

 <p>Geneva Centre for the Democratic Control of Armed Forces (DCAF)</p>	 <p>Friedrich-Ebert-Stiftung (FES) Office for Regional Co-operation in Southeast Asia</p>	 <p>Cambodian Institute for Cooperation and Peace (CICP)</p>
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## Workshop on Parliamentary Accountability and Security Sector Governance in Southeast Asia

7-10 February 2006  
Siem Reap, Cambodia

### Context

The plurality and diversity of Asia provides opportunities as well as challenges when considering the issue of parliamentary accountability and security sector governance (SSG). This workshop enables the presentation of particular security issues and concepts and their implications for parliamentary work in democratic transition states. It provides the opportunity for an exchange of views and experiences of security policies and the role of parliaments in different ASEAN states in light of the presentations, in particular, of Cambodia, Indonesia, Philippines and Thailand. The workshop aims to identify further activities and means to strengthen the capabilities of parliamentarians to effectively oversee the security sector.

‘Security sector governance’ is a term that combines the concepts of ‘security’ and ‘governance’ at the state level. Security is no longer only understood in terms of national security, which was largely defined in militarized terms, but includes political, economic, societal and environmental aspects and refers also to the security concerns of communities and individuals as encapsulated by ‘human security’ concept. The concept of governance has come into use in the context of globalization, reflecting the fragmentation of political authority among public and private actors on multiple levels of governance – national, sub-national and international – which accompanies globalization. The security sector includes all those bodies whose main responsibilities are the protection of the state and its constituent communities – ranging from the core structures such as the armed forces, police and intelligence agencies to those institutions that formulate, implement and oversee internal and external security policy. Good governance of the security sector means that civilian control over the military and other security structures prevails; parliamentary accountability is understood to be a key pillar of good security sector governance.

The workshop focuses on mechanisms of parliamentary accountability in security sector governance. The target audience is namely parliamentarians from Cambodia, Indonesia, Philippines and Thailand; members of the security sector from these countries as well as representatives from academia, media, and civil society.

## Program Overview

### Tuesday, 07 February 2006

20.00            **Welcome & Informal Dinner**

### Wednesday, 08 February 2006

09.00 – 09.30    **Opening Speech**

09.30 – 11.00    **Session 1: Challenges of Security Sector Governance**

11.00 – 11.15    Coffee

11.15 – 12.45    **Session 2: Institutional Framework of Security Sector Governance**

12.45 – 14.30    Lunch

14.30 – 16.00    **Session 3: The Role of Parliament in Security Sector Governance**

16.00 – 16.15    Coffee Break

16.15 – 17.45    **Session 4: Key Tool of Oversight: The Defense/Security Committee**

### Thursday, 09 February 2006

09.00 – 10.30    **Session 5: ‘The Power of the Purse’: Defense/Security Budget Control**

10.30 – 10.45    Coffee Break

10.45 – 12.15    **Session 6: Parliaments and the Private Business of Security Actors**

12.15 – 14.00    Lunch

Free afternoon

### Friday, 10 February 2006

09.00 – 10.30    **Session 7A: The Parliamentary Dimension of Arms Procurement**

**Session 7B: Parliamentary Oversight of Intelligence Agencies**

10.30 – 10.45    Coffee Break

10.45 – 12.15    **Session 8A: Parliament and the Use of Force Abroad**


**Session 8B: Parliament and the Domestic Use of Force**

12.15 – 14.00    Lunch

14.00 – 15.45    **Plenary Session**

15.45 – 16.00    Coffee Break

16.00 – 17.00    **Closing Session**

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### **Workshop Venue and Accommodation:**

Sokha Angkor Hotel & Spa  
National Road No. 6 and Sivatha Street Junction  
Phoum Taphoul, Svay Dangkoum  
Siem Reap  
Tel: (855) 63 969 999

## **PROGRAMME**

(revised version)

