

# Parliamentary Committees on Defence and Security

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**Geneva Centre for the  
Democratic Control  
of Armed Forces**

This document is part of the DCAF Backgrounder series, which provides practitioners with concise introductions to a variety of issues in the field of Security Sector Governance and Security Sector Reform.

**What are parliamentary committees on defence and security?**

Committees on defence and security are specialised bodies of parliaments that give advice and make recommendations to the plenary concerning laws or decisions pertaining to national defence and the security of citizens.

There are two main types of committees. Some are ad hoc, appointed with a specific and narrow mandate, such as to deal with a particular bill or issue. Others are permanent committees that advise on their specialised field during an entire legislative period. Permanent committees provide for greater continuity and facilitate the development of members' expertise.

**What distinguishes the working environment of these committees from that of other committees?**

- Complexity. Parliamentarians must consider a variety of institutions and issues such as the armed forces, police, the gendarmerie and other forces for public order, border controls, budgeting, procurement, arms control, intelligence activities, etc. Increasingly, such matters have an international dimension.
- Lack of transparency. The security sector is traditionally less transparent than other governmental activities, due to the need to protect information vital to national security.
- Strong involvement of the executive. Members of the executive typically play a very important role in the area of defence and security, sometimes bypassing parliament to deal directly with other countries' executives.

- Weak involvement of civil society. In most countries, there is a lack of NGOs dealing with the security sector, and the public tends to be poorly informed and/or disinterested.

In transition countries, as political reform usually precedes defence and security sector reform, democratic mechanisms may clash with institutional behaviours held over from past regimes. With parliaments often being the first and the easiest institutions to reform, permanent committees can be an efficient instrument to provide oversight and to help foster reform in the defence and security sector.

### **Which committees are involved in defence and security?**

Defence and security usually must be addressed by more than one permanent committee. Most commonly, the committees that are involved with defence and security on a daily basis are those dealing with the armed forces, internal affairs and intelligence. Committees whose mandates less directly, yet still importantly, concern defence and security are those handling foreign affairs, the judiciary, budgeting, energy and industry, and science and technology.

Some parliaments have committees with combined mandates (for example one committee may cover national defence and home affairs, or national defence and foreign affairs, or national defence and intelligence, etc.).

At times, different committees may hold joint sessions on bills or other issues that are relevant to their mandates; they may jointly organise hearings or other oversight activities. Committees with broad mandates may organise

themselves into several subcommittees. This split can follow a functional approach (for a special bill, investigation or hearing) or an institutional approach (for a specific institution or agency) that are covered by one committee's mandate). Sub-committees may also be formed to coordinate several main committees working on selected topics.

### **What mandate do these committees usually have?**

Committee mandates generally come from one of three sources:

- standing orders of the Parliament;
- specific laws;
- the Constitution itself.

While these mandates set limits on the power of committees, most committees retain the right to set their own agenda and schedule of meetings, which may be open or closed to the public. In most parliaments, committees have no power of enforcement and are not authorised to take final decisions on any matter.

### **What are the typical powers of these committees?**

In general, committees in the defence and security sector focus on matters related to the size, structure, organisation, financing and functioning of the state actors mandated to use force and of civil management bodies that make decisions about the use of force. Increasingly, they are also concerned with nonstatutory actors with a capacity to use force such as private security companies, organized crime, terrorist organizations, etc.

Committees can have a significant impact on the parliamentary and governmental process. Their areas of activity can include:

- Developing legislation for the defence and security sector;
- Advising on budgets and monitoring expenditures;
- Reviewing government defence policy and security strategy;
- Consulting on international commitments and treaties to be ratified by parliament;
- Advising parliament on the use of force and the deployment of troops abroad;
- Monitoring defence procurement.

