

# Training Toolkit for Parliamentary Staffers

June 2012



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# **Training Toolkit for Parliamentary Staffers**

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# 1. Introduction

*Marc Remillard*

Since its inception in 2000, DCAF has consistently been involved in South-Eastern Europe on projects designed to strengthen the capacity of parliaments to play their independent and constitutional role in security policy and oversight. The most ambitious of these projects was the Parliamentary Staff Advisors Programme (PSAP), lasting from 2004 to 2011. PSAP represented a unique form of regional capacity and network-building for parliamentary staff working with security related committees.

This toolkit collects valuable experiences from a regional, multi-year, parliamentary assistance programme. Through the input of DCAF experts and the participants themselves, the training component of PSAP has led to the development of a set of valuable tools. The toolkit offers an overview of training exercises designed to improve the knowledge of conceptual and practical aspects of democratic security governance in South-Eastern Europe (SEE), thus enhancing regional dialogue and cooperation.

## **The Parliamentary Staff Advisors Programme**

With the end of the Cold War the meaning of independent, constitutionally based parliaments in the SEE region obtained a whole new meaning. Permanent, specialised committees were established to handle security-related issues, and legislation conducive to effective parliamentary oversight was adopted. However, parliaments in the region had insufficient tradition and capacity to control the executive, to influence policy in accordance with their constitutional role and to bring a significant contribution to consensus-building and democratic consolidation.

Human resources and funding are scarce within parliamentary administrations in the region, and so is the accumulation of expertise on the relevant topics. Each election brings high turnovers, which make new MPs dependent on institutionalised roles and procedures. Many of these new MPs do not have the necessary knowledge and political maturity to make full use of their legal powers, either individually or collectively, in parliamentary committees. Security remains an area of policy largely dominated by the executive branch, which enjoys little public scrutiny.

Initial parliamentary engagement in South-Eastern Europe brought attention to the human resources capacity gap, in relation to security oversight committees. Parliaments had insufficient administrative personnel and funding to hire qualified and specialised staff to advise members on security matters. In many cases, Defence and Security Committees were forced to function without having any permanent staff assigned, usually only making use of one person on a rotating basis, tasked to carry out simple administrative duties. A scarcity of human resources of this sort jeopardises the capacity of parliamentary committees to function effectively, independently and fulfil their legislative and oversight roles successfully.



As a response to this deficit, the Parliamentary Staff Advisors Programme (PSAP) was designed and initiated by DCAF in 2004. The objective was to assist national parliaments in the SEE region in developing professional in-house expertise in the areas of security policy, legislation, and oversight.

To begin with, a pilot project was initiated to test the programme. In late 2004, after the successful introduction of the programme in Bosnia & Herzegovina, the programme was expanded to encompass neighbouring countries. As more and more parliaments signed up thirteen new staff advisor positions were either created or linked to the program, all attached to security related committees in Albania, Bosnia & Herzegovina, Bulgaria, Croatia, Kosovo, Macedonia, Moldova, Montenegro, Romania and Serbia. Salary payments were initially sponsored by the programme for periods ranging from 1 to several years, allowing parliaments to gradually integrate and nationalise these positions, both administratively and financially.

In parallel DCAF developed a second PSAP programme component in the form of an elaborate capacity and skills building training programme. Training was demand-driven, focusing on oversight models, thematic topics, comparative analysis, while complimenting individual skills. Since PSAP commenced in 2004, a total of 55 participants from 10 countries in South-Eastern Europe have attended 28 training sessions held in 15 different capitals. In total 115 days of training, over an 8-year period. The primary focus of these sessions was towards the advisors whose positions had been created during the first component of the programme. However, advisors from other committees also attended frequently, such as those dealing with Intelligence Oversight, Foreign Affairs, and European Integration. This, therefore, enlarged the scope of the programme. Knowledge transfer was paramount in the area of parliamentary oversight standards and good practice, while including special focus on improving staff capacity for security policy related analysis and comprehension. With close coordination of participating parliaments, each event was designed, planned, and implemented by DCAF staff, in cooperation with third-party partner organisations or institutions, such as mature parliaments outside the region, defence academies, foreign policy institutions, or OSCE missions. Both DCAF and external experts contributed to the training component, typically through a combination of lectures, interactive group-work, and individual skill-building.

