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Parliaments and Security Sector Oversight
An Emerging Area for Capacity Development
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1. What is Security Sector Oversight and why is it important?

The experience of the last twenty or so years with states emerging from conflict is that you can't have development without security or security without development. It is becoming widely recognized that security – or freedom of the individual and society from harm and conflict – is a precondition for achieving longer-term economic and social development. It is also becoming widely recognized that longer-term security can only be assured if there is democratic control of the security sector – which in the broadest sense, includes democratic control of the military, the police and intelligence services. If any or all of these devices are left outside of democratic control, the risk remains that the use of force or intelligence-gathering may be exercised arbitrarily by one or more groups within society, risking a return to insecurity and conflict. One only has to look as far as the recent history of Sudan or Haiti to appreciate the problems associated with the arbitrary use of force. A strong and effective security sector is one where the military, police, and intelligence services operate with professionalism within a democratic system of civilian oversight that ensures accountability and transparency. A professional security sector is one that understands not only its military, law enforcement, or intelligence duties, but its proper relationship and responsibilities to society at large. A democratic system of civilian oversight can vary in its design but serves the critical function of ensuring that the security sector is held accountable to the needs and priorities of the public.

2. What is the role of Parliament?

Depending on the country, there are variety of oversight functions that parliament is afforded by law - and exercises to a varying degree in practice – with respect to the security sector. In many countries, parliament has the power and responsibility to debate, approve, enact and oversee the implementation of security sector laws and policies – and in some countries, parliament is afforded the additional power to debate and select the commander of the armed forces. In most countries, the executive branch implements security sector policies, laws and actions; plans the annual budget; and sets the priorities for the security sector. This responsibility is well-placed in the domain of the executive, to ensure that the use of force and the protection of civilians are carried out effectively and competently. The role of parliament is to act as a representative check and balance, ensuring that the development and implementation of security sector laws and policies are reflective of the nation as a whole, addressing diverse needs and priorities. An important responsibility of parliament in this regard is overseeing the budget for the security sector, where parliament holds the executive accountable for security sector priorities and ensures that funds are disbursed appropriately and effectively.

While in theory parliament is a critical component of civilian oversight, in practice, parliament is often undermined or marginalized in carrying out this role. Plans, priorities and budgets for the security sector are often guarded carefully by the executive –as they represent a key feature of state power and because more than in any other area of public policy, they cover issues of national security. In post-conflict situations, where the executive is operating in a particularly fragile environment and where the legislature might involve parties that were until recently warring factions, sensitivities surrounding the security sector are amplified. The extent to which plans, priorities, budget figures and operations are disclosed to parliament by the executive varies from one context to another. In some countries, the executive provides detailed plans and priorities for the security sector, including full access to estimates and budgets, whereas in others, the executive limits transparency to the final budget figure for the year for the entire sector. Regardless of the context, the balance between democratic transparency and confidentiality for reasons of national security is one that each country has to manage carefully. For example, some parliamentary systems limit debate and oversight to a select committee with select members, striking a balance between full transparency and full secrecy. Others have an independent body that oversees all or some components of the security sector. To take a Canadian example, the Security and Intelligence Review Committee (SIRC) is an independent, external review body which reports to the Parliament of Canada on the operations of the Canadian Security Intelligence Service (CSIS), while the House of Commons Sub-Committee on National Defence and Veteran's Affairs is a parliamentary committee that provides parliamentary oversight of Canada's defence sector. Debate in Canada over an increased role for parliament in overseeing the security sector has intensified since September 11, with legislation introduced by Deputy Minister Anne McLellan to establish a [National Security Committee of Parliamentarians](#).

Discussion Questions: What role should parliament have in security sector oversight? In countries emerging from conflict, should parliamentary committees have full discretion over security sector plans, priorities, actions and budget figures? Is an independent body that reports to parliament a more suitable model? How should a country emerging from conflict manage this balance?

Questions surrounding institutional structures and relationships between institutions are particularly important for states emerging from conflict, or so called failed and fragile states. Donors are increasingly providing support to both sides of the equation as part of what is generally referred to as "security sector reform", by providing training and assistance to support a professional security sector as well as capacity-building support for parliaments and other institutions to strengthen civilian oversight of the sector. As this field of support grows, donors and organizations involved in offering capacity-building support in these areas are faced with many challenges and questions as to the best way to proceed.

3. What are Canadian policies and commitments?
In Canada's recently released international policy statement, *A Role of Pride and Influence in the World*, the Canadian Government has rendered failed and fragile states a central feature of Canada's foreign policy, with security sector reform cited as a key mechanism for carrying out this policy. The Canadian Forces will provide support to the professionalization of the military and police forces, through devices such as the Military Training Assistance Program (MTAP), while promoting and encouraging democratic

values within armed forces. The Government will partner with organizations such as the Parliamentary Centre to support the re-establishment of effective public institutions, including support to civilian oversight and leadership of the security sector.

