

Speaking at the opening session of the 11th Riigikogu, President Toomas Hendrik Ilves notified the members of parliament that he would initiate a draft amendment to the Constitution, the goal of which is to emphasize the accountability of the executive power in the organization of state security and the management of the defence forces.

In the NATO member states, the custom is to have the defence forces subordinated to executive power, and therefore, it is important that the executive power also be accountable for the defence forces, said the Head of State, adding that the sum of this subordination and accountability is significant to civil control or civil management.

“From this, we reach the logical conclusion that the appointment of officials of executive power in a parliamentary state cannot be within the competence of the parliament or president. This can only be done by the government,” said President Ilves. “In Estonia, the Commander of the Defence Forces is currently appointed by the Riigikogu, based on the proposal of the President. Today, this structure, adopted from the 1938 Constitution, is a ceremonial solution that has no rational basis.”

In addition, this ceremonial solution blurs the precision of civil control and authority over the defence forces, said the Head of State. “The members of the Defence Forces know that the chain of command must be clear and not cause uncertainty. Therefore, there also can be no question about whether the Commander of the Defence Forces is subordinated to the Prime Minister, the President, the Minister of Defence, or the Chairman of the Riigikogu, or all of them at once,” said President Ilves when disclosing his plan to use the authority granted to him by the Constitution of the Republic of Estonia to initiate a draft amendment to the Constitution, with the purpose of eliminating the reference to the institution of the Commander of the Defence Forces from the Constitution.

“However, before taking this step I would like to hear the positions of the Riigikogu factions and the Council of National Defence,” added the Head of State. “Already today, I hope that the discussions about this proposal will evolve smoothly and objectively. None of the political parties have anything to lose or gain from this, the question is about parliamentarianism and civil control.”

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