Beyond continued emphasis on local ownership, the final years of the programme prioritised individual capacity-focused training on areas such as policy paper drafting and the skills of presenting and public speaking. A collaborative learning process (co-learning) was important to ensure local ownership and to improve mutual understanding and dialogue. Group work sessions were focused on areas such as regional security cooperation, security sector mapping, scenario planning, and self-assessments of parliamentary capacities. Brainstorming sessions were also carried out in order to establish what further training was needed.

Between 2003 and 2006, the programme was financed from DCAF's core budget, meaning funding for staff salaries and training costs was made available by the Swiss Government through its annual budget allocation to DCAF. Between 2006 and 2008, DCAF continued to fund salary costs, whilst also outsourcing the expanding training costs to the United Nations Democracy Fund through a two-year grant. The final three years of the programme were funded by the Norwegian Ministry of Foreign Affairs, except for DCAF's continued core budget funding of training costs for one Bulgarian, one Moldovan and two Romanian staffers. Adding Bulgaria and Romania from the outset proved most

valuable to the programme, as much experience from these countries' successful Euro-Atlantic integration process was passed on to neighbouring countries.

One of the overall aims was to encourage parliaments to take full ownership of the independent committee advisor concept – free of politics and active party membership - by integrating the DCAF-funded positions into their own organisational structures. By and large this strategy succeeded. Firstly, it has helped create an in-house and institutional staff advisor capacity on defence and security related matters throughout the region. This is something which was largely non-existent before, and can help to make the parliaments more independent of the executive. Secondly, it has helped promote an increase in parliamentary activity on security oversight matters, through more hearings and new progressive legislation on parliamentary oversight of the security sector. Finally, it has helped create a network of like-minded and progressive staff advisors in South-Eastern Europe who are capable of sharing lessons learned and promoting cross-border cooperation between oversight committees. Through this, it is hoped that they will continue expanding their networks for the benefit of their committees.

Having independent, well trained and skilled staff at the disposal of a committee chair is obviously not enough make it an active and effective oversight body. This largely rests on the shoulders of the elected committee members and their personal conviction and engagement into the democratic, parliamentary process. Having said that, with timely, relevant and well presented advice DCAF believes the role of professional staff is crucial for the success of any parliamentary committee.

In August 2011, the Parliamentary Staff Advisors Programme officially ended. It is hoped that the programme had a positive impact on parliaments in the region, increasing the overall quality of parliamentary work and building cooperation among the parliamentary advisors by providing enhanced networking opportunities between parliaments across South-Eastern Europe.

As indicated, the programme has brought with it a valuable set of training tools suitable for other regional settings – be it for parliamentary staff or civil servants working in security sector ministries or affiliated agencies. The following sections nicely illustrate and walk the reader through the various key sections: running a scenario-planning exercise, drafting a policy paper, or working on a regional security cooperation strategy. We hope that this toolkit proves to be useful to a wide range of readers, including bureaucrats, legislators, educators, international organisations, and NGOs across the world. Should you have questions about the programme or these training tools, feel free to contact us at [info@dcaf.ch](mailto:info@dcaf.ch)



## 2. What is co-learning and how is it useful?

*David Law*

The term co-learning has a wide range of origins and applications.<sup>1</sup> In this toolkit, it is used to denote activities that take place in a learning environment in which all those participating in the process – facilitators and non-facilitators alike – have the possibility to act as both learners and teachers, and are encouraged to do so. Co-learning promotes the principle that participants can enrich one another’s perceptions and insights, because they all have experience which can, and should, be brought to the table. While facilitators of co-learning activities have a clear role to play in designing and moderating learning modules, and presenting the necessary framework or background information for activities, the flow of co-learning is essentially non-hierarchical, interactive, and multi-directional.

|  |
|--|
| I hear and I forget.<br>I see and I remember.<br>I do and I understand.<br><i>Confucius</i><br><i>Chinese philosopher &amp; reformer</i><br><i>(551 BC – 479 BC)</i> |
|--|

With its focus on participants’ experience as a key pedagogical input, co-learning also tends to be problem-oriented and reality-based. The notion of exchanging knowledge and experience gives it a collaborative bent as well.

