

18. We welcome the Government's commitment to a "Comprehensive Approach". We also welcome the emphasis on conflict prevention envisaged in Building Stability Overseas Strategy (BSOS) and the International Defence Engagement Strategy (IDES) and the involvement of UK Armed Forces with other agencies. It is important that the Armed Forces and other actors understand the context in the countries in which these activities are taking place, including the development of the language skills required for effective engagement with the local population and authorities. The Government should also outline the metrics it has developed to measure the effectiveness of both the BSOS and the IDES. In interventions where the purpose is not for humanitarian reasons, care must be taken to ensure that the coercive or deterrent action taken is proportionate and that the risks are fully assessed. (Paragraph 96)

19. Strategic communications are vital for intervention operations. The perceptions of local populations affected by such operations are crucial to the success of these missions. Success also requires the strategic aims and objectives of the mission to be understood by the public in the UK. We call on the Government to develop coherent and understandable meanings for the terms used across Government Departments for its intervention policy and defence engagement strategy. It should also develop methods to increase public understanding of them as this will assist in improving public understanding and perceptions of the use of the Armed Forces. (Paragraph 101)

20. We welcome the intention to plan for viable exit strategies for deployed UK Armed Forces although we recognise that this risks sending signals to adversaries that intervention is bound in time, space, military force or desired effect. However, it is vital that consideration of an exit strategy should commence at an early stage, perhaps even prior to deployment. (Paragraph 108)

21. Interventions bring with them responsibilities in respect of exit strategies and end states and these will invariably take longer than anticipated. Securing the peace is as important an objective as winning the war. The Government should set out in the next National Security Strategy and the next Defence and Security Review how it defines and assesses successful exit strategies and end states, including how long they should take for each of the actors involved and how it measures the success of the transition from exit strategies to the desired end state. Exit strategies must also ensure safety of Armed Forces personnel remaining in country and that of other UK agencies such as DFID. (Paragraph 109)

22. Lessons learned from military deployments are vital and the Government must ensure they take place in a timely manner. We note that the Ministry of Defence says it works with other Government Departments in capturing best practice. The Government must ensure that a unified vocabulary is used across Government. As well as ensuring the capture of good practice, the lessons learned process must capture mistakes so that future operations can be appropriately informed and planned. The Government should outline what steps it is taking to engender a culture of openness and willingness to share mistakes and the lessons learned from them across the various participants involved in such operations. (Paragraph 117)

23. We welcome the Government's use of Global Strategic Trends and the Future Character of Conflict as part of the work on the next National Security Strategy (NSS) and the next Defence and Security Review (DSR). We call on the Government to include in the next NSS and the next DSR an outline of the contribution of this work to improvements in the UK's national security. In response to our Report, the Government should set out the use it has made of external academic and research resources as part of its analysis of future global trends and national security requirements. We welcome the Government's use of Global Strategic Trends and the Future Character of Conflict as part of the work on the next National Security Strategy (NSS) and the next Defence and Security Review (DSR). We call on the Government to include in the next NSS and the next DSR an outline of the contribution of this work to improvements in the UK's national security. In response to our Report, the Government should set out the use it has made of external academic and research resources as part of its analysis of future global trends and national security requirements. (Paragraph 119)

Conclusions

24. Intervention policy and decisions have the potential to be controversial and to polarise opinion. This Report is intended to assist the articulation of the rationale for an intervention strategy in the next National Security Strategy and the next Defence and Security Review which might make for better decision making by Government and assist in alleviating some of the controversy on decisions to intervene. (Paragraph 120)

25. As a starting point the Government must articulate a realistic vision of the UK's place in the world, its level of strategic influence and the way the world is changing as well as the identification and prioritisation of the risks to it. The next Defence and Security Review should then translate this vision into defence planning assumptions and the development of the appropriate force structure. This would assist more strategic decisions on why, when and how to intervene. (Paragraph 121)

26. The next National Security Strategy (NSS) and the next Defence and Security Review (DSR) should define and communicate the circumstances in which the UK might intervene and the role of interventions, and set out the legal basis for the UK's interventions. The NSS and the DSR should also set out what interventions the Government regards as non-discretionary and those which are discretionary. The Government should also outline the different approaches it might use such as defence engagement, conflict prevention and the projection of military force and

how it ensures coordination and unity of purpose between the different Government Departments and agencies and ensures that appropriate lessons are learned from previous interventions. This will lead to more effective intervention operations in the future. (Paragraph 122)

1 Introduction

Our inquiry

1. We announced an inquiry entitled *Intervention: Why, When and How?* on 17 July 2013. This inquiry was one of four strands[1] that we are undertaking as part of our overarching work looking ahead to the next Defence and Security Review (DSR).[2] We published a preliminary Report, *Towards the next Defence and Security Review: Part I*,[3] in January 2014, to which we published the Government's response in March 2014. We expect to publish a final Report in this series later in the year which will draw together the conclusions from our preliminary Report and our work on the four strands. These Reports are intended to assist the Government in its consideration and development of the next DSR due in 2015 and to contribute to, and inform, its outcomes.

2. The strands were entirely paper-based inquiries in that no formal oral evidence was taken on each. The Committee appointed Committee Members to act as rapporteurs for each of the strands, who have presented their findings to the Committee. The rapporteur on this strand was Gisela Stuart MP. We are grateful to our Specialist Advisers[4] and staff for their work on this inquiry.

3. Intervention operations are commonly associated with the use of military force to achieve the UK Government's or the international community's desired outcome. However, there are other types of intervention operations that do not involve the use of military force, including those aimed at conflict prevention or stabilisation. UK Armed Forces might be involved in such operations but this would usually be in conjunction with other Government Departments such as the Department for International Development (DFID) and the Foreign and Commonwealth Office (FCO). Our inquiry considered the strategy underpinning decisions on interventions and how such decisions might evolve and change in the future. This will be a key consideration as the Government develops the future structure and capabilities of UK Armed Forces and also as it considers the respective roles and coordination of the various Government Departments and agencies involved in intervention strategy. We received eleven pieces of written evidence and are grateful to all those who submitted evidence. We also received two briefings from Government officials and senior Service personnel as part of our inquiry. The first briefing was from the Ministry of Defence (MoD) on how it identified lessons from intervention operations and incorporated them into, and used them to inform and test, possible future interventions. The second briefing was from the MoD and the FCO on the following publications:

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1 The other three inquiry strands are: *Deterrence in the 21st Century; Remote Control: Remotely Piloted Air Systems—current and future UK use;* and *UK Armed Forces Personnel and the Legal Framework for Future Operations.*

2 In our report DSR refers to the Defence and Security Review expected in 2015. The 2010 Strategic Defence and Security Review is referred to as the SDSR.

3 Defence Committee, Seventh Report of Session 2013–14, *Towards the next Defence and Security Review: Part I*, HC 197

4 The Committee's Specialist Advisers are Rear Admiral (retired) Chris Snow, Major General (retired) Mungo Melvin, Air Vice-Marshal (retired) Paul Colley, Professor Michael Clarke, Dr John Louth, Mr Paul Beaver and Mr Chris Donnelly. Their declarations of interests can be found in the Committee's Formal Minutes which are available on the Committee's website.

- the July 2011 *Building Stability Overseas Strategy*[5] and the February 2013 *International Defence Engagement Strategy*[6] which set out the UK's Government's approach to setting priorities and taking steps to ensure coherence across its conflict prevention activities, including through the use of joint funding mechanisms such as the Conflict Pool;[7]

- *Global Strategic Trends*[8] published in October 2013 which is produced by the Development, Concepts and Doctrine Centre and is an examination of the strategic context that faces defence and the challenges and opportunities it provides for the MoD; and

- *The Future Character of Conflict*[9] published in February 2010 which examined the context to within which UK Armed Forces would be operating out to 2029.

We are grateful to the Departments concerned for facilitating these briefings.

Background

4. Our Report is not intended as a critique of past UK intervention decisions, although learning lessons from these is extremely important. Our intention in this inquiry was to examine the strategic rationale behind intervention decisions, why and how these decisions are made and how they are implemented so as to assist in the development of the next National Security Strategy (NSS) and Defence and Security Review (DSR). The NSS and DSR are being developed against a background of the withdrawal of UK Armed Forces from Afghanistan and UK Armed Forces moving from enduring operations, such as those in Iraq and Afghanistan, to a contingent posture prepared for potential military operations. Other developments include the publication of the *International Defence Engagement Strategy*, the continuing threat from non-state adversaries, the possible re-emergence of Cold War state-on-state tensions, and a lack of public appetite for military intervention.

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[5] Department for International Development, Foreign and Commonwealth Office and Ministry of Defence, *Building Stability Overseas Territory*, July 2011; see also Ev w2 [Note: references to Ev wXX are references to the written evidence received by the Committee which is published on the Committee's website].

[6] Foreign and Commonwealth Office and Ministry of Defence, *International Defence Engagement Strategy*, February 2013; see also Ev w2.

[7] Ev w2; The Conflict Pool, established in 2001 and restructured in 2008, is funded from a separate HM Treasury Conflict Resources settlement, which also funds the Peacekeeping Budget. It is managed jointly by the DFID, the FCO and the MoD. The pool funds conflict prevention, stabilisation and peacekeeping activities that meet the UK Government's conflict prevention priorities as set out in the Building Stability Overseas Strategy. It brings together the work of the three departments traditionally involved in conflict prevention work: the FCO, DFID and MoD, to conduct joint analysis, establish shared priorities and design and implement joint conflict prevention and management programmes. (DFID, FCO, MoD, *Conflict Pool Strategic Guidance*, April 2013, available at: https://www.gov.uk/government/publications/conflict-pool).

[8] Ministry of Defence, *Strategic Trends Programme: Global Strategic Trends—out to 2040*, October 2013

[9] Ministry of Defence, *Strategic Trends Programme: The Future Character of Conflict*, February 2010; see also Ev w3.

5. Intervention operations arise for many different reasons and take various forms and they do not only involve military actors. The Government has put particular emphasis on the adoption of a "Comprehensive Approach"[10] and "Unity of Effort,"[11] notably through the engagement and interaction of a number of different Government Departments and agencies and other participants such as international allies, NGOs, contractors and foreign nationals. Since the early 1990s, UK Armed Forces have been involved in a number of military interventions including: Bosnia (1992), Kosovo (1999), Sierra Leone (2000), Afghanistan (2001), Iraq (2003), Libya (2011) and Mali (2012).[12] Military interventions in a sovereign state are always likely to be controversial[13] and this has been demonstrated by the UK public's reactions to some of the interventions listed above and also by the international tensions they have caused. Some commentators have also highlighted the House of Commons' vote to reject military intervention in Syria and the Government's decision to abide by this as a pivotal change in UK intervention policy. Our Report starts by examining some of the strategic considerations for any decision on intervention and then looks at how the UK undertakes intervention operations.

Definitions

6. In its written evidence the MoD defined intervention "as the projection of military force (augmented by other agencies as required) outside UK sovereign territory to achieve an effect in securing, protecting or promoting UK national interests through the use or threat of force".[14] Several of our witnesses have highlighted the concept of humanitarian intervention. Dr James Pattison, Senior Lecturer in International Politics, University of Manchester, defined this as:

> forcible military action by an external agent in the relevant political community with the predominant purpose of preventing, reducing or halting an ongoing or impending grievous suffering or loss of life.[15]

In its evidence, the Humanitarian Intervention Centre expanded on this:

> It focuses around the notion of human security. This is the concept that the protection of individuals is more important than the national security of the state.

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10 There is no one commonly agreed definition of what a comprehensive approach entails. The MoD defined the Comprehensive Approach as "commonly understood principles and collaborative processes that enhance the likelihood of favourable and enduring outcomes within a particular situation". It is based on four guiding principles: Proactive engagement, shared understanding, out-come based thinking and collaborative working. For more informations see: Defence Committee, Seventh Report of Session 2009–10, *The Comprehensive Approach: the point of war is not just to win but to make a better peace*, HC 224, paras 11-14.

11 The Ministry of Defence describes "unity of effort" as: "Many relevant actors are likely to be present in, or have an influence on an operational area; an intervening force is but one. Contributing states may be joined by international and regional agencies, institutions and organisations, both inter-governmental and non-governmental. Therefore stabilisation is likely to be a multinational and multi-agency activity. Private sector organisations and contractors will compete to supply services, products and even security. While unity of command remains the ideal, the complexity of actors rarely makes it achievable. Consequently achieving and maintaining unity of effort may be the best that can be achieved, and will require robust decision-making architecture. Without it effective campaigning will be difficult" (Ministry of Defence, Joint Doctrine Publication 3-40, *Security and Stabilisation: the Military Contribution*, November 2009, pp 4-5).