To address security sector reform in a holistic manner, coordination and integration of Government departments and organizations such as the Parliamentary Centre within Canada – as well as between Canada and other donors – becomes critically important. For example, if Canada is training police in a particular country, it is critically important that parallel support be offered to support the democratic control of the police sector. If Canada is not offering this support, then it needs to be assured that other donors are and make sure that efforts complement one another. Otherwise we risk repeating past mistakes, where security forces are strengthened without democratic control. The Global Peace and Security Fund, supported by the new Stabilization and Reconstruction Task Force (START) located within Foreign Affairs Canada, which has a mandate to coordinate interdepartmental efforts in Canada's support to post-conflict contexts, is one example of how the Government might coordinate its security sector reform policies and programs across departments, organizations, and donors.

In what ways can Canada better integrate military and security sector training initiatives with efforts to strengthen security sector oversight?

4. What is the Parliamentary Centre's involvement?

The Parliamentary Centre has worked with many parliaments in countries emerging from conflict, including Ethiopia, Serbia, Bosnia-Herzegovina, and Cambodia. So far, the Centre has not offered direct capacity-building support in the area of parliamentary oversight of the security sector, but in developing programs in Sudan and Haiti, the Centre plans to make this a central feature of its work. As mentioned above, addressing security sector oversight can be an especially delicate and sensitive matter. The Parliamentary Centre intends to approach the subject of security sector oversight in its emerging projects with caution but with vigilance. The Centre recognizes that civilian oversight of the security sector is a sensitive domain, but past scenarios where the subject has been avoided make it clear that if lasting peace and security and the conditions necessary for longer-term development are to be supported, security sector oversight needs to be addressed early in the reconstruction process.

Security sector oversight is an area of engagement that might be well-suited for Canadian support, since Canada is often trusted as an objective and neutral supporter. In order to maximize its individual efforts in Sudan and Haiti, the Centre will work towards establishing a learning network of parliamentarians from these and other countries that are emerging or have involved from conflict, to share experiences, lessons and best practices in establishing civilian oversight under difficult circumstances.

Addressing security sector oversight poses risks for Canadian support to emerging and post-conflict democracies, but experience also suggests that it cannot be ignored and needs to be addressed at an early stage. Should Canada address this subject early on as part of its post-conflict assistance? Or, should Canada focus on less-sensitive areas of democratic development support initially, before addressing the domain of security sector oversight?

An example of evolving Canadian engagement: Haiti

An example of where Canada is involved in security sector reform is in its evolving reconstruction efforts in Haiti. Canadian policy towards Haiti recognizes that two important challenges are to help establish security as well as support the establishment of democratic processes. Viewed through the lens of security sector reform, security and disarmament involves providing support for a professional armed forces and police sector, an area of support that Canada is addressing through the training of Haitian police forces. This support is critical, as effective police forces are a key element in establishing community security as well as economic and social development. The resumption of the democratic process includes supporting democratic control of police forces. Canada intends to support the development of the Haitian legislature following the upcoming rounds of elections, in cooperation with the Parliamentary Centre. The Parliamentary Centre is exploring the possibility of including civilian oversight of the military and police. This provides a concrete example where Canadian support needs to effectively address both sides of the security sector reform equation: professionalization of the security sector combined with civilian oversight. If the police forces are well-trained but are not under democratic control, then Canada may contribute to insecurity in the long-run, as opposed to lasting peace. This demands a coordinated and strategic effort on the part of Canada, connecting organizations like the Parliamentary Centre with the RCMP and other organizations like the Pearson Peacekeeping Centre.

5. What is being done internationally?

The **Geneva Centre for Democratic Control of Armed Forces (DCAF)** is a leading organization conducting research and providing support services on security sector oversight. DCAF is author of a comprehensive handbook for parliamentarians on oversight of the security sector: Handbook on Parliamentary Oversight of the Security Sector.

The **National Democratic Institute for International Affairs** conducts research and offers capacity-building programs in the realm of security sector oversight. For an overview of NDI efforts in this area: http://www.ndi.org/globalp/civmil/civmil.asp

The **United National Development Program (UNDP)** and the **Interparliamentary Union (IPU**) are leading a series of international meetings and have conducted research on strengthening the role of parliaments in crisis prevention and recovery. The organizations have produced a report that combines regional case studies: Strengthening the Role of Parliaments in Conflict and Post-conflict Situations.

The World Bank Institute (WBI) has published a paper on the role of Parliaments as Peacebuilders. The publication includes a focus on security sector oversight.

The Parliamentary Centre provides capacity-building support to representative institutions around the world, including in countries emerging from conflict. The Centre recently published a paper by former Minister of National Defence, Honourable David Pratt, Re-tooling for new Challenges: Parliaments as Peace-builders and Dr. Rasheed Draman, Head of the Parliamentary Centre's Poverty Reduction Office in Ghana, prepared Democratizing Security for a Safer World: What Role for Parliamentarians?