Co-learning can be a particularly useful pedagogical method for training sessions designed for security practitioners from different national environments, such as the PSAP staffers. There are several reasons for this.

Firstly, co-learning places all participants on an equal footing, facilitators and non-facilitators alike. Training in security issues should not be a one-way street whereby the facilitators, typically from a Western country, provide knowledge and expertise while other participants simply consume this knowledge and expertise. In fact, practitioners from newly democratised countries can have a lot of valuable lessons to share, particularly since they are well-versed with the specific socio-political contexts within their countries, and provide a unique perspective, often very different to that available in the Western world. In addition, the PSAP staffers have all been witness to a comprehensive national reform process in their individual countries, which is less likely to be the case of the Western countries which tend to provide facilitators for security training. Co-learning is thus pedagogy’s answer to the question of how to secure local ownership when representatives of mature and developing democracies end up working together in a learning situation.<sup>2</sup> This aspect of co-learning is typically reinforced by the use of *real-life material* from the security dialogue in participants’ countries. Owing to its emphasis on multidirectional experience exchange, co-learning facilitates the osmosis between generic knowledge that a facilitator can bring to the training, along

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<sup>1</sup> The term co-learning has been used in fields ranging from education, mathematics, and biology to resource management and agriculture. While the various uses of co-learning have common elements, the definition and application of the term can vary significantly. See also David Law, “Security Sector Training and Education for the Second Reform Decade” (2002)

<sup>2</sup> Since co-learning is not a one-directional flow of knowledge from trainer to trainees, the terms “participants” and “facilitator” are used in lieu of “students” and “teacher”.

with his or her field experience, and the in-country insights that practitioners involved in a national security process can contribute to the training activity.

Secondly, in putting participants' ideas and perceptions on centre-stage, co-learning can be an empowering experience. Sometimes, it can be used to initiate a security process that has not yet started, or that has stalled, by injecting fresh insights into a policy community or acting as a catalyst for creating a critical mass of support for going in new directions – or reverting to old ones.

Thirdly, co-learning strikes a balance between the traditional lecture-based approach and the interactive, activity-based approach. While many educational theorists tout the effectiveness of active learning activities, others have pointed out that too little guidance in such activities leads to incomplete knowledge and misconceptions among learners.<sup>3</sup> Setting the stage for co-learning activities with a presentation framing the subject ensures that students have the necessary background knowledge to fully engage.

Fourthly, co-learning is a technique conducive to teaching adults. Adult learners assume a higher degree of responsibility for their own learning and bring to the table prior knowledge and diverse professional experiences. The co-learning approach encourages participants to draw on this knowledge and experience to enrich their own learning experience as well as that of the facilitator and of other participants.<sup>4</sup>

Last but not least, by focusing on participants' experience and knowledge, and particularly on its exchange, co-learning helps raise awareness of the multiple demands that multilateral security cooperation places on practitioners and how they can be dealt with. For example, training modules can encourage participants to think about coordination challenges and ways of addressing them, and can translate into practical improvements in bilateral and multilateral relations.<sup>5</sup>

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<sup>3</sup> See, for example, Paul A. Kirschner, John Sweller and Richard E. Clark, "Why Minimal Guidance During Instruction Does Not Work: An Analysis of the Failure of Constructivist, Discovery, Problem-Based, Experiential, and Inquiry-Based Teaching," *Educational Psychologist*, Vol. 41, No. 2 (2006): 75-86

<sup>4</sup> As is the case with any pedagogical approach, the effectiveness of co-learning activities is also shaped by factors beyond the facilitator's control, such as the interaction among personalities in the learning environment and the infrastructure available. It is also important to note that while much of security studies subject matter lends itself to co-learning, certain topics necessitate the use of more traditional pedagogy. Clearly, instruction in the use of firearms and language training, which are sometimes subsumed in security capacity-building programmes, does not lend itself to a co-learning approach.

<sup>5</sup> This section is based on an excerpt from, *The Co-Learning Approach to Capacity-Building and Training for Security Sector Reform Practitioners*, op.cit.