12 Ev w1

13 Ev w1

14 Ev w1

15 Dr James Pattison, *Humanitarian Intervention and the Responsibility to Protect: Who should intervene?* (Oxford, 2010)

The primary purpose of humanitarian intervention is to end human rights violations within the state in which it takes place and prevent the humanitarian crisis from escalating further.[16]

7. **We note that the Ministry of Defence defined intervention "as the projection of military force (augmented by other agencies as required) outside UK sovereign territory to achieve an effect in securing, protecting or promoting UK national interests through the use or threat of force". However this definition seems to us to be very narrow, as it takes minimal account of the UK's wider responsibilities as a UN Security Council member or as a member of NATO or other alliances where national interests might have to be balanced by wider global responsibilities. We also note that several of our witnesses have referred to humanitarian intervention which does not appear to fit within the Government's definition. We call on the Government to develop definitions of the terms "intervention" and "humanitarian intervention" which can be used across Government Departments and be included in the next iterations of the National Security Strategy and the Defence and Security Review.**

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[16] Ev w40

2 Strategic rationale for intervention

National Security Strategy and the UK's place in the world

8. A key starting point for any consideration of intervention strategy is the Government's strategic vision of the UK's place in the world, and the level of influence it might realistically exert. This has been an area of contention that commentators have raised with us throughout this Parliament, questioning particularly the coherence of the vision outlined in the 2010 National Security Strategy (NSS) with the subsequent decisions on the manpower and capabilities of UK Armed Forces in the 2010 Strategic Defence and Security Review (SDSR). The 2010 NSS stated that "any strategy for national security must begin with the role we want Britain to play in the modern world"[17] and that the UK's strategy was "to use all our national capabilities to build Britain's prosperity, extend our nation's influence in the world and strengthen our security".[18] The Government claimed that the NSS represented a "whole government approach"[19] and that its intention was to use all the instruments of national power to prevent conflict and avert threats beyond the UK's shores, including UK Embassies and High Commissions worldwide, the international development programme, the intelligence services, defence diplomacy and cultural assets. The NSS said the top priority was countering the threat from terrorism in the UK and abroad and that the UK would:

> [...] maintain the defensive and offensive capabilities needed to deploy armed force to protect UK territory and its citizens from hostile action and to meet our commitments to our allies.[20]

9. In 2010, the Government set as its priority the reduction of the UK's budget deficit. In their foreword to the 2010 NSS, the Prime Minister and Deputy Prime Minister saw the ability to meet current and future national security threats as depending on tackling the budget deficit. They added:

> Our national security depends on our economic security and vice versa. An economic deficit is also a security deficit. So at the heart of the Strategic Defence and Security review are some tough choices to bring the defence budget back to balance. Those choices are informed by the risks, analysis and prioritisation set out in this National Security Strategy.[21]

10. Although the Government saw reduction of the budget deficit as its main priority, in terms of the UK's influence in the world the NSS stated that "the National Security Council [NSC] had reached a clear conclusion that Britain's national interest requires the rejection of any notion of the shrinkage of influence".[22] The NSC's statement was controversial. Air

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[17] HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953, October 2010, p 4

[18] Ibid, p 9

[19] Ibid p 10

[20] Ibid p 9

[21] Ibid p 4

[22] Ibid p 10

Chief Marshal Lord Stirrup, Chief of the Defence Staff at the time of the NSS and SDSR, told us during our 2011 inquiry into the SDSR and NSS that this statement had caused much debate in the NSC:

> Personally, I did not buy it, and my view is that if the priority is to eliminate the deficit over the course of a Parliament, the rather drastic action that will be necessary means a period of strategic shrinkage. That is my personal view, but that was not the view that prevailed in the production of the document. As I said, what we sought to do was reverse that strategic shrinkage over the second half of the decade, but that is still an open question.[23]

Other witnesses to this inquiry were also critical of the statement and told us that the UK's influence was shrinking.[24]

11. Our 2011 Report on the National Security Strategy and the Strategic Defence and Security Review acknowledged that not reducing the budget deficit would have implications for maintaining the nation's security.[25] However, we concluded that, although influence should not just be measured in military hardware or capability, given the Government's declared priority of deficit reduction, a period of strategic shrinkage was inevitable.[26] We were concerned that the Government appeared to believe that the UK could maintain its influence while reducing spending, not just in the area of defence but also at the FCO. We concluded that if the UK's influence in the world was to be maintained, the Government should demonstrate in a clear and convincing way that these reductions had been offset by identifiable improvements elsewhere rather than make imprecise assertions of an increased reliance on diplomacy and 'soft power'. We warned that if the Government could not do so, the NSS was in danger of becoming a 'wish list' that failed to make the hard choices necessary to ensure the nation's security. Our Report also raised concerns that the impact of defence cuts on the UK's influence, defence commitments and role within NATO and other strategic alliances did not appear to have been fully addressed. UK defence does not operate in a vacuum and decisions taken in the UK have repercussions for the spending commitments and strategic posture of allies and alliances.[27]

12. Our concerns were also shared by the Joint Committee on the National Security Strategy (JCNSS) who said that a key point of the NSS was to set priorities, and to guide choices in an era of diminished resources and that although the NSS might contain aspirational elements it must also be realistic. The JCNSS found that NSS's simultaneous recognition of the rise of new global powers, shifts in the centres of economic activity, and reduced resources in the UK, while at the same time asserting "no reduction in influence"

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[23] Defence Committee, Sixth Report of Session 2010-12, *The Strategic Defence and Security Review and the National Security Strategy*, HC 761, Qq 274-275

[24] Ibid, Q 454 [Professor Julian Lindley-French]

[25] Ibid, para 54

[26] Ibid, para 64

[27] Ibid, para 65

was wholly unrealistic in the medium to long term and the UK needed to plan for a changing, and more partnership-dependent, role in the world.[28]

13. In its response to our Report, the Government said:

> Global influence is not just about the size or even the capability of a country's armed forces. […] the UK exerts influence in a variety of ways: diplomatic and economic, development assistance, and technological and cultural exchanges, in addition to our capability and willingness to use military force. Through the work of the NSC, the NSS, and the SDSR the Government has sought to coordinate these different aspects so the sum of the whole is demonstrably greater than the sum of the individual parts, reflecting the judgment, […] that we have to exert ourselves to ensure that the UK's influence does not automatically shrink as our proportion of the world's economy and population naturally reduces.[29]

14. Notwithstanding the Government's response to our 2011 Report, we have continued to call for the next NSS and DSR to include a realistic assessment and statement of the UK's place in the world and its level of global influence. Our Report on *Towards the next Defence and Security Review: Part One* called for a vision of the UK's place in the world to be articulated in the next NSS and for this to form the basis for the consideration of the next DSR.[30] In its response to our Report, the Government said it had noted the recommendation but that the scope of the next NSS would be decided at the time of the next review. The response said that the Prime Minister had stated that the 2010 NSS had helped set the context for what the Government wanted to do in defence and security and that the strategy should inform decisions on these matters. It also emphasised the Government's contention that the 2010 NSS "set out for the first time a clear over-arching vision to use all our national capabilities to build Britain's prosperity, extend our nation's influence in the world and strengthen our security. It needs to be refreshed rather than subjected to a complete overhaul".[31]

15. As we discussed in our Report, *Towards the next Defence and Security Review: Part One*, this debate has increased in importance due to the potential implications of a US strategic pivot, or rebalancing, to the Pacific and the implications of the associated expectation that Europe should take on greater responsibility for its own security.[32] The Secretary of State for Defence acknowledged in evidence to us that this would be the case and that this would require an increase in the proportion of GDP that European NATO countries spent on defence, which he thought unlikely in the short term, necessitating more effective defence spending by these countries.[33] The Secretary of State described what

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[28] Joint Committee on the National Security Strategy, First Report of Session 2010-12, *First review of the National Security Strategy 2010*, HL 265 HC 1384

[29] Defence Committee, Ninth Special Report of Session 2010-12, *The Strategic Defence and Security Review and the National Security Strategy: Government Response to the Committee's Sixth Report of Session 2010-12*, HC 1639, p 8

[30] Defence Committee, Seventh Report of Session 2013–14, *Towards the next Defence and Security Review: Part One*, HC 197, paras 34-37

[31] Defence Committee, Tenth Special Report of Session 2013-14, *Towards the next Defence and Security Review: Part One: Government Response to the Committee's Seventh Report of Session 2013-14*, HC 1175, pp 5-6

[32] Defence Committee, Seventh Report of Session 2013–14, *Towards the next Defence and Security Review: Part One*, HC 197, paras 38-43

[33] Ibid, para 39, Q 218

the UK might do in the context of its European strategic relationships, and the implications for the future of NATO:

> The North Africa, Middle East, Horn of Africa area is certainly an area of focus for bilateral joint operations, particularly with the French, but it is also an area for European NATO to consider as, if you like, a subset of an organisation. As you will be aware, there is a tension within European NATO about the relative focus that there should be on the defence of the NATO homeland against a currently non-existent but potential future threat from Russia versus the creation of expeditionary capabilities to forward defend Europe's interests in areas such as the Middle East and North Africa.[34]

16. We concluded in our Report, *Towards the next Defence and Security Review: Part One*, that there could be few developments more fundamental to the UK's strategic position than the US's intention to focus more on the Pacific region.[35] The Government's thinking on the implications of this for the country's broader security and for the military capabilities that the UK would require is a matter of vital interest for Parliament and the public. Our Report concluded that the development of the next NSS should be a vehicle for the Government to seek to engage both in this debate. In a March 2014 speech in Washington on the "special relationship that exists between the UK and the US", the Secretary of State for Defence was keen to emphasise the Government's planned future investment in UK Armed Forces and the benefit that it could bring to the UK's relationship with the US:

> With a fully integrated force of 190,000 regulars and reserves, retaining our ability to deploy into the field a division-size force, our cutting-edge, broad spectrum conventional capabilities, our world class Special Forces, and our unique intelligence network, the UK will continue to be able to project and sustain military power around the world.

> We will remain the most capable and most interoperable ally of the United States of America.[36]

Adaptable posture

17. The 2010 SDSR stated that, based on the NSS, the NSC has decided on an "adaptable posture" (although this phrase does not appear in the NSS).[37] The principal elements of the "adaptable posture" included tackling the four tier one risks identified in the NSS (terrorism, cyber security, natural hazard or accident, and an international military crisis drawing in the UK). In addition, the SDSR envisaged this posture would enable the UK to deter the "low probability but very high impact risk of a large-scale military attack by

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[34] Ibid, Q 220

[35] Ibid, para 43

[36] Speech at The Heritage Centre on 26 March 2014, *Why Britain and America must remain partners of choice in Defence* (available at: http://www.heritage.org/events/2014/03/philip-hammond-mp); see also "The UK-US defence partnership", Ministry of Defence press release, 27 March 2014.

