Centre for Security Cooperation

The Joint Committee for Defence and Security of Parliamentary Assembly of B&H

Conference on Parliamentary Oversight of the Security Sector
"Positive Experiences and Examples of the Parliamentary Committees for Security in SEE
27-29 June 2010, Sarajevo, Bosnia and Herzegovina

Activity Background

Parliamentary oversight of the security sector is a recent phenomenon in SE Europe. The implementation of oversight mechanisms started in 1989 in the Western European states with a long democratic tradition, and subsequently in the newly developed democracies in Eastern Europe.
Various countries have adopted different systems of security sector oversight, as reflected in differences in legislation and institutions involved. Parliamentary Security Committees have been developed as institutional tools for overseeing the Security Sector activities and their efficiency is directly fenced by their capabilities to work in accordance with the following preconditions: clearly defined constitutional and legal powers, customary practices, resources, expertise, and political will.

Family photo

The Conference was planned, organized and executed as the joint event by RACVIAC - Centre for Security Cooperation and the Joint Committee for Defence and Security of Parliamentary Assembly of B&H.
The primary purpose of the Conference was to bring together representatives of Parliamentary Security Committees to a forum for comprehensive discussions on parliamentary oversight of the security sector and to stage the base for better standardization in this field in Southeast European (SEE) countries.

Conference in session

Activity Venue, Duration and Participation

The Conference was held from 27 to 29 June 2010 in the Parliamentary Assembly of Bosnia and Herzegovina.
It included three sessions, which were followed by questions and answers that encouraged the participants to exchange views and to openly discuss the issues.
The participants and lecturers were representatives from eight countries and six organizations, namely: Albania (3), Bosnia

and Herzegovina (5), Croatia (3), Moldova (1), Serbia (1), Slovenia (1) Montenegro (3), the Netherlands (1), NATO HQ in Sarajevo (3), OSCE Mission to BiH (3), DCAF Brussels (1), CESS - Centre for European Security Studies from the Netherlands (1), USAID - Parliamentary Strengthening Project (1) and EUFOR (1).

Conference Opening

The event started with the Opening session.

Mr. Branko ZRNO - Chairman of Joint Committee for Defence and Security of Parliamentary Assembly of B&H

First to welcome the audience were representatives of two co-organizers: Mr. Branko ZRNO, Member of Parliament of Bosnia & Herzegovina, Chairman of Joint Committee for Defence and Security of Parliamentary Assembly of B&H, and H.E. Ambassador Nikola Todorčevski, Director of RACVIAC, followed by H.E. Gary D. ROBBINS, Head of OSCE Mission to BiH and BG David B. ENYEART, Senior Military Representative/ Commander of NATO HQ Sarajevo.

From left to right
Amb Nikola Todorčevski, Director of RACVIAC
H.E. Gary D. ROBBINS, Head of OSCE Mission
GM Bernhard BAIR, EU Force Commander of EUFOR ALTHEA
BG (Rtd) Victor von Wilcken, Director of Department of Security Cooperation, OSCE

Keynote Speeches

After welcome addresses, the Conference participants had the honour to hear the keynote speech by Mr. Zoran ŠAJINOVIĆ – Assistant Minister for International Relations, MoD B&H, who presented the current situation and achievements of Bosnia and Herzegovina on its path to NATO membership.

On behalf of the Geneva Centre for the Democratic Control of Armed Forces, Mr Darko STANČIĆ – Assistant Director, Head of Operations SEED of DCAF Brussels, gave the second Keynote Speech. Mr. Stančić identified Authority, Ability and Attitudes as three groups of conditions for a successful parliamentary oversight. He also outlined several areas in which oversight mechanisms and practices need to be continuously discussed and developed in the Western Balkan region. They include the oversight of procurement, intelligence and security services, and the regulation of private security business.

Session 1 – Civil - Military Cooperation and the Role of Parliament

Dr. Willem Frederic van EEKELEN - Member of the Netherlands Advisory Commission on European Integration, Chairman of the Board of CESS, emphasized the comprehensive nature of security today. He said that the traditional division between internal and external security has been blurred and that security and development policies have become more interlinked. As the EU Security Strategy (2003) states, no crisis can be resolved by military means only. This emphasizes the need to conceptualize security in a comprehensive manner. Therefore, the oversight of security sector needs to take this comprehensive notion of security into account. Security policy should be treated as any other policy area. In this regard, the government is responsible to reveal, explain and justify all policies in front of the parliament.

Mr. Dušan Zoller, Head of Parliamentary Section, OSCE Mission to B&H, discussed the conditions and tools of parliamentary oversight and discussed obstacles and challenges to effective oversight. He emphasized the importance of political will among MPs to oversee security sector. In this sense, he emphasized the role of political parties, which should appoint capable MPs to security committees. Parliamentary committees should have access to and avail themselves of external expertise, by inviting experts from academia and civil society.

GM Bernhard BAIR, EU Force Commander of EUFOR ALTHEA, discussed the civil-military relations in Bosnia and Herzegovina and the EUFOR mandate. EUFOR's focus on civil-military relations in B&H is embedded in the capacity and training task which was added to its mandate by the EU Foreign Affairs Council in January 2010, in accordance with which EUFOR will work to develop capacities and standards in the armed forces. EUFOR gradually hands over parts of its mandate to domestic civilian authorities, at the rate at which the latter develop their own capacity.