## 3. Tools for improving regional cooperation

*David Law*

As explained in the introduction, the central objective of the programme has been to build parliamentary capacity in SEE by enhancing the skill sets of parliamentary staffers working for Defence and Security Committees in the parliaments of the region.

### **Terms and definitions**

- A region is (usually) a geographical area in which actors share (at least some) common interests and aspirations. Regional associations are not necessarily exclusive - actors often tend to belong to more than one region at the same time, and regional allegiances should be determined by free, democratic choice.
- Regions often share a common characteristic that results in strong interconnectedness. This characteristic may be historical, religious, ideological, lingual, geographical, or any number of these or other linkages. Regions do not necessarily demonstrate official borders, but they are important players in developing policy because they share a vested interest in their “members”.
- Regionalism has been understood by some scholars as “any activity at the regional level...that contributes in some way to the promotion of international peace and security. This definition includes formal institutions ... but also different regional models such as *ad hoc* coalitions, or coalitions of the willing”.
- Security communities are self-contained entities that are typically geographically-clustered, having their own infrastructure, which provides them with the foundation to support regional security.
- South-Eastern Europe is a region because it consists of “physically more or less proximate states, societies, or economies” that are brought together “in various ways and to varying degrees, for ostensibly common purposes and activities”. SEE fulfils these requirements due to its common history and existing regional inter-state cooperation, notwithstanding its traditional weaknesses.

A programme catering to the nationals of ten different countries needs to find a common focus which all participants can relate to. It is therefore natural that much of the training material has been given a regional cooperation dimension or, in view of the subject material of participants’ committees, a regional security cooperation dimension. This has had the additional benefit of creating a regional network of parliamentary staffers who enjoy one another’s confidence and friendship. At the same time, it has generated other outcomes which did not play a central role in the original design of the programme. Firstly, it has contributed to the staffers’ ability to advise their committee members on regional policy issues. Secondly, it has led to the creation of a number of learning modules, which we have brought together here in the form of a Training Toolkit for Parliamentary Staffers and Civil Servants, which can also be used in other regions to foster good faith among regional actors, build their respective capacities and strengthen regional ties.

This section will explain the purpose of these tools and the ways in which they can be used. We have elected to display the outputs as generated by the staffers because our priority is to explain the methodologies driving the modules and describe the processes that they have engendered. It will then provide examples of the actual use of these methodologies in the PSAP training workshops. It is also important to note that while the outputs generated by the staffers attest to the fact that they have learned a great deal through the training programme, they nonetheless exhibit some limitations, mainly owing to time and language issues.

This section is divided into five parts. These sections address training modules that were developed for the programme, namely:

1. Contextualising a region
2. Mapping national security sectors comparatively and mapping regional security actors
3. Drafting regional scenarios
4. Crafting a regional security vision; and
5. Developing basic skills for personal professional development, using material related to regional security cooperation.

All of these tools, with suitable modifications, can be used for capacity-building at the national level as well.

## 3.1. Contextualising a region

### **What is contextualising and why is it useful?**

If national or regional actors are to be able to perform effectively in their respective environments, they need to have a sense of their local and regional contexts. This has several aspects to it. At a minimum, it means knowing the regional history, being aware of what drives (and detracts from) cooperation among elites, and understanding how their context compares with similar ones.<sup>6</sup>

### **What are some different ways to conduct a contextualisation exercise?**

To address these shortcomings, we have devised a number of exercises designed to stretch participants' understanding of their context. As noted above, in the programme, this focused on analysing the regional context.

This first exercise involved showing participants a grid highlighting the key phases in the history of cooperation in their region (see Table 1 on the next page).

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<sup>6</sup> This may appear self-evident but the extent to which national and regional actors do not have good grasp of their context's personality it is surprising. The author has witnessed this deficiency in various skill-building and cooperation activities in the Western Balkans and South-Eastern Europe, in the NATO community, EU, Nordic Council, North America Free Trade Area and Economic Community of West African States.