[37] HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, pp 9-10

another state […] including through the nuclear deterrent and by ensuring, in partnership with allies, the ability to regenerate capabilities given sufficient strategic notice".[38] It would also include the means to respond to growing uncertainty about longer-term risks and threats, by pursuing an over-arching approach which:

- identifies and manages risks before they materialise in the UK, with a focus on preventing conflicts and building local capacity to deal with problems;

- maintains a broad spectrum of defence and other capabilities, able to deter and contain, as well as engage on the ground, developing threats;

- ensures those capabilities have in-built flexibility to adjust to changing future requirements;

- strengthens mutual dependence with key allies and partners who are willing and able to act, not least to make our collective resources go further and allow nations to focus on their comparative advantages; and

- coordinates and integrates the approach across government, achieving greater effect by combining defence, development, diplomatic, intelligence and other capabilities.[39]

18. The then Secretary of State for Defence told us in 2011 that in adopting an "adaptable posture", two other postures had been advocated to the Government but these had been rejected. The first was the establishment of "Fortress Britain", withdrawing closer to the UK and investing in appropriate assets to sustain this posture. The second posture was a "highly committed" one with the assumption that conflicts of the future would be similar to Afghanistan, with perhaps, for example, a large number of deployable land forces and no requirement for widespread maritime capabilities.[40]

19. The 2010 NSS stated that, since the September 2001 terrorist attacks, the national security apparatus had focused on non-state actors and that the current main national security threat was from international terrorism.[41] The NSS set out three tiers of risks to UK national security in order of priority, but also acknowledged that over the next 20 years the UK could face threats from a variety of sources rather than having one clear type of threat on which to focus.[42] Preventative measures, such as conflict prevention, international aid and defence diplomacy, were recognised as major objectives, but the ability to identify threats at an early stage and be adaptable to them remained a crucial component of the NSS.[43]

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[38] Ibid, p 10

[39] Ibid, p 10

[40] Defence Committee, Sixth Report of Session 2010-12, *The Strategic Defence and Security Review and the National Security Strategy*, HC 761, Q 94

[41] HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953, October 2010, p 18

[42] Ibid, p 27 and p 18

[43] Ibid, p 9 and p 18

20. In our 2011 Report on the SDSR and NSS we supported the adoption of an adaptable posture.[44] Recent events such as those in the Ukraine would appear to support this decision. Indeed, in his evidence for our inquiry, *Towards the next Defence and Security Review: Part Two*, General (retired) Sir Robert Fry suggested that the period 1991-2012 (where many interventions had involved combat with non-state actors) had the look of an historical aberration and that it could be anticipated that there would be a return to state versus state scenarios.[45] He told the Committee:

> It may also be that we can anticipate a return to classical strategic mores in the future. Transnational terrorism will not go away but may look a minor chord in international affairs in comparison to, say, a Sino–Japanese conflict in the South China Sea or an Israeli attack on Iran. And, while the centennial echoes of 1914 may have invited over-literal comparisons between the United Kingdom at the beginning of World War One and the US as a 'weary titan, staggering under the too vast orb of its fate' and bound to share imperial decline, great power relationships look set to return as the currency of strategic exchange. The instruments of engagement will fit the Twenty First Century and might include the use of cyber or currency weapons, but the strategy which calibrates those instruments in pursuit of a defined outcome is likely again to have a recognisably classical form.[46]

21. **A strategic and well-articulated vision of the UK's position in the world would lead to more rational decisions on whether or not to intervene as well as a better public understanding of the rationale for any future decision. It would also assist in identifying the strategic objective of such operations, contributing to a more coherent UK foreign, defence and security policy.**

22. **We remain concerned about the lack of realism in the Government's assertion that there will be no shrinkage of UK influence when resources are still being reduced. We call on the Government to set out in the next National Security Strategy whether it still maintains this assertion and, if so, how it could be achieved.**

23. **The next National Security Strategy should consider the case for the UK developing a regional strategic focus, particularly in light of new or re-emerging threats to European defence and security. We acknowledge that there will be times when the UK would have to act beyond this regional focus. The next National Security Strategy and the next Defence and Security Review should also include a discussion on the UK's future role in NATO and its resourcing by its members.**

24. **We continue to support the Government's adoption of an "adaptable posture" in the 2010 Strategic Defence and Security Review. The threats to UK national security remain uncertain and unpredictable and it is important that the Government and UK Armed Forces retain the flexibility to deal with them. The 2010 National Security Strategy said that the national security apparatus had focused on non-state actors and**

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44 Defence Committee, Sixth Report of Session 2010-12, *The Strategic Defence and Security Review and the National Security Strategy*, HC 761, para 83

45 Available on the Defence Committee's website at:
    http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidencePdf/8405

46 Ibid

that the current main national security threat was from international terrorism. We agree that these threats remain, but call on the Government to ensure that the next National Security Strategy gives due weight to the likelihood of a return to an increased threat of state versus state conflict and that the force structure, manpower, equipment and capability decisions in the next Defence and Security Review ensure that UK Armed Forces are able to meet all these threats.

The role of intervention

25. In a speech in Chicago in 1999, the then Prime Minister Rt Hon Tony Blair set out his so called "Chicago doctrine" on intervention decisions:

> So how do we decide when and whether to intervene. I think we need to bear in mind five major considerations
>
> First, are we sure of our case? War is an imperfect instrument for righting humanitarian distress; but armed force is sometimes the only means of dealing with dictators. Second, have we exhausted all diplomatic options? We should always give peace every chance, as we have in the case of Kosovo. Third, on the basis of a practical assessment of the situation, are there military operations we can sensibly and prudently undertake? Fourth, are we prepared for the long term? In the past we talked too much of exit strategies. But having made a commitment we cannot simply walk away once the fight is over; better to stay with moderate numbers of troops than return for repeat performances with large numbers. And finally, do we have national interests involved? The mass expulsion of ethnic Albanians from Kosovo demanded the notice of the rest of the world. But it does make a difference that this is taking place in such a combustible part of Europe.
>
> I am not suggesting that these are absolute tests. But they are the kind of issues we need to think about in deciding in the future when and whether we will intervene.[47]

26. Military intervention should not be considered in isolation. The 2010 SDSR said that the Armed Forces would "focus more on tackling risks before they escalate, and on exerting UK influence, as part of a better coordinated overall national security response".[48] As part of this approach there would be renewed emphasis on using conventional forces to deter potential adversaries and reassure partners, including through military deployments to demonstrate resolve and capability and through joint exercises with partners.[49] We considered the strategic role of deterrence in our Report on *Deterrence in the twenty-first century*.[50] Also associated with this is the concept of containment.[51] The SDSR also

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[47] Rt Hon Tony Blair speech on the "Doctrine of International Community", 24 April 1999. Available at: http://www.britishpoliticalspeech.org/speech-archive.htm?speech=279

[48] HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, p 17

[49] Ibid, p 17

[50] Defence Committee, Eleventh Report of Session 2013-14, *Deterrence in the twenty-first century*, HC 1066. The MoD provided the Committee with the following definition of deterrence: deterrence employs the proportionate threat of force to discourage someone from doing something, by convincing them that the costs of their actions will outweigh any possible benefits (Defence Committee, Eleventh Report of Session 2013-14, *Deterrence in the twenty-first century*, HC 1066, Ev w1).

envisaged greater coordination of civilian and military expertise in both conflict prevention and crisis response in building stability overseas.[52] Defence diplomatic engagement would be focused overseas on where it added most value within the Government's overall approach, for example to support operational activity or, where appropriate, defence exports.[53] Part of this integrated approach would include alternative forms of intervention, such as overseas defence engagement (the use of defence assets and activities short of combat operations to achieve influence),[54] information warfare, and conflict prevention.[55] The MoD told us that the Government was clear in the 2010 NSS that intervention had an important role to play when other means of dealing with threats had failed.[56] The 2010 NSS said:

> We will work with others to seek to prevent such crises developing, to deter malign forces and, in the last resort, to intervene militarily. We therefore need preventative and stabilisation activity, including diplomatic action and strategic intelligence capability, the ability to deter, and the ability and will to intervene militarily where absolutely necessary. We would work closely with our allies and partners at all stages of an international military crisis.[57]

27. Therefore one of the eight National Security Tasks in the 2010 NSS was:

> Help resolve conflicts and contribute to stability. Where necessary, intervene overseas, including the legal use of coercive force in support of the UK's vital interests, and to protect our overseas territories and people.[58]

28. The ability to intervene was described in the 2010 SDSR under Military Task 6: "Defending our interest by projecting power strategically and through expeditionary interventions".[59] The SDSR also outlined Defence Planning Assumptions which envisaged how the Armed Forces would be sized and the operations they might be required to undertake.[60] It also defined the different types of operations that the Armed Forces might undertake: standing commitments, intervention operations and stabilisation operations and set out the difference between enduring and non-enduring operations. These were

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[51] Definitions of Containment: *Military containment:* The geographical restriction of action of enemy forces; *Crisis containment:* Measures to limit the geographical spread of a crisis; and *Containment as grand strategy:* Measures taken to limit the geographical spread of an ideology or the influence of power (Source: Ministry of Defence, *BR 1806: British Maritime Doctrine, Third Edition*, May 2004, Glossary. Available at: http://www.da.mod.uk/colleges/jscsc/courses/RND/bmd)

[52] HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, p 17

[53] Ibid, p 17

[54] Foreign and Commonwealth Office and Ministry of Defence, *International Defence Engagement Strategy*, February 2013, p 1

[55] HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, p 17 and pp 44-47

[56] Ev w1

[57] HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953, October 2010, p 30

[58] Ibid, p 33

[59] Ev w1-2; HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, p 18-19

[60] Ibid, p 19

intended as guides for the structure and scale of forces and the SDSR acknowledged there could be considerable overlap.

29. The MoD asserted that the 2010 SDSR emphasised a "strong preference against intervention, and stresses that the Armed Forces will focus more on tackling risks before they escalate, and on exerting UK influence, as part of a better coordinated overall national security response."[61] The MoD argued that the NSS made it clear that intervention should only be undertaken in support of the UK's national security interests:

> Our strategic interests and responsibilities overseas could in some circumstances justify the threat or use of military force. There will also be occasions when it is in our interests to take part in humanitarian interventions. Each situation will be different and these judgements will not necessarily be easy.[62]

30. The MoD recognised that there were interventions that might be termed "non-discretionary", for example when justified under Article 51 of the UN Charter which confirms the inherent rights of states to collective or individual self-defence.[63] This could include the protection of UK Overseas Territories such as the Falklands or the conduct of non-combatant evacuation operations to protect UK citizens abroad. The MoD also cited international treaty obligations, such as those under NATO, which might require military action in collective self-defence. The MoD added:

> To this end, as the 2010 NSS makes clear, the UK maintains "the defensive and offensive capabilities needed to deploy armed force to protect UK territory and its citizens from the full range of threats from hostile action and to meet our commitments to our allies."[64]

However the MoD also acknowledged that there were "discretionary" interventions where there is a political choice about whether or not to intervene, in what way to do so and to what extent.[65]

31. **We agree that intervention in its many forms has an important role to play in the UK's national security and maintaining the national interest. We note the MoD's statement that military intervention remains an option of last resort in the UK's national security strategy and should only be considered when other means have failed. Unfortunately, but understandably, the last resort is often seen by the public as the first resort due to the Government's failure to communicate the other means it has employed prior to a decision to intervene. In addressing this perception, the Government should set out how it determines that other means have failed and that intervention is the best option. The Government should consider building on the so-**

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[61] Ev w1-2; HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, p 17

[62] Ev w2; HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953, October 2010, p 30

[63] Ev w2

[64] Ev w2; HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953, October 2010, p 9

[65] Ev w2

called "Chicago doctrine" from 1999 by including in the next National Security Strategy a statement of the criteria for when and whether to intervene.

32. **We call on the Government to include in the next National Security Strategy (NSS) and the next Defence and Security Review a description of interventions that it regards as non-discretionary and the rationale behind this view. This would give a good indication of UK intent in terms of its national security interests. We note that the Ministry of Defence recognises that some interventions can be regarded as discretionary. While we understand that the Government will need to be selective in undertaking discretionary interventions, it should consider developing a base criteria for these types of interventions to be included in the next NSS. Such criteria would assist the Government in deciding whether an intervention was in the UK's national interest and also assist in communicating and engaging with the public on intervention decisions. The next NSS should also detail what types of discretionary intervention operations the Government envisages the UK would be able to undertake on its own and those which it would undertake with allies.**

National Security Council

33. Following the 2010 General Election, the new Coalition Government established the National Security Council (NSC) with its own secretariat based in the Cabinet Office. The NSC is a Cabinet Committee which, in similar fashion to other such committees, derives its authority from, and ultimately has its decisions ratified by, the Cabinet.[66] The October 2010 National Security Strategy stated that the NSC had been established "to make sure the government takes decisions properly".[67] In its written evidence to our 2010 inquiry into the processes followed in the development of the SDSR, the MoD stated that "the new NSC provides high-level strategic guidance to Departments, co-ordinates responses to the dangers we face, and identifies priorities".[68] We have welcomed the establishment of the NSC in several of our Reports in this Parliament but are conscious that concerns continue to be expressed about its work and role. The Joint Committee on the National Security Strategy has been critical of the NSC's focus on operational matters and short-term imperatives rather than "considering long term and blue skies topics", and its failure to make the contribution it should to "enabling Government to work as a co-ordinated whole".[69] In our Report, *Towards the next Defence and Security Review: Part I*, we echoed these concerns[70] and in our *Future Army 2020* Report, we expressed concern that the Army 2020 plan had not been considered by the NSC.[71]

34. **We have welcomed the establishment of the National Security Council (NSC) and support its attempts to bring greater coordination and focus across Government on**

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[66] Ev w2-3

[67] HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, October 2010, Cm 7953, p 5

[68] Defence Committee, First Report of Session 2010–11, *The Strategic Defence and Security Review*, HC 345, Ev 13

[69] Second Report of the Joint Committee on the National Security Strategy of 2012-13, *The work of the Joint Committee on the National Security Strategy in 2012*, HL 115 and HC 984, paras 9-10

[70] Defence Committee, Seventh Report of Session 2013–14, *Towards the next Defence and Security Review: Part One*, HC 197, para 14

[71] Defence Committee, Ninth Report of Session 2013–14, *Future Army 2020*, HC 576, para 15

security matters to lead to greater operational effectiveness. National security requires a whole government joined up approach. However, we are concerned that the NSC becomes too involved in operational matters and short-term imperatives rather than giving the strategic lead on questions such as intervention policy.