Session 1

From the left:
GM Bernhard BAIR, EU Force Commander of EUFOR ALTHEA
Mr. Darko STANČIĆ, DCAF Brussels
Dr. Willem Frederic van EEKELEN, - Member of Netherlands Advisory Commission on European Integration, Chairman of the Board of CESS

Mr. Ole Hammer, Political-Military Advisor, NATO HQ Sarajevo, presented NATO's defence reform toolkit. The goal of the toolkit for aspiring members and partners is to increase their mutual interoperability with NATO and achieve their participation in NATO operations. He discussed the progress of defence reform in Bosnia and Herzegovina and underlined that one of the key preconditions for the country's membership in NATO is the establishment of an unambiguous civilian command and control of the armed forces.

SESSION 2 - Achievements, Obstacles and Good Practices of Parliamentary Security Oversight Bodies in Performing Their Duties

First to deliver his address in the second session was Mr. Boško ŠILJEGOVIĆ– Parliamentary Military Commissioner, Parliament of B&H. He presented the role, objectives and legal framework for establishment of Parliamentary Military Commissioner in Bosnia and Herzegovina.

From the left:
Mr Bosko ŠILJEGOVIĆ, Parliamentary Military Commissioner
Mr. Igor TABAK, Appointed Member Croatian Parliament, Defense Committee
Mr. Jan Dirk BLAAUW (TBC) - Former chairman of the Committee for Defence, Kingdom of the Netherlands, Associate of CESS

Military Commissioner has permanent access to all armed forces installations and all files and may initiate investigations, notably when complaints from the people in the services (of any rank) are received. Any soldier is entitled to take his case directly to the Commissioner and is not obliged to go trough official channels. These strict regulations make the Commissioner highly instrumental in establishing a balanced relationship between civil society and armed forces.

In his very useful contribution to this Conference, Mr. Jan Dirk BLAAUW - former Chairman of the Committee for Defence, Kingdom of the Netherlands, currently Associate of CESS, started his presentation with very valuable general observations on Parliamentary Oversight. He pointed out that Parliamentary Oversight remains a contested function, which most parliaments are still struggling to develop. It includes techniques and questioning, interpellations, emergency debates, hearings and inquiries, which are all designated to extract information from the government. These techniques reflect the fact that, without full and accurate information, meaningful oversight is impossible.

Mr. Jan Dirk BLAAUW - Former chairman of the Committee for Defence, Kingdom of the Netherlands, Associate of CESS,

Mr. Blaauw concluded his presentation with case studies of EU- countries: the Netherlands, Germany, France and the UK.

THERE IS NO PROPER OVERSIGHT WITHOUT PROPER INSIGHT

Mr Igor TABAK - Appointed Member of Defense Committee, Croatian Parliament, a defense analyst from Zagreb, spoke on the system of parliamentary oversight of the defense system in Croatia. The first part of the presentation dealt with history, structure and peculiarities of parliamentary oversight in Croatia – the relevant committees, their development and the role of the appointed members in the Committee on Defense of the Croatian Parliament.

Mr Igor TABAK - Appointed Member Croatian Parliament, Defense Committee Igor TABAK

The second part of the presentation was concerned with the actual activities of the Croatian Parliamentary Defense Committee during the two years since its establishment. An analysis of the publicly available session agendas was conducted and commented upon and some problems were highlighted and their possible solutions discussed.

Session 3 Lessons Learned and Practical Experiences of Parliamentary Committees Dealing with Security Issue in SEE

In the third session, moderated by Mr. Christian HAUPT, Chief of Party - USAID - Parliamentary Strengthening Project, representatives from regional countries presented the practical experiences of Parliamentary Committees dealing with security issues in their respective countries.
Mr. Haupt concluded this session with following conclusions and proposals for future discussions at regional meetings of parliamentary committees.

Destruction of Obsolete Weapons and Ammunition. All countries in the region have to destroy significant amounts of obsolete weapons and ammunition, which are outdated and in case of instable ammunition, they represent a serious threat for the civil population. Different experiences in destroying weapons and ammunition could be shared among the countries in the region. For example, Montenegro is implementing a very successful program and one of the next regional meetings of parliamentary defense and security committees could be organized on this topic in Montenegro.

Import and Export of Weapons and Ammunition. Trade with weapons and ammunition is closely linked to the problem of obsolete weapons and equipment. Effective import and export legislative regulations and practices should be harmonized in a regional context. Parliamentary committees can play an important role in ensuring that international standards and human rights are not violated.

Demobilization and Reintegration of Military Personnel. Although this problem has been solved in most countries of the region, it remains a challenge to establish comprehensive systems within armed forces to ensure continued training during their service.

Fight Against Organized Crime. One of the major challenges of the region, which requires coordinated efforts of politicians and security forces. Excellent example for regional cooperation of parliamentarians. In this context, the cooperation of border police forces could be considered.

Parliamentary Military Commissioner. This new B&H model can serve as an interesting example for other countries of the region.

Parliamentary Control of International Operations. International peace operations represent a challenge for parliaments in conducting oversight. Information created in international organizations and operations is

not available to national parliaments. Hence, new methods for conducting oversight have to be developed.

Legislation on Parliamentary Oversight. The B&H Parliamentary Assembly and the Montenegro Assembly are considering legislation on parliamentary oversight. Parliamentarians from the region could be interested to share experiences in passing and applying such laws. Also, parliamentarians could share experiences on the formal basis for investigation committees and best practices in conducting a parliamentary investigation.

Parliamentary Oversight over Military Intelligence Services. Specific area of parliamentary oversight, requiring specific methods. Exchange of best practices among committees.

Parliamentary Oversight of Defence Expenditures, Budgets. How to conduct oversight over defence expenditures, audits of defence expenditures, procurement etc.

All panelists assessed the three sessions as very successful and useful. The conference was unanimously recognized as an important imitative that should continue in years to come as a permanent forum of parliamentarians responsible for oversight of security sector and thus support required security sector reform efforts at the legislative power level being a key element of any democratic society.

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