**Table 1: Periodisation of SEE Cooperation**

| timeframe                        | main regional tasks   | protagonists  | cooperation dimension  | results  |
|----------------------------------|---|---|--|--|
| End of Empires to WW1 settlement | establish nation-states; leverage external powers against controlling empires   | most national communities of region; European great powers  | emerging interest in South Slavic state; <b>Balkan League</b> (1912) with Bulgaria, Greece, Montenegro & Serbia, supported by Russia   | independence; Balkan Wars Of 1912-13, WWI battleground collapse of Empires, the first Southern Slav state  |
| Inter-war period & WW II         | address economic crisis; use external influence to promote own goals, especially security; e.g. Little Entente promoted by France against rising German power | regional states and European powers   | regional conferences on economic issues; <b>Balkan Entente</b> (1934), led by Greece & Turkey with Romania & Yugoslavia; failure of Mediterranean initiatives involving Balkans; Stalin's idea of <b>Balkan Federation</b>           | subjugation of regional states to external interests, regional rivalries, battleground in WWII, foreign occupation                               |
| Cold War                         | For YSFR, Alb & Rom through most of this period, task was to use "dissidence" to shore up support for regime; other regional elites followed WTO line         | regional states, NATO/WTO   | Cooperation of non-neutrals through WTO and NATO; <b>Balkan Pact</b> (1953-54) with YSFR, GR & TY; some Balkan cooperation in NAM and OSCE, Balkan Ministerial Conferences (as of 1988), Papandreu-Ceausescu initiative across blocs | resolution of Comintern-YSFR dispute; divergences in foreign policy. orientation of regional states; broader but weak and fragmented cooperation |
| Post-Cold War conflict           | cope with disintegration of YSFR & socio-economic-political Transformation  | regional states, EU NATO, OSCE, CoE, UN, other peacekeeping actors                                | <b>dormant cooperation</b>   | difficult transition to post-CW order; Yugoslav wars of succession; little or no cooperation within region                                       |
| (Re?-) Integration               | recover from conflict and transition crisis, finalise the new regional state, prepare for E-A integration   | regional states, NATO, EU, OSCE, CoE, UN, CEFTA & plethora of other externally driven initiatives | EU & NATO see cooperation as important for integration but favour regatta approach working against cooperation, <b>Stability Pact</b> (1999-2008), <b>RCC</b> (2008-), both with regional and extra-regional members                 | partial E-A integration of regional states, growing awareness of need to lobby as region in BXL, inconclusive record of regional cooperation     |

Having reviewed this table, participants were then asked to brainstorm, in groups, responses to a number of questions, prompting them to analyse and respond to the content of the shown table (see Table 2 on the next page).



**Table 2: Responses to the Periodisation of SEE Cooperation Table**

| Questions   | Summary of the three groups' responses and discussion   |
|---|---|
| Does this scheme correspond to your sense of SEE cooperation through the region's modern history?   | Yes, we all generally agree that it is a realistic overview of the historical development of the regional cooperation.  |
| What have been the main drivers for and against regional cooperation through the periods examined?  | <p><u>Drivers for cooperation</u>: the interests of great powers; common historical and cultural heritage; trade relations between the countries; prospect of greater stabilisation and settlement of border disputes; interest in preventing regional conflicts and maintaining the status quo; opportunities for economic development</p> <p><u>Drivers against cooperation</u>: the lack of strong institutions; nationalism; ethnic problems; border disputes; ideological differences; toxic leaders</p> |
| Do you agree that the EU and NATO push/pull factor is currently the strongest drive for SEE cooperation? What are the others?                     | Yes, the EU and NATO are the strongest drivers for cooperation. Although states in the region are at different phases of accession, they all have the common goal of joining these organisations. The UN, OSCE and the Council of Europe have also encouraged SEE cooperation.  |
| Can we speak of a radical break with the past in the current phase? Why or why not? What are the main challenges and opportunities in this phase? | <p>The break with the past has not been radical or complete. Countries have not necessarily learned from the mistakes of the past and there are still some frozen conflicts. However, the new generation of leaders can make a difference.</p> <p><u>Challenges</u>: the economic crisis, security in the region, border management</p> <p><u>Opportunities</u>: political will and the public's support for cooperation</p>  |
| How do you see regional cooperation once/if all countries of SEE are in the EU/NATO?  | Membership in the EU and/or NATO cannot serve as a substitute for regional cooperation. It will be in the interest of the EU and NATO to enhance and encourage continuing strong regional cooperation. Regional cooperation will include the free movement of people, capital, and goods, as well as cost sharing initiatives in various spheres (energy, defence, industry). Cooperation will be economically-driven.  |

A second exercise consisted of showing participants a table outlining the key features of a series of regions and asking them how the SEE region compares with the other regions analysed. The table and their responses follow (see Table 3 and Table 4 on the next page).