United Nations Charter and the legal debate

UK legal position

35. Another area to be considered in discussing the strategic rationale of intervention policy is the legal context within which it operates. The legality of intervention is highly controversial and an area of substantial disagreement, not just between nations but also among legal practitioners, academics and commentators. This disagreement has also been demonstrated within the public debate on intervention operations.

36. The MoD defined intervention as "the projection of military force (augmented by other agencies as required) outside UK sovereign territory to achieve an effect in securing, protecting or promoting UK national interests through the use or threat of force".[72] The MoD acknowledged that any military intervention in a sovereign state was likely to be controversial. The Department told us:

> Article 2(4) of the UN Charter[73] prohibits the use of force in international relations and it is well-established international law that States are prohibited from intervening in the internal matters of another state. There are well accepted exceptions to that general rule: a state's inherent right to individual or collective self-defence, as recognised by Article 51 of the UN Charter, and the right of the UN Security Council to authorise the use of force to maintain or restore international peace and security under Chapter VII of the UN Charter. A number of states, including Russia and China, both of whom have the power of veto within the UN Security Council, are reluctant to allow the international community to exercise its powers under Chapter VII where it would involve intervention in a third state.[74]

37. In its written evidence, the MoD told us that if there was no UN Security Council resolution for action then "the UK would still be permitted under international law to take exceptional measures in order to alleviate a humanitarian catastrophe".[75] The UK Government's position is that such a legal basis is available, under the doctrine of humanitarian intervention, provided the following three conditions are met:

> a) there is convincing evidence, generally accepted by the international community as a whole, of extreme humanitarian distress on a large scale, requiring immediate and urgent relief;

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72 Ev w1

73 Article 2(4) "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations."

74 Ev w1

75 Ev w1

b)	it must be objectively clear that there is no practicable alternative to the use of force if lives are to be saved; and

c)	the proposed use of force must be necessary and proportionate to the aim of relief of humanitarian need and must be strictly limited in time and scope to this aim (i.e. the minimum necessary to achieve that end and for no other purpose).[76]

38. However, it is unclear to what degree the UK Government's interpretation of the legal position is accepted by either the international community or the general public in the UK.[77] In the following paragraphs we set out the concept of the Responsibility to Protect together with a description of the legal debate on intervention.

Responsibility to protect

39. The Responsibility to Protect (R2P) came about from a report from the International Commission on Intervention and State Sovereignty (ICISS) in 2001. The ICISS wanted to create a right of humanitarian intervention outside the auspices of the UN Charter, but the international community ultimately rejected this. The High-Level Panel on Threats, Challenges and Change in its 2004 report agreed that the international community had a responsibility to protect populations when their government does not, but limited this to saying that the UN Security Council was the gatekeeper to intervention. The 2005 UN World Summit adopted the concept of R2P, but this was much narrower than that envisaged by the ICISS. It limited application of R2P to situations of war crimes, crimes against humanity, genocide and ethnic cleansing and stated that any action must be taken within the framework of the UN Charter and therefore limited interventions to those authorised by the UN Security Council.[78] R2P was endorsed by UN Security Council Resolution 1674.[79]

40. The R2P asserted that all States have a responsibility to protect their populations from genocide, war crimes, crimes against humanity and ethnic cleansing and where a State is manifestly unable or unwilling to do this, that the international community has a responsibility, on a case-by case basis, to protect those populations.[80] The MoD told us that "this could include the use of coercive measures, such as sanctions, or the use of force authorised by the Security Council".[81] However, the MoD added that R2P did not alter international law governing the use of force.[82] The Humanitarian Intervention Centre, an independent foreign policy think tank, agreed that the R2P had not changed the legal position on intervention:

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[76] Ev w1

[77] For examples see Ev w13, Ev w19-21, Ev w39-46 and Ev w55-58.

[78] Ev w42

[79] Ev w1

[80] Ev w1

[81] Ev w1

[82] Ev w1

Despite widespread hope for the concept following the ICISS report, it [R2P] has not emerged as a developing legal norm, although it has the potential to be. Future interventions still have to be authorised by the Security Council and thus all R2P has done is add more legitimacy to these authorisations to use force. To date, R2P has only been employed in Libya and the Côte d'Ivoire and its advancement has been seriously compromised by lack of application in Syria.

The Humanitarian Intervention Centre believes that the UK could become the leading nation in championing the Responsibility to Protect doctrine. If the UK is firm in emphasising the fact that sovereignty is conditional on protecting your population and that they will take action if the state fails to protect, then they can use R2P to legitimise interventions in the future. The application of the responsibility to protect in the Libya conflict is a prime example of when the principle should be used in practice.[83]

41. The Henry Jackson Society added:

Unfortunately, the decision regarding the use of force under R2P resides with the UN Security Council, and as such any action can be vetoed by one of the Permanent Five members. Moreover, whilst R2P does impose a *moral* obligation to use force if both necessary and authorised, it does not make intervention a *legal* requirement.[84]

42. UNA-UK suggested that the R2P affirmed by UN member states differed from the common conception of humanitarian intervention in a number of respects and that several points needed to be considered in this regard:

- It relates specifically to the prevention of and response to four crimes based in international law: genocide, war crimes, ethnic cleansing and crimes against humanity;

- All states have a primary responsibility to protect their populations from these crimes at all times: there is never a case in which R2P is not applicable;

- R2P calls specifically for the prevention of these crimes and their incitement;

- Measures in the UN Charter, under Chapter VI, VII and VIII are to be used only when prevention fails or is thought likely to fail; and

- Military force, akin to what is commonly known as 'humanitarian intervention', is endorsed by R2P under Chapter VII but it must be authorised by the Security Council.[85]

The legal debate

43. The legal status of intervention is a major area of dispute. The United Nations Association-UK (UNA-UK) told us that "contemporary international law may be read as

[83] Ev w42

[84] Ev w16

[85] Ev w5-6

either permitting or prohibiting international intervention for humanitarian reasons".[86] Intervention for humanitarian purposes has been defined as "forcible military action by an external agent in the relevant political community with the predominant purpose of preventing, reducing or halting an ongoing or impending grievous suffering or loss of life."[87]

44. UNA-UK defined intervention as:

> 'Intervention' has generally referred to the external deployment of a one-nation or multination military force into another country (or its airspace or national waters) with or without the prior consent of (a) the country in question or (b) the international community as represented by the United Nations. Such variations are mirrored in the purpose and goal of the interveners but, in basic terms, may be held to be the alleviation of civilian suffering by securing or facilitating food, shelter and water and so forth; by protecting civilians through the provision of secure geographical areas or by attacking a party or parties to the conflict directly.[88]

45. UNA-UK added that as:

> stated in the Background Research Essays of the International Commission on Intervention and State Sovereignty's (ICISS) 2011 report, "The definition of 'humanitarian,' as a justification for intervention, is a high threshold of suffering. It refers to the threat or actual occurrence of large scale loss of life…massed forced migrations, and widespread abuses of human rights. Acts that shock the conscience and elicit a basic humanitarian impulse remain politically powerful."[89]

46. Although events could be shocking and the desire of the international community would be to alleviate suffering, humanitarian intervention remains controversial, even when recognised as being the most extreme of the options available to prevent and halt threats against civilians. The UNA-UK told us that the controversy arose from a "disconnect between the understanding that, beyond an explicit agreement arrived at between the 'intervening parties' and the nation-state in question, the only legitimate intervention is one mandated by the international community through the United Nations Security Council, and which is outlined in the United Nations Charter".[90]

47. The primary legal obligation to the UN Charter has been supplemented by a number of international conventions such as the 1947 Convention on the Prevention and Punishment of the Crime of Genocide, the four Geneva Conventions in 1948 and subsequent protocols, and the 1998 Rome Statute of the International Criminal Court.[91] However, there is still a major debate on whether military measures should be used to enforce the conventions and also how they relate to a State's overriding obligation to the UN Charter.

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[86] Ev w4

[87] Dr James Pattison, *Humanitarian Intervention and the Responsibility to Protect: Who should intervene?* (Oxford, 2010)

[88] Ev w4

[89] Ev w4

[90] Ev w4

[91] Ev w5

48. Our witnesses have highlighted that a consistency of response was unlikely as UN Security Council agreement was dependent on the vested interests of the Permanent Five members being satisfied or those countries would use their vetoes.[92] There were also concerns that military intervention was seen as a threat to state-sovereignty, especially where the intervention was seen to be aimed at regime change rather than the protection of civilians.[93] Professor Mary Kaldor, Professor of Global Governance, Civil Society and Human Security Research Unit, London School of Economics and Political Science, suggested there was an argument for developing a legal mechanism, with appropriate safeguards, for exceptions to UN Security Council authorisation.[94] The Oxford Research Group called for Parliament to work with data providers from the intelligence community and legal communities as well as civil society to understand the availability and limitations of data on conflict and issues such as weapons of mass destruction as a means of establishing the evidentiary threshold that would be necessary and sufficient for UK Armed Forces to be committed to combat.[95]

49. **The legal justification for military intervention will continue to be controversial. We note the Government's statement that when there is no UN Security Council Resolution for action, there is a legal basis available under the doctrine of humanitarian intervention which would permit the UK under international law to take exceptional measures in order to alleviate a humanitarian catastrophe providing certain conditions are met. We question whether the Government's position is generally accepted by the international community or the British public. The Government should set out in detail in the next iterations of the National Security Strategy and the Defence and Security Review the principles of its legal position, including its relationship with the UN Charter, international law and the concept of the Responsibility to Protect, on the deployment of UK Armed Forces for intervention operations. This would assist with providing the public with greater information on, and understanding of, the Government's position on the use of UK Armed Forces rather than waiting to the heat of debate immediately prior to a potential deployment.**

Attorney General's legal advice on military action

50. Although the Government has not committed to do so on every occasion, it has published notes summarising its legal position on the possible deployment of UK Armed Forces, for example in respect of Libya and the potential use of force in Syria. We welcomed this practice in our Report on operations in Libya together with the Government's commitment to consider publication of an updated summary should significant developments occur that necessitated a reassessment of the Attorney General's advice.[96] In respect of the advice published on Syria, Dr Arman Sarvarian, Director, Surrey International Law Centre, was concerned that the summary of the legal position was not

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[92] Ev w6, Ev w16, Ev w22, Ev w40 and Ev w54

[93] Ev w6

[94] Ev w22

[95] Ev w13

[96] Defence Committee, Ninth Report of Session 2010-12, *Operations in Libya*, HC 950, para 24, and Defence Committee, Eleventh Special Report of Session 2010-12, *Operations in Libya: Government Response to the Committee's Ninth Report of Session 2010-12*, HC 1952, p 3

attributed to the Attorney General, unlike that for the Libya deployment which stated that he had been consulted. Dr Sarvarian told us:

> The note published by the Office of the Prime Minister ('the Note') does not constitute legal advice in the true sense of the term, namely, as an independent opinion produced by a lawyer who accepts professional responsibility for it. It is not signed by the Attorney General and is not attributed to him. It is consequently best-treated as the collective view of the Cabinet, or alternatively as the individual view of the Prime Minister. Although it is not clear to what degree the Note is based upon legal advice provided by the Attorney, its value as a definitive statement of the legal position of the United Kingdom is diminished by the fact that the Attorney (unlike in the case of Lord Goldsmith concerning Iraq) did not undertake personal responsibility for it through a ministerial statement to the House of Commons.[97]

51. **We welcome the Government's publication of summaries of its legal position on the deployment of UK Armed Forces. We note the Government's view that the confidentiality of the Attorney General's full legal advice needs to be upheld and that legal privilege is an essential component of the UK's legal system. We hope that the publication of summaries of the Government's legal position on the deployment of Armed Forces will continue to be regarded as normal and best practice. We recommend that these notes should always state how this position was formulated and who was consulted. We further recommend that the Government should undertake to continue to publish its legal position on the deployment of the Armed Forces.**

Role of Parliament

52. The role of Parliament in decisions on the deployment of UK Armed Forces has been the subject of contentious debate over a number of years. The 2007 Consultation Paper set out the previous Government's view of the current constitutional position:

> The constitutional position of the UK Armed Forces is that their government and command are vested in Her Majesty. Direct control of the armed forces under the Sovereign is divided between the Government and the Defence Council. Parliamentary control of the armed forces is based primarily on the need for annual renewal by Parliament of the Acts which govern enlistment and discipline in the armed forces. Acts of Parliament also affect the use of armed forces within the United Kingdom.