### What is the role of defence and security committees in oversight?

Committees also exercise broad oversight powers to investigate major public policy issues, defective administration, accusations of corruption or scandals. Here, their role can include the following:

- Holding hearings or inquiries;
- Summoning military personnel, civil servants or experts to committee meetings and to testify;
- Questioning ministers and other executive representatives
- Requesting documents from the executive;
- Scrutinising the transparency and efficiency of public spending;
- Requesting the competent authorities to perform audits;
- Examining petitions and complaints from military personnel and civilians concerning the defence and security sector;

- Visiting and inspecting army bases and other premises of security services, including troops deployed abroad.

While oversight functions are often performed in a reactive fashion after problems have come to light, there is also a need for oversight functions to be proactive. Such 'preventative' oversight is comprised of regularly scheduled (but also surprise) visits, inspections and audits, for example, serves to limit, or to avoid altogether, improper action on the part of defence and security institutions.

### What helps to make these committees efficient?

Strong committees are essential if there is to be effective parliamentary influence in the policy-making process. To ensure that the committees can play their role, three requirements must be met.

**Authority.** For a committee to enjoy the necessary authority, its prerogatives in the field of defence and security must be clearly delineated in legislation. There must also be legislation securing committee members' access to the information necessary for the work of the committees.

**Ability.** Committees must be provided with adequate resources e.g., staff, budget, information and external expertise. Moreover, committee appointments should be given to those members with the appropriate education, experience, and knowledge. To this end, parliamentarians should be provided with the necessary training and instruction.

**Attitude.** Committees rely on members of parliament being willing to hold government accountable and being prepared to work for the common good, notwithstanding

partisan politics. This can be enhanced by committees' meeting behind closed door so as to avoid media pressure. The leadership shown by the chairman of a committee can be decisive for its performance.

### How do these committees organise themselves internally?

Committee members are elected by Parliament. Candidates are usually nominated by parliamentary groups, so that political parties in parliament are proportionally represented. Ideally, members are chosen because of their special knowledge of the mandate covered by the committee. Committee membership tends to be for the duration of the legislative term, and may last number of legislative terms.

The average committee size for the defence and security sector is around 25 members but the variations are wide, from relatively small-sized committees such as Macedonia (nine members) or UK (11) to very large ones in Spain (40), and France (72).

Committee staff prepare and organise committee meetings, maintain contacts with government and officials, collect information and help interpret government information. Their number varies from one in some Eastern European parliaments to 50 staff members working for the US Senate Committee on Armed Services. Adequate staff numbers and training is essential if the defence and security sector committees are to be able to meet their responsibilities.

Committee chairmanships are usually negotiated among the larger parties. Because committees for defence and security have an important oversight function, their chairmanship is allocated in some Parliaments to the opposition party, or the chairmanship rotates between the main opposition and the government party.

There are two main ways of approaching parliamentarians' access to classified information. In some parliaments, members of parliament do not need to undergo vetting procedures because it is assumed that having been elected, they enjoy the trust of the electorate and are therefore entitled to have access to classified information. In other parliaments, members of committees for defence and security obtain access to classified information only after receiving a security clearance. In some countries the outcome of the vetting process, which is in the hands of the intelligence services, is merely advisory, and parliament can decide on committee membership despite an adverse report. Access to classified information is a responsibility parliamentarians need to handle carefully. The executive may sometime resort to classifying information as a way of preventing popular scrutiny of issues that should normally be in the public domain.

### How does the division of labour among committees differ in various parliaments?

In mature democracies, there is a tendency to have a committee that looks at police together with issues related to public administration, justice and human rights. In the new democracies of Central and Eastern Europe, where the process of demilitarizing the police is still underway or has only recently been concluded, the police tends to be dealt together with the armed forces.

As concerns intelligence, some parliaments approach it functionally, assigning to a single committee responsibility for all agencies with intelligence activities. Other parliaments take an institutional approach, whereby the different agencies or departments with intelligence activity are covered by different committees.

With recent changes in the security environment, it has become increasingly necessary to ensure that there is a coordinated approach towards the entire security sector. This can be done by holding joint meetings, establishing joint committees or creating an overarching structure.