### **Tuesday, 07 February 2006**

19.30  
20.00

#### **Cocktail Reception** **Welcome & Informal Dinner**

H.R.H. Prince Norodom Sirivuddh, Deputy Prime Minister & Co-Minister of Interior & Chairman of CICP (Cambodia)  
Mr. Axel Schmidt, Head of FES Office for Regional Cooperation in Southeast Asia, Singapore (Germany)  
Prof. Dr. Heiner Hänggi, Assistant Director & Head of Research, DCAF, Geneva (Switzerland)

### **Wednesday, 08 February 2006**

09.00 – 09.30 **Opening Speech**

H.R.H. Prince Norodom Ranariddh, President of the National Assembly (Cambodia)

09.30 – 11.00 **Session 1: Challenges of Security Sector Governance**

Chair: H.R.H. Prince Norodom Sirivuddh  
Speaker: Prof. Dr. Heiner Hänggi  
Discussants: Mr. Agus Widjojo, Senior Fellow, Center for Strategic and

International Studies (CSIS) (Indonesia)  
Prof. Dr. Ian Mircea Pascu, Observer Member of the European  
Parliament, Member of Parliament and former  
Minister of National Defence (Romania)

**Objectives:**

- To recognize that the democratic governance of the security sector poses common and specific challenges for all regions and countries
- To discuss the concepts of civil-military relations (CMR), democratic control of armed forces (DCAF), security sector governance (SSG), security sector reform (SSR), etc.
- To discuss the norms and standards of security sector governance, which determine that the security sector is governed effectively and held accountable

**Discussion Points:**

- What are the specific challenges of security sector governance in Southeast Asia and in the region's democratic transition countries in particular?
- In the context of Southeast Asia's democratic transition countries, to what extent has the concept of security sector governance to be adapted to the specific needs and circumstances of those countries?
- To what extent has security sector reform (SSR) helped to improve security sector governance in Southeast Asia?

11.00 – 11.15 Coffee

11.15 – 12.45 **Session 2: Institutional Framework of Security Sector Governance**

Chair: Rep. Mario Aguja, AKBAYAN, House of  
Representatives (Philippines)  
Speaker: Mr. Monh Saphan, Member of the National Assembly,  
Chairman of the Commission on Interior, National  
Defense, Investigations and Anti-Corruption (Cambodia)  
Discussants: Dr. Ahmadsomboon Bualang, Member of the National  
Conciliation Commission for the Conflict in the South of  
Thailand  
Vice Admiral (Ret.) Dirk Horten, former Commander-in-Chief  
of the German Fleet

**Objectives:**

- To discuss the relation between the military, executive and parliament which is essential to ensuring effective and democratic security sector governance
- To discuss political systems, constitutional frameworks and the role of parliament
- Recognizing that democratization requires constitutional and other institutional changes, this panel will address how the security sector can be restructured to enable civilian authorities to monitor the behavior of the security sector

**Discussion Points:**

- How to restructure the relationships between the military, executive and parliament for those countries in democratic transition?
- How to address the problem of military representation in parliament and other military political prerogatives? How to address specific challenges of institutional relationships between parliament and the security sector in Southeast Asia and how to tackle these challenges?
- What can Southeast Asian parliamentarians do in restructuring and implementing institutional reform?

12.45 – 14.30 Lunch

14.30 – 16.00 **Session 3: The Role of Parliament in Security Sector Governance**

Chair: Mr. Ung Huot, Vice Chairman, Board of Directors, CICIP (Cambodia)  
Speaker: Dr. Hans Born, Senior Fellow, DCAF, Geneva (Netherlands)  
Discussants: Dr. Boonton Dockthaisong, Senator, Member of the Committee on Armed Forces, Senate (Thailand)  
Dr. Chap Sotharith, Executive Director, CICIP (Cambodia)

***Objectives:***

- *To present the necessary powers, tools and instruments required by parliament in relation to government and the security services*
- *To identify the key functions of parliament in security sector governance, namely legislation, budget, oversight and to identify the parliamentary mechanisms whereby parliament can obtain information from government including parliamentary debates; parliamentary questions and interpellations; and parliamentary inquiries*
- *To present the mechanisms for effective parliamentary oversight, parliament must have Authority (powers and functions of parliaments in the security field), Ability (the capacity of holding the government accountable in security issues) and Attitude (the willingness of parliament to hold government accountable)*