> For overseas operations, the political decision to deploy the Armed Forces rests with the Prime Minister or Cabinet through their exercise of the Royal Prerogative. It is the Defence Council which has the power of command over the members of the Armed Forces and the power to make appointments within the Armed Forces. The Defence Council is also responsible for such matters relating to the administration of the armed forces as the Secretary of State directs.

> In theory the prerogative powers could allow the Government to send Armed Forces into armed conflict abroad without any Parliamentary discussion or debate, or

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[97] Ev w56

without Parliamentary consent. In practice it is inconceivable that any government could make such an important decision without the support of the House of Commons as the executive is dependent on the support of Parliament for its survival and it is fully accountable to Parliament. [...][98]

53. Successive Governments have undertaken to involve and inform Parliament, both in the decision to use force and the progress of military campaigns. This has been primarily through statements to the House, questions and debates. In recent years a convention has developed that the House of Commons should have the opportunity to hold a debate on conflict decisions. The Government has acknowledged this development. In March 2011, the then Leader of the House of Commons, Rt Hon Sir George Young MP, said:

> A convention has developed in the House that before troops are committed, the House should have an opportunity to debate the matter. We propose to observe that convention except when there is an emergency and such action would not be appropriate. As with the Iraq war and other events, we propose to give the House the opportunity to debate the matter before troops are committed.[99]

54. On the occasion where a vote on the deployment of the Armed Forces has been held, it could be argued, that were the Government to be defeated, it would be under no constitutional obligation to change its policy given its prerogative power in these matters. However, such a defeat would indicate the view of Parliament, and the Government would be under political and public pressure to take that view into account.

55. There have been several consultations and proposals put forward by Governments, Opposition parties, Parliamentary Committees and others to formalise the role of Parliament in the authorisation of military action. The previous Government proposed a draft parliamentary resolution on war powers in a White Paper in 2008, but the House did not have an opportunity to consider such a motion before the General Election in May 2010. The 2008 White Paper said:

> While not ruling out legislation in the future, the Government believes that a detailed resolution is the best way forward. This will take the form of a House of Commons resolution which sets out in detail the processes Parliament should follow in order to approve any commitment of Armed Forces into armed conflict. The resolution could be underpinned by a specific standing order, but that is ultimately a matter for each House and not the Government. The uncertain nature of military deployments and likelihood that the lead up to each conflict or potential conflict situation would not necessarily conform to any pattern would require a high degree of flexibility from the proposed mechanism. A resolution will define a clear role for Parliament in this most important of decisions, while ensuring our national security is not compromised by the introduction of a less flexible mechanism.[100]

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[98] Ministry of Justice, Ministry of Defence and the Foreign and Commonwealth Office, *The Governance of Britain: War powers and treaties: Limiting Executive powers*, Cm 7239, October 2007, p 22

[99] HC Deb, 10 March 2011, col 1066

[100] Ministry of Justice, *The Governance of Britain—Constitutional Renewal*, Cm 7342-I, March 2008, p 50

56. In March 2011, the Foreign Secretary went further in the debate on the deployment of UK Armed Forces to Libya when he said the Government would "enshrine in law for the future the necessity of consulting Parliament on military action".[101] However, no legislative proposals have been brought forward by the Government amid reports that Government officials were unable to draft appropriate legislation whilst maintaining the Government's ability for rapid decisions in an emergency.

57. Throughout this Parliament, the Political and Constitutional Affairs Committee of the House of Commons has scrutinised this question and published reports on the role of Parliament in conflict decisions.[102] The latest of these Reports was published in March 2014 and included a draft parliamentary resolution setting out the process that should be followed to consult Parliament on conflict decisions. It saw this as an interim step towards enshrining Parliament's role in conflict decisions in law.[103] The Committee summarised the key points of its Report as:

- The Government needed to make a clear statement of how it intends to honour the Foreign Secretary's commitment of 2011, and give a specific Minister responsibility for making progress on this.

- A parliamentary resolution would serve as a useful interim step towards enshrining Parliament's role in law, by embedding the current convention and clarifying some of the ambiguities that exist under current arrangements.[104]

58. The tension between the Executive's authority under the Royal Prerogative and the role of Parliament was given greater prominence by the Government's defeat in the House of Commons in August 2013 on the proposal to authorise the potential use of military force in response to the situation in Syria and the use of chemical weapons. The substantive motion put before the House of Commons asked the House to "agree that a strong humanitarian response is required from the international community and that this may, if necessary, require military action that is legal, proportionate and focused on saving lives by preventing and deterring further use of Syria's chemical weapons".[105] The motion also said "that every effort should be made to secure a Security Council Resolution backing military action before any such action is taken, and notes that before any direct British involvement in such action a further vote of the House of Commons will take place".

59. The Official Opposition proposed an amendment to the Government's motion stating that the House would only support military action if and when certain conditions had been met. The conditions included UN Security Council consideration and vote on the matter following reports to it by UN weapons inspectors, a clear legal basis in military law for collective military action, and the Prime Minister making a further report to the House on

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[101] HC Deb 21 March 2011, col 799

[102] Political and Constitutional Affairs Committee, Eighth Report of Session 2010-12, *Parliament's role in Conflict Decisions*, HC 923, Twelfth report of Session 2010-12, *Parliament's role in Conflict Decisions—further Government Response*, HC 1673, eighth report of Session 2013-14, *parliament's role in Conflict Decisions: an update*, HC 649, and Twelfth Report of Session 2013-14, *Parliament's role in Conflict Decisions: a way forward,* HC 892

[103] Political and Constitutional Affairs Committee, Twelfth Report of Session 2013-14, *Parliament's role in Conflict Decisions: a way forward,* HC 892, paras 21-25 and Annex

[104] Ibid, Summary

[105] HC Deb, 29 August 2013, cols 1425-1426

the achievement of these conditions so that the House of Commons could vote on UK participation in military action in Syria.[106] Both the Government motion and the Opposition amendment were defeated.

60. Immediately following the announcement of the results of the votes, Rt Hon Edward Miliband MP, Leader of the Opposition, raised a point of order asking "the Prime Minister [to] confirm to the House that, given the will of the House that has been expressed tonight, he will not use the Royal Prerogative to order the UK to be part of military action before there has been another vote in the House of Commons".[107] In response the Prime Minister told the Chamber:

> I strongly believe in the need for a tough response to the use of chemical weapons, but I also believe in respecting the will of this House of Commons. It is very clear tonight that, while the House has not passed a motion, the British Parliament, reflecting the views of the British people, does not want to see British military action. I get that, and the Government will act accordingly.[108]

61. Some commentators have regarded this as an assertion of the sovereignty of Parliament and a limitation to the Royal Prerogative on these matters. It has been suggested that any significant future military action cannot now be contemplated without prior consultation with Parliament. Professor Malcolm Chalmers from RUSI said:

> It is now hard to see how any UK Government could undertake significant military action without the support of Parliament, or indeed of the wider public. And it is difficult to see such support being given unless there is a clear national interest involved, or if military operations are undertaken with the imprimatur of a UN Security Council mandate—at least until the shadows of Iraq and Afghanistan have faded much further from the national consciousness [...]

> The UK Parliament and public are no longer prepared to give their Government the benefit of the doubt on military operations, and the Government will be constrained in what it can do in future as a result. The consequences for UK defence and foreign policy will be examined with interest by allies and potential adversaries alike.[109]

62. Former FCO Minister Alistair Burt MP, suggested that the Government's power to launch military action was now in a mess and the role of Parliament should be revisited, including at what stage it should be consulted on a military deployment.[110] In his written evidence to our inquiry into *UK Armed Forces Personnel and the legal framework for future operations*, Steven Haines, Professor of Public International Law, University of Greenwich told us:

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[106] HC Deb, 29 August 2013, col 1440

[107] HC Deb, 29 August 2013, col 1555

[108] HC Deb, 29 August 2013, col 1555-1556

[109] Royal United Services Institute Analysis, *Parliament's Decision on Syria: Pulling our Punches*, August 2013 (available at: https://www.rusi.org/go.php?structureID=commentary&ref=C52210D1AC29AE)

[110] *The Guardian*, 6 February 2014, "MPs should lose right to vote on war, says former Middle East minister"

It is an interesting question whether or not the current PM's decision to refer Syria to Parliament has set a precedent that subsequent PMs will find it difficult not to repeat. One suspects this is the case but, as with all such constitutional shifts, we must wait for subsequent experience to either confirm a shift in that direction or mark the Syria decision out as an exceptional departure from a constitutional norm.

Whatever the future holds in that respect, I remain convinced that giving Parliament a role in decision-making of this sort would be unfortunate. It is the role of HMG in our constitution to decide within the law, with Parliament determining what the law should be. Clearly this means that if Parliament decides through legislation that military deployment decisions must be made by Parliament, then future governments will be obliged to comply with that. However, I believe this would grant Parliament inappropriate executive responsibility for matters that it is not appropriately configured to shoulder.[111]

63. However, other commentators have supported the role of Parliament in conflict decisions. Professor Nigel White, Professor of Public International Law at the University of Nottingham, said it was essential. In written evidence to the Political and Constitutional Affairs Committee, he said:

Parliamentary approval for any use of force has become essential primarily because of the anachronism of unregulated prerogative powers. Powers that once belonged to monarchs should not be wielded without proper democratic accountability; indeed they should be effectively regulated/replaced by clear statutory rules.[112]

64. In his March 2014 Washington speech the Secretary of State for Defence said that the UK had not lost its appetite for foreign military interventions despite the rejection of such action in respect of Syria and this should not been seen as implying a retreat from international engagement. He added the UK "remained determined to plays [its] role on the world stage and to do so as an ally and partner of the US". [113]

65. **The role of Parliament in conflict decisions is a contentious issue. The House of Commons' decision in August 2013 to reject the potential deployment of military force to Syria (despite provisions in the Government's resolution that would have required efforts to secure a UN Security Council Resolution authorising such action and a further vote in the House of Commons on direct UK involvement) has significantly added to the debate on what the role of Parliament should be in conflict decisions and its relationship with the Royal Prerogative on such matters. The Government should intensify its efforts to resolve this matter. We regard Parliament's role as one of a strategic inquisitor on military deployments. As a first step, we call on the Government to clarify its position on whether it wishes to legislate to formalise the requirement to**

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111 Defence Committee, Twelfth report of Session 2013-14, *UK Armed Forces Personnel and the Legal Framework for Future Operations*, HC 931, Ev 89

112 Political and Constitutional Affairs Committee, Twelfth Report of Session 2013-14, *Parliament's role in Conflict Decisions: a way forward,* HC 892, Evidence from Professor Nigel White, available at: http://data.parliament.uk/writtenevidence/WrittenEvidence.svc/EvidenceHtml/2838

113 Speech at The Heritage Centre on 26 March 2014, *Why Britain and America must remain partners of choice in Defence* (available at: http://www.heritage.org/events/2014/03/philip-hammond-mp); see also "The UK-US defence partnership", Ministry of Defence press release, 27 March 2014.

consult Parliament on military action or whether it favours codifying the role of Parliament in a Parliamentary resolution. We do not consider it appropriate for the Government to wait until the next possible military deployment to resolve this issue. We conclude that, wherever possible, Parliament should be consulted prior to the commencement of military action, but recognise that this will not always be possible such as when urgent action is required. We call on the Government to commit to ensuring that a summary of the legal justification on military action is available to Parliament in advance of any such debate.

Non-intervention

66. As well as considering the strategic rationale and legal framework for taking intervention action, our witnesses told us there would also be consequences from a decision not to intervene. The Humanitarian Intervention Centre said:

> military intervention is always associated with a risk that conflict might spill out across the country subject to intervention and into neighbouring states. In this regard international intervention may have potentially destabilising effects on a region. But on the other hand, non-intervention may similarly lead to regional destabilisation, especially where terror networks spread out across porous borders and into neighbouring countries that are often powerless to prevent this.[114]

67. In her evidence, Professor Mary Kaldor told us that while there was considerable and understandable reluctance to intervene in the aftermath of operations in Afghanistan and Iraq, the current situation in Syria demonstrated the dangers of non-intervention:

> The current situation in Syria, characterised by massive human rights [violations] including the shelling of civilians, forcible population expulsion, sexual violence, the provocation of sectarianism, the growth of jihadism and of criminality, the use of chemical weapons, not to mention the risk of the spread of this type of violence, illustrates the perils of non-intervention.[115]

68. Witnesses have suggested that non-intervention could have wider global implications than merely in the current area of concern.[116] In this regard, non-intervention can be related closely to a failure of deterrence, for whilst the capability to intervene might exist, the lack of will to intervene undermines the ability to deter. For example, the question arises whether the decision not to intervene in Georgia or Syria might have encouraged the current Russian action in the Ukraine.