**Table 3: Comparing Regions<sup>7</sup>**

|                | No. of members, territory, contiguity | Contiguous Territory                        | Agenda  | History of intervention, and conflict  | Members' involvement in other regional groupings            |
|----------------|---------------------------------------|---|---|--|---|
| NATO           | 28<br>Europe, North America           | No<br>Total Territory: 24.58 million sq.km. | Defence, Security Partnerships, PSOs                                  | BiH, FR Yugoslavia, Afghanistan, Kosovo  | EU, NAFTA OAS, CEFTA, OSCE, CoE,                            |
| Nordic Council | 5<br>Nordic States                    | Yes,<br>980 sq.km.                          | Common Labour Market, Free Movement                                   | Only late 19 <sup>th</sup> and early 20 <sup>th</sup> century  | NATO, EU, OSCE, CoE...                                      |
| ECOWAS         | 15<br>West Africa                     | Yes,<br>5.11 million sq.km.                 | Economic Integration, Peace Support Ops                               | Sierra Leone, Liberia, Ivory coast   | AU, other sub-regional bodies                               |
| ASEAN          | 10<br>SE Asia                         | Yes,<br>4.48 million sq.km.                 | Multilateral Trade, Regional Security, Human Rights                   | Committed to non intervention (criticised for weakness in this area); conflict among regional states, e.g., Thailand, Cambodia | APEC  |
| OAS            | 35<br>N. And S. America               | Yes,<br>42.55 million sq.km.                | Democracy, Human Rights, Free Trade                                   | Several intra-regional conflicts involving neighbouring states, e.g., Peru, Bolivia, Chile                                     | Strong, Several sub-regional bodies such as Mercosur & SICA |
| SAARC          | 8<br>South Asia                       | Yes,<br>5.13 million sq.km.                 | Economic, social, cultural, technological, and diplomatic cooperation | Indian Peacekeeping Force upon Sri Lankan request in late 1980s.   | Very Limited, ECO   |

**Table 4: How do these regions compare with that of SEE?**

| How does the SEE region compare with the other regions analysed? |   |
|--|---|
| No. of members   | SEE has <b>10 members</b> and is somewhere in the middle of the list.   |
| Territory  | SEE is at the lowest level of the table for this category.  |
| Agenda   | The agenda summarises most of the issues listed such as defence, security, partnership, common labour market, free movement, economic integration, peace support, multilateral trade, regional security, human rights, democracy, social and cultural cooperation and technological cooperation.<br>A common issue for comparing regions and SEE is that all of them are being affected by the financial crisis and have to make choices regarding budget cuts. |
| History of Intervention  | First and Second World War, Post-Yugoslavia wars  |
| Members' involvement in other regional groups                    | CEFTA, IPU, NATO, OSCE, COE, aspiring countries for EU membership.<br>There are also cooperation bodies like SEEC, RCC, and the Cetinje Parliamentary Forum.  |

<sup>7</sup> The regional organisations included were chosen for this exercise based on random selection. NATO is the North Atlantic Treaty Organisation (for more information visit their website at [www.nato.int](http://www.nato.int)); For more information on the Nordic Council, visit their website at [www.norden.org/en/nordic-council](http://www.norden.org/en/nordic-council); ECOWAS stands for the Economic Community of West African States ([www.ecowas.int](http://www.ecowas.int)); ASEAN is the Association of Southeast Asian Nations ([www.asean.org](http://www.asean.org)); OAS is the Organisation of American States ([www.oas.org](http://www.oas.org)); and SAARC is the South Asian Association for Regional Cooperation ([www.saarc-sec.org/](http://www.saarc-sec.org/)).