***Discussion Points:***

- *How do establish, adjust and strengthen the functions of parliament in security sector governance for those countries in democratic transition?*
- *What functions do Southeast Asian Parliaments have in security sector governance?*
- *What can parliamentarians do to ensure and improve good governance of the security sector?*

16.00 – 16.15 Coffee Break

16.15 – 17.45 **Session 4: Key Tool of Oversight: The Defense/Security Committee**

Chair: Prof. Dr. Ian Mircea Pascu  
Speaker: Rep. Mario Aguja, Member of the House of Representatives, Civil, Political and Human Rights Committee (Philippines)  
Discussants: Mr. Khin Yean, Member of National Assembly, Member of the Commission on Interior, National Defence, Investigation and Anti-Corruption (Cambodia)  
Mr. Riefqi Muna, Research Fellow, RIDEP Institute (Indonesia)

***Objectives:***

- *To emphasize that given the complexity of the security sector, a well-developed committee structure is crucial if the parliament is to exert real influence on the executive*
- *To present the key functions of these committees which are necessary in the field of security policy, legislation, expenditures, management and administration*
- *To present ways to ensure that the mandate and resources of such committees are provided for in both law and practice*

***Discussion Points:***

- *What should be the mandate and powers of a Parliamentary Defense/ Security Committee?*
- *How can a Parliamentary Defense/ Security Committee be strengthened in a country in democratic transition?*

- *What is the role for Parliamentary Defense/Security Committees in Southeast Asia?*

**Thursday, 09 February 2006**

09.00 – 10.30 **Session 5: ‘The Power of the Purse’: Defense/Security Budget Control**

- Chair: Mr. Ly Thuch, Member of the National Assembly, Chairman of the Commission on Planning, Investment, Agriculture, Rural Development, Environment and Water Resources (Cambodia)
- Speaker: Mr. Norbert Gansel, Lecturer in Political Science at the University of Kiel, former Member of Parliament and former Mayor of Kiel (Germany)
- Discussants: Lieut. Gen. (ret) Agus Widjojo, Senior Fellow, CSIS (Indonesia)  
Mr. Than Sina, Member of the National Assembly, Vice-Chairman of Commission on Economics, Finance, Banking and Auditing (Cambodia)

***Objectives:***

- *To present the challenges that face defense sector transformation which requires an alignment of post-conflict defense departments and military forces with the demands of democratic societies*
- *To present the idea that parliaments’ power of the national budget is a powerful tool for security sector oversight and reform in accordance with societies needs*
- *To examine the models, standards, and methods of defense and security budgeting and the role of parliament in defense and security budgeting*

***Discussion Points:***

- *How is the security budget control established in countries in democratic transition?*
- *What are the specific challenges of security budget control in Southeast Asia? In particular, what is the best way to address the issue of the private business of security actors? (see Session 6)*
- *What is the role of parliamentarians in ensuring transparent security budgeting?*

10.30 – 10.45 Coffee Break

10.45 – 12-15 **Session 6: Parliaments and the Private Business of Security Actors**

- Chair: Mr. Khieu San, Senator, Member of Commission on Human Rights, Complaints, Investigation and National Assembly-Senate Relations, Member of Commission on Legislation and Justice (Cambodia)
- Speaker: Mr. Sri Yunanto, Executive Director, RIDEP Institute, Jakarta (Indonesia)
- Discussants: Vice-Admiral (ret.) Dirk Horten  
Major General Dr. Perapong Manakit, Secretary of the Senate Standing Committee on Military Affairs (Thailand)

***Objectives:***

- *To understand the causes of military involvement in the private sector*
- *To discuss the interface between private sector and the military from the point of view of democratic accountability and the rule of law*

- *To exchange forward good practices and regulations in this field*

**Discussion Points:**

- *Should the military be involved in private business ventures?*
- *Should military services be outsourced to the private sector?*
- *How can parliament control the relationship between private business and the military effectively?*
- *Which experiences exist concerning pushing back the military from the private sector in the region?*