69. General Sir Peter Wall, Chief of the General Staff, discussed this point in his March 2014 speech at Chatham House.[117] He suggested that the political tensions regarding, and the experiences of, previous deployments over the last decade such as in Iraq and

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[114] Ev w50

[115] Ev w21

[116] Ev w14, Ev w48 and Ev w50

[117] Speech at Chatham House on 12 March 2014, *Defence Engagement: The British Army's Role in Building Security and Stability Overseas*, (available at:
http://www.chathamhouse.org/sites/default/files/home/chatham/public_html/sites/default/files/20140312Defence%20
Engagement.pdf)

Afghanistan had fuelled a political and public reluctance to use military force in the future, particularly in committing land forces. General Wall said that a "sense of what some have described as moral disarmament in the West, after ten years of politically awkward campaigns and a false sense of negligible threats, may already be a factor in others' expectations of our reaction to provocation". He added that in the domestic context, the political inclination for the UK to be involved in new operations was currently low. He suggested that "the Syria vote, a preference for stand-off engagement with precision weapons with limited land engagement which we saw in Libya, are indications of this reticence. In the case of the latter we now understand better the limitations of such an approach" and he warned that the UK should be prepared for potential adversaries to exploit this and noted a danger of over correcting due to the experiences of the last decade. He concluded that "ultimately history tells us that in some circumstances committed land forces may be the only way to achieve decisive outcomes in support of our strategic objectives." It should be noted that this debate is not limited to the UK. For example, there is a growing debate in Germany on the future of its Armed Forces and whether they should play a greater role in resolving international conflicts and whether this would mean a higher level of deployments.[118]

70. **We understand and acknowledge the current lack of appetite for military operations given the experiences and tensions of the past decade for operations in countries such as Afghanistan and Iraq. However, it is also necessary to understand and acknowledge that there are consequences to decisions by the UK and the international community not to intervene in humanitarian or non-humanitarian situations. Non-intervention decisions have implications for the UK's place in the world and its influence which are as profound as a decision to undertake an intervention operation. Decisions not to intervene could have wide global implications for efforts to deter hostile actions by other states or non-state actors. The Government should be more forthright in stating the consequences of non-intervention when it proposes intervention actions. The next National Security Strategy and the next Defence and Security Review should also include an indication of how the Government balances and decides between these two choices.**

SDSR and the use of UK Armed Forces

71. The 2010 Strategic Defence and Security Review (SDSR) set out five principles which would govern the use of UK Armed Forces:

> We will be more selective in our use of the Armed Forces, deploying them decisively at the right time but only where key UK national interests are at stake; where we have a clear strategic aim; where the likely political, economic and human costs are in proportion to the likely benefits; where we have a viable exit strategy; and where justifiable under international law.[119]

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118 For example see speeches by the German Federal President and the Federal Minister of Defence at the Munich Security Conference on 31 January 2014 (available at: https://www.securityconference.de/en/activities/munich-security-conference/msc-2014/reden/).

119 HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953, October 2010, p 17

72. In its written evidence, the MoD asserted that these principles were particularly appropriate to interventions that might be described as 'discretionary' (see paragraph 30 above) i.e. where there was a political choice about whether or not to intervene, in what way and to what extent.[120]

73. An example of a discretionary intervention was Libya in 2011. In our Report on *Operations in Libya*, we noted the 2010 SDSR's principles for the deployment of UK forces. While accepting that operations should have a clear strategic aim, we recommended that the Government should develop this concept more by undertaking a more detailed, comprehensive and strategic assessment before deciding to intervene.[121] In its response to our Report the Government stated the SDSR's principles governing the use of UK Armed Forces were a "clear benchmark against which [it would] consider any proposed deployments".[122] However, the Government added that the precise form of any analysis would be dependent on the circumstances prevailing at the time, including the urgency, scale and nature of the potential deployment.

74. **We welcome the Government's intention that any deployment of UK Armed Forces should have a clear strategic aim. While conscious that deployments will differ and some will be of an urgent nature we repeat our call that the Government should develop this concept by undertaking a more detailed, comprehensive and strategic assessment before deciding to intervene. This should address the strategic ends, ways and means, including generating the necessary parliamentary support. We call on the Government to set out in the next Defence and Security Review how it determines and measures success against the strategic aims set for the deployment of UK Armed Forces. We have seen no sign that its approach has resulted in a more strategic use of the Armed Forces since the 2010 Strategic Defence and Security Review.**

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[120] Ev w2

[121] Defence Committee, Ninth Report of Session 2010-12, *Operations in Libya*, HC 950, para 55

[122] Defence Committee, Eleventh Special Report of Session 2010-12, *Operations in Libya: Government Response to the Committee's Ninth Report of Session 2010-12*, HC 1952, p 8

3 Interventions: How?

75. The previous chapter discussed the strategic rationale (the why and when) for intervention operations, but equally important is how these operations are undertaken. The development of the most robust strategy for intervention counts for little if it cannot be implemented. Therefore in this chapter we consider the various different aspects of implementation of the UK's intervention strategy.

Future Force 2020

76. The 2010 Strategic Defence and Security Review (SDSR) set out the intended structure, capability and manpower of each of the Services to be achieved by 2020 (Future Force 2020).[123] We have announced our intention to hold an inquiry into Future Force 2020 before the end of the current Parliament as part of our work looking towards the next Defence and Security Review (DSR) and so do not comment in detail on it here.[124] The transition to Future Force 2020 has continued with an associated commitment to a 1% real terms increase in the defence equipment budget each year from 2015[125] although there have been concerns expressed about possible further reductions in Armed Forces personnel and the UK's ability to man and deploy such a force.

77. Since the 2010 SDSR, further significant announcements have been made which alter the design of Future Force 2020. An example of this was the Army 2020 plan which radically changed the Army envisaged under Future Force 2020 in the 2010 SDSR.[126] These changes included further reductions in manpower, changes to the Army structure from Multi-Role Brigades to a structure of a Reaction Force, an Adaptable Force and Force Troops, and a revised and more integrated role for Reservists. We commented on these changes in our Report, *Future Army 2020*.[127]

78. As part of the development of Future Force 2020 it should be noted that, with the end of combat operations in Afghanistan, UK Armed Forces are moving from a posture of enduring operations to one of a contingent capability (see paragraph 4 above). Under this contingent posture the intention is that UK Armed Forces will have the capability to respond effectively and rapidly to events that might require their deployment, including intervention operations.

79. The 2010 SDSR stated that Future Force 2020 was designed to permit the UK to deploy highly capable assets quickly when required, but also to prepare a greater scale and range of

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123 HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, pp 19-28

124 Defence Committee press notice, "Defence Committee Future Programme, 10 December 2012

125 HC Deb, 26 June 2013, col 307

126 British Army, *Modernising to face an unpredictable future: Transforming the British Army*, July 2012, and British Army, *Transforming the British Army: an update*, July 2013

127 Defence Committee, Ninth Report of Session 2013–14, *Future Army 2020*, HC 576

capability if required.[128] The SDSR listed five concepts for Future Force 2020 which it said were essential to achieving the optimal effect:

- Readiness: a small number of the most capable units to be held at high readiness while the majority of Forces are held at graduated levels of lower readiness;

- Reconstitution: some capabilities will be held at extended readiness (*a concept which we note entails lower, rather than increased, readiness*). The capabilities are not available for operations in the short term but are capable of being reconstituted if strategic notice is given of possible, but low probability, events to which a response may be required to protect UK national interests;

- Reinforcement: Reserve Forces will contribute to each element of the Future Force to provide additional capacity when Regular Forces are deployed at maximum effort. Reserves would also provide specialist capabilities;

- Regeneration: the UK will maintain the ability to regenerate capabilities that it does not plan to hold for the immediate future; and

- Dependency: the UK will rarely deploy alone. UK Armed Forces and NATO Allies are dependent on each other for particular capabilities.[129]

Each of these concepts is directly relevant to the UK Armed Forces' ability to undertake intervention operations.

80. **The Government must ensure that the plans and resources for Future Force 2020 enable the Armed Forces to carry out the roles intended for them, including that of undertaking intervention operations. We note the commitment to a 1% real terms increase in the equipment budget from 2015 but this must not be achieved by further manpower cuts. We also note the concepts listed in the 2010 SDSR (readiness, reconstitution, reinforcement, regeneration and dependency) as being central to achieving the optimal effect for Future Force 2020. We will explore the MoD's progress in fulfilling these concepts as part of our forthcoming inquiry into Future Force 2020.**

Collaboration with Allies

81. The 2010 SDSR made it clear that UK Armed Forces will rarely act alone.[130] The UK will seek to work closely with allies and partners. The MoD told us it regarded these collaborations, whether formal alliances or coalitions of the willing, as important, not just in military capability terms and mass, but as a means of demonstrating and maintaining legitimacy.[131] The MoD cited the importance of the support of the Arab League for operations in Libya alongside other allies. The MoD added:

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128 HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, p 20

129 Ibid, p 20

130 Ibid, p 20 and p 63

131 Ev w3

It may sometimes be necessary to limit or modify the objectives of a potential intervention in order to achieve the broadest possible support from within the international community. The need to work effectively with other nations will become a larger feature of future interventions and forms a key part of planning activity.[132]

82. In our Report on *Operations in Libya*, we welcomed the significant involvement of non-NATO countries in the operation.[133] However, we were concerned to establish the command and control arrangements for non-NATO countries and how they were implemented and coordinated and asked the Government to set this out in its response to our Report. We also asked the Government to set out how it ensured that any bilateral alliances between non-NATO countries and the Libyan rebels did not impact on the NATO mission or infringe the UN mandate. In its response, the Government said that the inclusive involvement of non-NATO countries in shaping the response to the Libya crisis helped improve these countries' awareness and understanding of the humanitarian, political and military objectives of the campaign.[134] The Government added that it maintained routine political, policy and military bilateral relations during the campaign which enabled issues relating to Libya to be discussed.

83. Witnesses, such as the Oxford Research Group, agreed that it matters who intervenes. Although they accepted that inter-operability would be the main concern in respect of alliances, they believed that regional ownership of interventions was desirable.[135]

84. Our Report on *Operations in Libya* also noted NATO's over reliance on US command and control capabilities for that operation.[136] In its response to our Report the Government accepted that some NATO allies shared significantly more of the burden than others and that this imbalance needed to be addressed in the future.[137] The Government noted that there was a discrepancy between what some allies were willing to contribute to the Alliance in terms of defence spending and willingness to deploy on NATO operations, and the benefits they expect to receive in terms of security guarantees, infrastructure, appointments and influencing policy direction. This was something that the Government accepted which it, NATO and allies needed to "take a hard look" at.

85. The disparity between NATO members on defence spending and contributions to deployments and operations has continued. In his March 2014 speech in Washington, Rt Hon Philip Hammond MP, Secretary of State for Defence, said that in light of events in Ukraine, there was a need to "reassert the pivotal role of NATO in our collective security, and demonstrate that we are prepared to put our money where our mouths are."[138] He also

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132 Ev w3

133 Defence Committee, Ninth Report of Session 2010-12, *Operations in Libya*, HC 950, para 81

134 Defence Committee, Eleventh Special Report of Session 2010-12, *Operations in Libya: Government Response to the Committee's Ninth Report of Session 2010-12*, HC 1952, p 10

135 Ev w14

136 Defence Committee, Ninth Report of Session 2010-12, *Operations in Libya*, HC 950, paras 90-91

137 Defence Committee, Eleventh Special Report of Session 2010-12, *Operations in Libya: Government Response to the Committee's Ninth Report of Session 2010-12*, HC 1952, pp 10-11

138 Speech at The Heritage Centre on 26 March 2014, *Why Britain and America must remain partners of choice in Defence* (available at: http://www.heritage.org/events/2014/03/philip-hammond-mp); see also "The UK-US defence partnership", Ministry of Defence press release, 27 March 2014.

recognised the challenges that European defence faced in the current period of austerity, but urged European NATO countries to take on greater responsibility for providing security in Europe. This might become more of an issue following the US's announcement of an intention to have a greater strategic focus on the Pacific region. The level to which the US disengages from European affairs remains to be seen, particularly in light of events in the Ukraine and the possible re-emergence of Cold War era state-versus-state tensions. These topics could well be the major topic to be considered at the forthcoming NATO summit in September 2014.