### What are some examples?

In Romania, in the lower house of parliament, there are three committees:

- the Committee for Defence, Public Order and National Security deals with the MoD and the armed forces, the MoI, the police and gendarmerie, borderguards, the penal system, and intelligence activity in government departments such as defence, justice and interior. (This Committee exists in both the Chamber of Deputies and the Senate.);
- the Joint Committee for the Oversight of the (domestic) Romanian Intelligence Service;
- the Joint Committee for the Oversight of the Foreign Intelligence Service.

In Germany, in the lower house, there are also three committees:

- the Defence Committee, which deals with the MoD and the Armed Forces;
- the Committee on Internal Affairs, which deals with domestic security institutions;
- the Parliamentary Control Panel which handles the oversight of intelligence.

In the Bulgarian unicameral parliament, there are two committees:

- the Defence Committee, which deals with the MoD, military intelligence, the armed forces;

- the Internal Security and Public Order Committee, which deals with the MoI, police and gendarmerie, border guards and non-military intelligence.

The table on page 6 shows key features of the main committees in these three countries.

### Further Information

*Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices*  
Born, Fluri and Johnson, 2003

Available in over 30 languages at:

[www.dcaf.ch/handbooks](http://www.dcaf.ch/handbooks)

*Making Intelligence Accountable: Legal Standards and Best Practice for Oversight of Intelligence Agencies*

Born and Leigh, 2005

Available at: [www.dcaf.ch/handbooks](http://www.dcaf.ch/handbooks)

*The New Roles of Parliamentary Committees*  
Longley and Davidson, 1998

*The New Parliaments of Central and Eastern Europe*

Olson and Norton, 1996

### Acknowledgments

Editorial assistance in the production of this Backgrounder has been provided by Teodora Fuior and Hans Born.

## Examples of Parliamentary Committees on Defence and Security

	<b>Romanian Parliament Chamber of Deputies</b> Committee for Defence, Public Order and National Security	<b>German Bundestag</b> Defence Committee	<b>Bulgarian National Assembly</b> Internal Security and Public Order Committee
<b>Mandate</b>	<b>Broad mandate:</b> Ministry of Defence and armed forces; Ministry of Interior, police, gendarmerie, border guards; intelligence services and departments with intelligence activity, penitentiary system, etc.	<b>Narrow mandate:</b> Federal Ministry of Defence and armed forces.	<b>Intermediate mandate:</b> Ministry of Interior, police, gendarmerie, border guards; non-military intelligence services
<b>Legal Basis</b>	Standing Orders of the Chamber of Deputies (1992)	Constitution (1956)	Rules on Organisation and Procedure of the National Assembly (2001)
<b>Membership</b>	<ul style="list-style-type: none"> <li>• 22 members;</li> <li>• Vetting procedures necessary to get security clearance (Romanian Intelligence Service responsible for vetting)</li> </ul>	<ul style="list-style-type: none"> <li>• 30 members;</li> <li>• No vetting - access to classified information comes automatically, with the mandate of parliamentarian</li> </ul>	<ul style="list-style-type: none"> <li>• 26 members;</li> <li>• No vetting - access to classified information comes automatically, with the mandate of parliamentarian</li> </ul>
<b>Resources and Organisation</b>	<ul style="list-style-type: none"> <li>• A staff of 6</li> <li>• Working meetings 2-3 times per week</li> <li>• 7 subcommittees, each dealing with a different security sector institution</li> </ul>	<ul style="list-style-type: none"> <li>• A staff of 8</li> <li>• Working meetings once a week</li> <li>• One subcommittee and two rapporteur groups</li> </ul>	<ul style="list-style-type: none"> <li>• A staff of 3</li> <li>• Working meetings once per week</li> <li>• No subcommittees</li> </ul>





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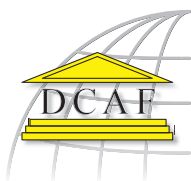
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