12.15 – 14.00 Lunch

Free afternoon

## Friday, 10 February 2006

All morning: **Parallel Sessions** (participation in either of the sessions for each time block)

09.00 – 10.30 **Session 7A: The Parliamentary Dimension of Arms Procurement**

Chair: Prof. Dr. Ian Mircea Pascu  
 Speakers: Dr. Boonton Dockthaisong  
 Mr. Yuddy Chrisnandi, Member of the House of Representatives,  
 Commission for Defense, Foreign Affairs and  
 Information (Indonesia)

**Objectives:**

- *To identify phases, characteristics and roles of proper arms procurement that a national security concept helps achieve stability in the defense management process and increases predictability in long-term defense policy-making*
- *To recognize that it is essential to keep the objectives of national defense policy aligned with the resources allocated for the defense sector and maintain a balance between the defense sector and society*
- *To ensure that at all times there must be transparency and accountability in arms procurement processes with parliament overseeing arms procurement at as many stages as possible and responsible monitoring carried out by external bodies*

**Discussion Points:**

- *What are the challenges of the arms procurement process in countries in democratic transition? Is parliament involved and to what extent?*
- *What is the arms procurement process in countries in Southeast Asia? Is parliament involved and to what extent?*
- *What is the role of parliamentarians in ensuring transparent and accountable arms procurement?*

**Session 7B: Parliamentary Oversight of Intelligence Agencies**

Chair: Mr. Un Ning, Member of National Assembly, Vice Chairman of  
 the Commission on Foreign Affairs, International  
 Cooperation and Media (Cambodia)  
 Speakers: Dr. Hans Born  
 Mr. Djoko Susilo, Member of the House of Representatives,

Commission for Defense, Foreign Affairs and  
Information (Indonesia)  
Mr. Norbert Gansel

**Objectives:**

- To discuss the role of parliament in overseeing the intelligence agencies, namely by legislation, budget control and oversight
- To recognize that parliamentarians, amongst others involved in oversight, must judge whether proposals from the intelligence services are justified in terms of making the services more effective on the one hand, while keeping them accountable and within the rule of law, on the other hand
- To discuss and clarify practice and procedure of dealing with classified information

**Discussion Points:**

- What are the mandates and powers of intelligence oversight bodies in some countries going through democratic transition?
- What intelligence oversight bodies exist in Southeast Asia? What are their mandates and powers?
- What should be the tasks of a parliamentary oversight body?

10.30 – 10.45 Coffee Break

10.45 – 12.15 **Session 8A: Parliament and the Use of Force Abroad**

Chair: Prof. Dr. Heiner Hänggi  
Speakers: Maj. Gen. Mam Sophat, Director, Department of Legislation,  
Ministry of National Defence (Cambodia)  
Mr. R.K. Sembiring Meliala; Member of the House of  
Representatives (Indonesia)  
Maj. Gen. Dr. Perapong Manakit

**Objectives:**

- To discuss the changing nature of security threats, as increasingly the use of force is under international auspices with decisions being made by international organizations
- To identify the changes needed in the control mechanisms of national parliaments to adapt to the new situation to ensure that there is democratic accountability of national armed forces particularly in peace-making, peace-keeping, peace-enforcement and peace-building operations
- This panel will discuss the system of checks and balances between parliament and government, giving parliament an opportunity to participate in the decision of engaging armed forces abroad

**Discussion Points:**

- In democratic states, to what extent is parliament involved in the decision-making process on sending troops abroad?
- To what extent is parliament involved in Southeast Asia in the decision-making process on sending troops abroad?
- What can parliamentarians do with regard to the context and type of peace missions?