86. **We agree that the UK will be required to work closely with allies and partners in interventions, not just in terms of military capability and force size but as a means of maintaining and demonstrating legitimacy. We note the Ministry of Defence's statement that it may sometimes be necessary to limit or modify the objectives of a possible intervention to achieve the broadest possible support from the international community. However, this must not be at the risk of undermining the strategic aim of the intervention operation. We agree with our witnesses that regional ownership of interventions can on occasions be important and desirable. The next National Security Strategy and the next Defence and Security Review should set out how the Government plans to develop regional partnerships which will help in delivering the UK's national security objectives.**

87. **We note the US's stated intention to have a greater strategic focus on the Pacific region. However, the level to which the US will reduce its strategic focus on, and interest in, European affairs is unclear, particularly in the light of recent events in Ukraine. We call on the Government and other European NATO countries to develop a strategy for the future role of NATO and its resourcing that takes this into account. This should include a vision of the leading role to be played by the UK in encouraging European NATO states to take on a greater degree of responsibility in NATO operations. The NATO summit in September 2014 provides an opportunity for consideration of such matters. The summit also provides an opportunity to discuss the role of non-NATO countries in NATO-led operations. We call on the Government, in its response to this Report, to set out how it intends to take these matters forward at the summit.**

New intervention capabilities

88. The evolution of new capabilities such as cyber have implications for UK intervention policy in that they provide a capability to intervene and project force without necessarily deploying Armed Forces personnel. Since publication of the NSS and SDSR in 2010 the Secretary of State for Defence has acknowledged, in September 2013, that the UK had an offensive cyber capability.[139] We noted the potential legal difficulties of the offensive cyber capability in our Report on *Deterrence in the twenty-first century*, concluding that:

> We welcome the emphasis that the Government places on the importance of cyber defence and we note the commitment of resources to a new cyber strike capability.

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[139] Ministry of Defence press notice, "New Cyber reserve unit created", 29 September 2013 (available at: https://www.gov.uk/government/news/reserves-head-up-new-cyber-unit)

We are concerned that the difficulty in identifying actors in a cyber attack makes the ability to deter that much harder as hostile parties may feel more confident that they can mount an attack with impunity. Another challenge for deterrence is that question marks over the proportionality and legality of a response to a cyber attack may have a bearing on a hostile actor's calculations about the UK's readiness to deploy its own offensive capability, adding to this sense of impunity on the part of a potential aggressor.[140]

89. **The development of new capabilities, such as the ability to take offensive cyber action, has profound implications for the way the UK intervenes. Although these capabilities bring with them advantages, in terms of not putting UK Armed Forces personnel in harm's way, their use also raises a number of questions. The next National Security Strategy and the next Defence and Security Review should consider the implications of these capabilities and their use in future interventions.**

Other approaches to intervention

90. Alongside military intervention capabilities, the UK has other approaches to intervention which involve other Government Departments and agencies and others such as contractors and NGOs.[141] Our predecessor Committee recognised this in its Report on *The Comprehensive Approach: the point of war is not just to win but to make a better peace*.[142] The Report concluded that when troops are committed to operations in future there must be robust plans to coordinate military and reconstruction efforts from the earliest stages.[143] Our predecessor Committee recommended that the MoD, the FCO and DFID, working together with the Stabilisation Unit,[144] produce a Comprehensive Approach policy and doctrine that brought together all the elements for such a policy in one place.[145] In its response to the Report, the newly elected Government said it recognised the importance of an integrated approach to policy and decision making on matters of national security.[146] The Government has since published the *Building Stability Overseas Strategy* (BSOS)[147] and the *International Defence Engagement Strategy* (IDES).[148] These are intended to set out the Government's approach to establishing priorities and cohesion

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[140] Defence Committee, Eleventh Report of Session 2013-14, *Deterrence in the twenty-first century*, HC 1066, para 26

[141] Ev w2

[142] Defence Committee, Seventh Report of Session 2009–10, *The Comprehensive Approach: the point of war is not just to win but to make a better peace*, HC 224

[143] Ibid, para 41

[144] The Stabilisation Unit's website says "The Stabilisation Unit's purpose is to help HMG respond to crises and tackle the causes of instability overseas. SU is a uniquely integrated civil-military operational unit funded from the Conflict Pool, designed to be agile and responsive and well-equipped to operate in high threat environments. It combines in-house staff expertise with the ability to draw on a larger pool of civilian expertise for specialised, longer term or larger scale taskings".

[145] Defence Committee, Seventh Report of Session 2009–10, *The Comprehensive Approach: the point of war is not just to win but to make a better peace*, HC 224, para 30

[146] Defence Committee, First Special Report of Session 2010-11, *The Comprehensive Approach: the point of war is not just to win but to make a better peace: Government's Response to the Committee's Seventh Report of Session 2009-10*, HC 347, p 3

[147] Department for International Development, Foreign and Commonwealth Office and Ministry of Defence, *Building Stability Overseas Territory*, July 2011

[148] Foreign and Commonwealth Office and Ministry of Defence, *International Defence Engagement Strategy*, February 2013

across conflict prevention activities, including joint funding mechanisms such as the Conflict Pool.[149]

91. The July 2011 BSOS was developed by the FCO, DFID and MoD. It described how the UK can enhance its own security and prosperity by identifying, preventing and ending instability and conflict overseas, using diplomatic, development, military and security tools, and drawing on Britain's unique experience, relationships, reputation and values.[150] It is intended to build on the National Security Strategy, which identified shaping a stable world as a core Government objective,[151] and the Strategic Defence and Security Review, which made a commitment to tackle threats to our national security at source.[152] The BSOS is founded on three mutually supporting pillars:

- Early Warning;

- Rapid Crisis Prevention and Response; and

- Investing in Upstream Prevention[153]

92. The MoD told us that the BSOS recognised the value of early intervention when necessary and lawful to prevent escalations of conflict.[154] According to the MoD, the BSOS's focus on indicators and warnings within countries at risk of instability was an important way not just of prioritising upstream prevention activity but also of ensuring that the Armed Forces and others prepared for future military operations.[155]

93. The February 2013 *International Defence Engagement Strategy* set out how all defence activity short of combat operations, would be prioritised to focus engagement efforts on "those countries which are most important to our national interests, and where we are most likely to achieve the desired effect".[156] It was intended to bring forward commitments made in the 2010 National Security Strategy and the 2010 Strategic Defence and Security Review that set out a vision for an integrated approach to meeting international objectives and greater use of UK influence in upstream conflict prevention. It is intended to ensure that the UK shapes its defence engagement over a period of up to 20 years, and to develop the relationships and influence that will be required to achieve the UK's objectives in a

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[149] Ev w2; The Conflict Pool, established in 2001 and restructured in 2008, is funded from a separate HM Treasury Conflict Resources settlement, which also funds the Peacekeeping Budget. It is managed jointly by the DFID, the FCO and the MoD. The pool funds conflict prevention, stabilisation and peacekeeping activities that meet the UK Government's conflict prevention priorities as set out in the Building Stability Overseas Strategy. It brings together the work of the three departments traditionally involved in conflict prevention work: the FCO, DFID and MoD, to conduct joint analysis, establish shared priorities and design and implement joint conflict prevention and management programmes. (DFID, FCO, MoD, *Conflict Pool Strategic Guidance*, April 2013, available at: https://www.gov.uk/government/publications/conflict-pool).

[150] Department for International Development, Foreign and Commonwealth Office and Ministry of Defence, *Building Stability Overseas Territory*, July 2011, p 4

[151] HM Government, *A Strong Britain in an Age of Uncertainty: The National Security Strategy*, Cm 7953, October 2010, p 22

[152] HM Government, *Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review*, Cm 7948, October 2010, p 9

[153] Ibid, p 18; Ev w2

[154] Ev w2

[155] Ev w2

[156] Foreign and Commonwealth Office and Ministry of Defence, *International Defence Engagement Strategy*, February 2013, p 3

period of significant uncertainty and change.[157] The strategy covers four component areas of activity:

- security and 'non combat' operations;

- defence diplomacy;

- defence and security exports; and

- regional stability, conflict prevention, post conflict reconstruction and stabilisation.[158]

94. Our witnesses broadly welcomed the BSOS and IDES. Saferworld suggested that defence actors could be involved in the following conflict prevention activities: upstream conflict prevention, support for a nation's security sector, capacity building, and diplomacy and development.[159]

95. A number of witnesses pointed to the challenges for the Armed Forces undertaking these types of intervention activities. Saferworld pointed to the challenge of understanding the context of an intervention situation, including the perceptions of the local populations and potential local political nuances.[160] Other challenges included the need to develop language skills (see also paragraphs 113-115 below) and understanding local customs and traditions.[161] At the end of an intervention, UK Armed Forces might have a role in supporting the disarmament, demobilisation and reintegration of ex-combatants back into society, the transformation of defence assets toward civilian control, and establishing civilian oversight of the Armed Forces.[162]

96. **We welcome the Government's commitment to a "Comprehensive Approach". We also welcome the emphasis on conflict prevention envisaged in Building Stability Overseas Strategy (BSOS) and the International Defence Engagement Strategy (IDES) and the involvement of UK Armed Forces with other agencies. It is important that the Armed Forces and other actors understand the context in the countries in which these activities are taking place, including the development of the language skills required for effective engagement with the local population and authorities. The Government should also outline the metrics it has developed to measure the effectiveness of both the BSOS and the IDES. In interventions where the purpose is not for humanitarian reasons, care must be taken to ensure that the coercive or deterrent action taken is proportionate and that the risks are fully assessed.**

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[157] Ibid p 1

[158] Ibid, p 3

[159] Ev w9-10

[160] Ev w8-10 Ev w12 and Ev w14-15

[161] Ev w8-9 and Ev 15

[162] Ev w9-10

Strategic communication

97. A key element of an intervention operation should be a strategic communication. This includes both local communication where the operation is being undertaken and communication with the UK public to explain the rationale and purpose of an intervention operation.

98. In regards to communication with local nationals in the intervention region, Saferworld told us that people's perceptions matter and that the UK could not simply expect to provide security through its interventions.[163] It required the "active consent, participation and ownership of national authorities, security providers and local people in order to achieve lasting peace and security". Saferworld argued that "in many cases local people have little opportunity to play a part in decisions that affect them". In their opinion, this did not mean that the Armed Forces themselves should carry out public perception surveys or work with local communities to identify and address their security and development needs. However support should be provided for civil society and others to carry out this work and it should be a key element of UK intervention strategy.

99. It is also essential that when undertaking intervention operations there is a strategic communications plan for informing the UK public of the reasons and purpose of the operation. This is vital in ensuring the support of the public for the operation. In our Report on *Operations in Libya*, we were concerned that regime change was being seen as the goal of the mission, rather than the protection of civilians as proscribed in the UN mandate.[164] In our Report on *Securing the Future of Afghanistan*, we warned that we had seen little evidence that the Government's communications strategy was fulfilling its objectives and recommended that the MoD and FCO reinvigorate their communications strategy for the UK and Afghan populations.[165] The failure of the Government's communications strategies for military operations is illustrated in part by the public's current reluctance to support future expeditionary operations.

100. A further challenge for Government communication strategies is that the terminology used across Government means different things depending on the department in which it is being used. For example, conflict prevention in the MoD might mean using force to remove a threat whilst in the FCO it might mean diplomatic negotiations to facilitate a peace agreement. Therefore, it is not surprising that public understanding of the reasons for intervention operations is not as complete as it should be.

101. **Strategic communications are vital for intervention operations. The perceptions of local populations affected by such operations are crucial to the success of these missions. Success also requires the strategic aims and objectives of the mission to be understood by the public in the UK. We call on the Government to develop coherent and understandable meanings for the terms used across Government Departments for its intervention policy and defence engagement strategy. It should also develop**

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163 Ev w9

164 Defence Committee, Ninth Report of Session 2010-12, *Operations in Libya*, HC 950, para 34

165 Defence Committee, Tenth Report of Session 2012-13, *Securing the Future of Afghanistan*, HC 413, para 150

methods to increase public understanding of them as this will assist in improving public understanding and perceptions of the use of the Armed Forces.