**Session 8B: Parliament and the Domestic Use of Force**

Chair: Mr. Djoko Susilo  
Speakers: Mr. Sin Pinsen, Member of the National Assembly,  
Commission on Interior, National Defense, Investigation,  
Anti-Corruption and Civil Service Administration  
(Cambodia)

Mr. Somchai Homlaor, Secretary General, Asian Forum for  
Human Rights and Development (Thailand)  
Brig. Gen. Hotmangaradja Panjaitan, Indonesian Military, Army  
Spokesman (Indonesia) (tbc)

**Objectives:**

- *This panel will examine parliament's role in overseeing security forces in the special circumstances and operations that can arise within a country*
- *Internal conflict or other types of emergencies may call for the state to apply special powers and procedures for solving the crisis; this panel will discuss those international principles and guarantees that must be upheld even during such extreme circumstances*

**Discussion Points:**

- *In what circumstances are states of emergency justified and which the international principles must be upheld during a state of emergency?*
- *What can parliamentarians do with regard to legislation?*
- *What can parliamentarians do with regard to parliamentary oversight of internal conflicts and states of emergency?*

12.15 – 14.00 Lunch

14.00 – 15.45 **Plenary Session**

Chair: Dr. Chap Sotharith

**Main Points:**

- *Reports from the break-out sessions*
- *Discussion of the results of the break-out sessions*
- *Discussion of lessons learned and to be learned concerning parliamentary accountability and security sector governance in Southeast Asia*

15.45 – 16.00 Coffee Break

16.00 – 17.00 **Closing Session**

Chair: Mr. Axel Schmidt

**Main Points:**

- *Wrap up of main topics discussed at the workshop*
- *Concluding discussion*
- *Closing Remarks*

## BIBLIOGRAPHY

Indicated below are selected publications on parliamentary oversight of the security sector, which will be made available to the workshop participants:

- BORN, Hans, Philipp FLURI, Anders JOHNSON. (eds.), *Parliamentary Oversight of the Security Sector: Principles, Mechanisms and Practices*, Handbook for Parliamentarians no. 5. Geneva: IPU/DCAF, 2003, 181 p. Available at: [http://www.dcaf.ch/publications/e-publications/Handbook\\_eng/contents.html](http://www.dcaf.ch/publications/e-publications/Handbook_eng/contents.html).
- BORN, Hans, Heiner HÄNGGI, *The Use of Force under International Auspices: Strengthening Parliamentary Accountability*, DCAF Policy Paper no. 7, Geneva: DCAF, 2005, 22 p. Available at: [http://www.dcaf.ch/docs/pp07\\_use-of-force.pdf](http://www.dcaf.ch/docs/pp07_use-of-force.pdf)
- BORN, Hans and Ian LEIGH (eds.) *Making Intelligence Accountable: Legal Standards and Best Practice for Oversight of Intelligence Agencies*, Oslo: Publishing House of the Parliament of Norway, 2005, 144 p, 2005. Available at: [http://www.dcaf.ch/publications/making\\_intel.cfm?nav1=4&nav2=2](http://www.dcaf.ch/publications/making_intel.cfm?nav1=4&nav2=2)
- EEKELEN, Willem F. van, *The Parliamentary Dimension of Defence Procurement. Requirements, Production, Cooperation and Acquisition*, DCAF Occasional Paper no. 5, Geneva: DCAF, 2005, 85 p. Available at: [http://www.dcaf.ch/docs/op05\\_parliamentary-dimension.pdf](http://www.dcaf.ch/docs/op05_parliamentary-dimension.pdf)
- “Security Sector Governance Challenges in Southeast Asia: A Cambodian Case Study”, research paper prepared by Im Sithol, CICP, Phnom Penh
- “The Shadow Economy of the Military in Southeast Asia”, research paper prepared by Sri Yunanto, RIDEP Institute, Jakarta
- “DCAF Backgrounders” on topics such as Parliamentary Committees on Defense and Security, Parliamentary Oversight of Intelligence Services, the Role of Parliaments in Defense Budgeting, the Role of Parliaments in Defense Procurement, the Role of Parliaments in Sending Military Troops Abroad, Security Sector Reform, National Security Policy, States of Emergency, Military Ombudsmen, Multiethnic Armed Forces, etc. Available at: <http://www.dcaf.ch/publications/backgrounder.cfm?nav1=4&nav2=1>