Exit strategies and the end state

102. We have welcomed the Government's statement in the 2010 SDSR that it intends to have viable exit strategies when deploying the Armed Forces.[166] In its response to our concerns on exit strategies in our Report on *Operations in Libya*, the Government told us that there were limits to how far it was sensible to try and envisage or plan the precise way in which UK Armed Forces would exit an operation, adding that it was essential to retain flexibility and the capacity to adapt to events.[167] The Government added that by having a clear strategic aim from the outset as part of an integrated government approach, it was expected that the Government would have a common understanding of the circumstances that would trigger an end to a military deployment and the shift to civilian-led post conflict engagement.

103. The former Prime Minister, Rt Hon Tony Blair, said in his so-called 1999 "Chicago doctrine": "Are we prepared for the long term? In the past we talked too much of exit strategies. But having made a commitment we cannot simply walk away once the fight is over; better to stay with moderate numbers of troops than return for repeat performances with large numbers".[168]

104. Our witnesses agreed exit strategies were important and would become more important given likely complexities of a range of UK agencies remaining in a post-conflict environment. The Humanitarian Intervention Centre described exit strategies as being more than an end to military intervention:

> An exit strategy is a transitional plan for disengagement and ultimate withdrawal of external parties from a state's territory, ideally after having attained their principal objectives. Nevertheless, an exit does not necessarily mark the end of all international involvement. So far there has been little explicit discussion of exit strategies in US military doctrines. Similarly, the UN has not issued any guidance on appropriate exit strategies for humanitarian intervention. The term did not find common application in foreign policy until the US engagement in Somalia in 1993, which is often hailed as the prime example of an ill thought-out and rushed exit. In thinking about exit strategies, it is important to emphasise the fact that an exit is a process, not an event; they may therefore more appropriately be described as transitional strategies.[169]

105. Part of a successful exit strategy would be post-conflict reconstruction and nation building. The Oxford Research Group told us that the UK needed to pay as much attention to how it transitions successfully from military to non-military involvement in conflict situations as it did to the transition to military intervention:

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[166] Defence Committee, Ninth Report of Session 2010-12, *Operations in Libya*, HC 950, para 55

[167] Defence Committee, Eleventh Special Report of Session 2010-12, *Operations in Libya: Government Response to the Committee's Ninth Report of Session 2010-12*, HC 1952, p 8

[168] Rt Hon Tony Blair speech on the "Doctrine of International Community", 24 April 1999. Available at: http://www.britishpoliticalspeech.org/speech-archive.htm?speech=279

[169] Ev w52

The Building Stability Overseas Strategy (BSOS) is a welcome contribution to UK policy on a range of prevention and intervention options, primarily outside the military sphere. Similarly welcome are the Joint Analysis of Conflict and Stability and elements of the National Security Strategy (NSS) and International Defence Engagement Strategy (IDES). However, there remains a lack of strategy on planning for the aftermath of military intervention: post-conflict recovery and (re)construction. The challenges and risks of disengagement have been poorly integrated into assessments and planning of military interventions. This has been very obvious in the aftermath of UK/US interventions in Afghanistan and Iraq, as well as the reticence to take decisive 'state-breaking' military action in Syria. [...].[170]

106. An exit strategy can never be fully planned in advance, but is dependent on a large number of contingent factors and the actions of autonomous parties which are often impossible to foresee. Therefore exit strategies should retain flexibility and include the continuous re-evaluation of goals, objectives, and timeframes during the course of an intervention.[171]

107. As well as establishing viable and achievable exit strategies, in its work on the "Comprehensive Approach" our predecessor Committee highlighted the importance of a clearly defined end state:

In future situations where the Comprehensive Approach is adopted all relevant Government Departments and the Armed Forces should agree a clear set of objectives with appropriate measures of achievement and with a clearly defined end state set in the context of the nature of the challenges faced. The need for post-conflict reconstruction and stabilisation should be recognised and incorporated into the planning at the earliest stages. These objectives may need to adapt and evolve but it is essential that the agencies pursuing the Comprehensive Approach have an agreed and feasible end state in mind at every appropriate juncture.[172]

108. **We welcome the intention to plan for viable exit strategies for deployed UK Armed Forces although we recognise that this risks sending signals to adversaries that intervention is bound in time, space, military force or desired effect. However, it is vital that consideration of an exit strategy should commence at an early stage, perhaps even prior to deployment.**

109. **Interventions bring with them responsibilities in respect of exit strategies and end states and these will invariably take longer than anticipated. Securing the peace is as important an objective as winning the war. The Government should set out in the next National Security Strategy and the next Defence and Security Review how it defines and assesses successful exit strategies and end states, including how long they should take for each of the actors involved and how it measures the success of the transition from exit strategies to the desired end state. Exit strategies must also ensure safety of Armed Forces personnel remaining in country and that of other UK agencies such as DFID.**

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[170] Ex w14

[171] Ev w52

[172] Defence Committee, Seventh Report of Session 2009–10, *The Comprehensive Approach: the point of war is not just to win but to make a better peace*, HC 224, para 41

Learning lessons and looking ahead

110. Learning lessons from intervention operations, not just those which are military in nature, is vital. In our Report on *Towards the next Defence and Security Review: Part I,* we highlighted the importance of this. We recommended:

> that the Ministry of Defence, in close conjunction with the Cabinet Office and National Security Secretariat, initiate the writing of official histories of the Iraq and Afghanistan campaigns and of other conflicts since the end of the Cold War; review how the history function is being undertaken by all three Services and by the Ministry of Defence as a whole; and confirm in the 2015 Defence and Security Review its plans for the preparation and publication of histories and other measures designed to address these deficiencies. This work could usefully call on input and expertise from other Government Departments including the Department for International Development and the Foreign and Commonwealth Office; since the comprehensive approach became a hallmark of the operations in both Iraq and Afghanistan, its lessons should be learnt from and shared across Government as a whole.[173]

111. In its response to our Report the Government agreed on the value of cross-Government learning of lessons from history and cross-Government input into official histories, but also noted the value of a time lag before producing them. The MoD added:

> We have already learned some of the most significant and immediate lessons from operations in Afghanistan and Iraq, and the political complexity around them. The need to develop upstream understanding and influence has become a central part of our international Defence Engagement plans. And the lesson of the value of clearer strategy and vision for the role of Defence has influenced responses to Libya and Syria.[174]

112. In respect of intervention, the MoD said that capturing best practice was a vital part of improving the force and the MoD and should involve Joint Forces Command and Front Line Commands.[175] The MoD worked with other Government Departments to capture best practice. It thought Afghanistan had been a good example of the Armed Forces learning from experience. The processes followed included formal debriefs of commanders, presentations to successors and a host of 'best practice' guides in an attempt to help make responses ever more coherent. The MoD recognised that there was a challenge in ensuring that the "same open feedback continued in an era where UK Armed Forces are not constantly engaged in major operations".[176] The Joint Force Command leads on the lessons process and the MoD told us it was working to refine further the mechanism the Forces use for learning from experience as this knowledge would be key in ensuring defence was well set for future tasks. Given the "Comprehensive Approach" taken to

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173 Defence Committee, Seventh Report of Session 2013–14, *Towards the next Defence and Security Review: Part One*, HC 197, paras 76

174 Defence Committee, Tenth Special Report of Session 2013-14, *Towards the next Defence and Security Review: Part One: Government Response to the Committee's Seventh Report of Session 2013-14*, HC 1175, pp 10-11

175 Ev w3

176 Ev w3

intervention operations, a collective approach to learning lessons needed to be adopted across Government.

113. One lesson that has been identified repeatedly was the need for language skills and training. Our predecessor Committee's Report on the "Comprehensive Approach" they said:

> We consider the ability to communicate directly with local nationals to be important. We recognise that there has been additional language training for deployment to Afghanistan since 2003 but progress, particularly within DFID and the FCO, has been unimpressive. The three Departments should give the matter higher priority both in current and future operations.[177]

114. Despite our predecessor Committee's comments, this has continued to be an area of concern which was also highlighted in our work on Afghanistan:

> In trying to work closely with the local population, it is important for military personnel to be able to communicate directly with people rather than through an interpreter. This places a great deal of importance on acquiring the right language skills quickly. We recommend that the MoD put into place proper planning for language skills in theatre for future operations.[178]

115. In its response, the MoD agreed that direct communication with the local population was important but added that language training had to be balanced against other training needs.[179] The Department added that all soldiers received at least some degree of language training, from the issue of language cards and training on their use through to higher-level language provision, and that the Defence Operational Languages Support Unit which had responsibility for identifying and managing the Defence language requirement was working with Land Forces to outline the language requirements for future Brigades. In addition to the language training provided to Armed Forces personnel prior to deployment, cultural advisors are deployed to theatre to assist with cultural awareness and a large number of interpreters are employed to assist personnel interacting with the local population. The MoD told us that significant resources were already directed to facilitating communication with the local population, but that it would continue to look at ways to further improve this.

116. The Henry Jackson Society warned that although lessons learned procedures were in place in many Government Departments, these should not be too rigid as they tended to reflect the last experience rather than providing a useful guide to future interventions.[180]

117. **Lessons learned from military deployments are vital and the Government must ensure they take place in a timely manner. We note that the Ministry of Defence says it works with other Government Departments in capturing best practice. The**

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[177] Defence Committee, Seventh Report of Session 2009–10, *The Comprehensive Approach: the point of war is not just to win but to make a better peace*, HC 224, para 158

[178] Defence Committee, Fourth Report of Session 2010-12, *Operations in Afghanistan*, HC 554, para 135

[179] Defence Committee, Eighth special Report of Session 2010-12, *Operations in Afghanistan: Government Response to the Committee's Fourth Report of Session 2010-12*, HC 1525, p 24

[180] Ev w19

Government must ensure that a unified vocabulary is used across Government. As well as ensuring the capture of good practice, the lessons learned process must capture mistakes so that future operations can be appropriately informed and planned. The Government should outline what steps it is taking to engender a culture of openness and willingness to share mistakes and the lessons learned from them across the various participants involved in such operations.

118. As well as looking at the past the Government also undertakes strategic work looking towards the future in its work on *Global Strategic Trends* and the *Future Character of Conflict* (FCOC). The MoD told us that FCOC identified challenges, including growing range of actors involved in conflict. In the run up to the next NSS and the next DSR in 2015, the MoD would review the findings of the FCOC with the intention of adapting its Future Force plans to take into account new evidence and analysis.[181]

119. **We welcome the Government's use of *Global Strategic Trends* and the *Future Character of Conflict* as part of the work on the next National Security Strategy (NSS) and the next Defence and Security Review (DSR). We call on the Government to include in the next NSS and the next DSR an outline of the contribution of this work to improvements in the UK's national security. In response to our Report, the Government should set out the use it has made of external academic and research resources as part of its analysis of future global trends and national security requirements.**

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[181] Ev w3

4 Conclusions

120. **Intervention policy and decisions have the potential to be controversial and to polarise opinion. This Report is intended to assist the articulation of the rationale for an intervention strategy in the next National Security Strategy and the next Defence and Security Review which might make for better decision making by Government and assist in alleviating some of the controversy on decisions to intervene.**

121. **As a starting point the Government must articulate a realistic vision of the UK's place in the world, its level of strategic influence and the way the world is changing as well as the identification and prioritisation of the risks to it. The next Defence and Security Review should then translate this vision into defence planning assumptions and the development of the appropriate force structure. This would assist more strategic decisions on why, when and how to intervene.**

122. **The next National Security Strategy (NSS) and the Defence and Security Review (DSR) should define and communicate the circumstances in which the UK might intervene and the role of interventions, and set out the legal basis for the UK's interventions. The NSS and the DSR should also set out what interventions the Government regards as non-discretionary and those which are discretionary. The Government should also outline the different approaches it might use such as defence engagement, conflict prevention and the projection of military force and how it ensures coordination and unity of purpose between the different Government departments and agencies and ensures that appropriate lessons are learned from previous interventions. This will lead to more effective intervention operations in the future.**

Formal Minutes

Tuesday 8 April 2014

Members present:

Mr Dai Havard, in the Chair

Mr Julian Brazier	Sir Bob Russell
Mr James Gray	Bob Stewart
Adam Holloway	Gisela Stuart
Madeleine Moon	Derek Twigg

Draft Report (*Intervention: Why, When and How?*), proposed by the Chair, brought up and read
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Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 122 read and agreed to.

Resolved, That the Report be the Fourteenth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Tuesday 29 April 2014 at 2.00 p.m.

List of written evidence

(published in Volume II on the Committee's website www.parliament.uk/defcom)

List of Reports from the Committee in Session 2013–14

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.