There is also a third exercise which we have used to build awareness on the part of regional actors as to their regional heritage and current realities. This exercise involved organising a brainstorming session around the factors driving regional cooperation and the factors working against it. While the negative factors are fairly self-evident - a heritage of war, ethnic atrocities, leveraging with outside actors to gain advantage over neighbours - there are nonetheless several other positive factors that tend to be obscured from view. This next box shows the positive regional cooperation drivers that were identified by the group

### Box 1: Regional cooperation drivers

## Why do countries cooperate?

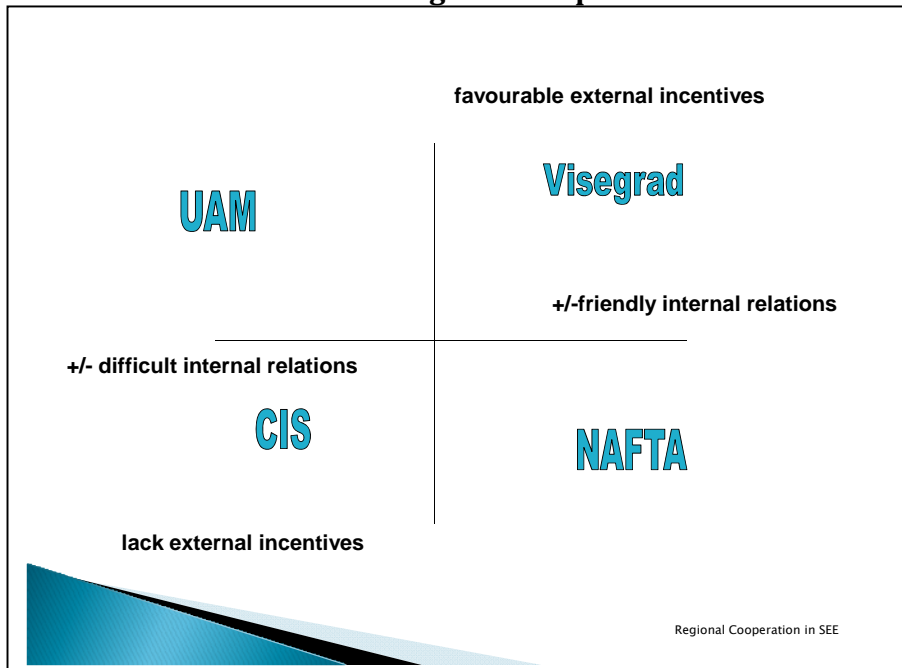
|   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. Geography &amp; physical proximity</li> <li>2. Shared history &amp; heritage</li> <li>3. Cultural &amp; social affinities</li> <li>4. Economic interests &amp; interdependencies</li> <li>5. Reduced transaction costs</li> </ol> | <ol style="list-style-type: none"> <li>6. Joint IGO memberships or desire to join them</li> <li>7. External pressures</li> <li>8. Common regional problems</li> <li>9. Need to create security regime in area of past/potential conflict</li> <li>10. In numbers, strength</li> </ol> |
|---|---|

Regional Cooperation in SEE

A related exercise asked a rather different question: namely, what might be the main ways in which regions differ from one another? This discussion led to the following graph whereby the two main variables were judged to be the existence or absence of external incentives for a region “to be regional” and the nature of intra-regional relations. In this scheme, SEE would be situated in the same quadrant as the Arab Maghreb Union (UAM) where the region is shaped by favourable external incentives – mainly from the EU - but has to cope with problematic intra-regional relations<sup>8</sup>.

<sup>8</sup> In this contextualisation exercise, two sets of drivers were identified as having supported or undermined efforts to found the chosen regional organisations: UAM, Visegrad, CIS and NAFTA. The horizontal axis relates to internal relations, while the vertical axis relates to external incentives. In the case of the UAM, regional cooperation was encouraged by the opportunities to collaborate with other regional organisations and stunted by political disagreements among the North African member countries. For the Commonwealth of Independent States (CIS), the legacy of the Soviet Union poisoned internal relations and offered few external incentives for cooperation. The North American Free Trade Area was created primarily because of positive trading relations among the United States, Canada, and Mexico. And, finally, the consolidation of the Visegrad Group was supported not only by the geographic proximity, shared history, and similar mentality of the people among the four member countries, but also common interests in the future development of Central Europe within the EU and NATO.

## Box 2: Different drivers for regional cooperation



## 3.2 Mapping<sup>9</sup>

### What is security sector mapping and why is it useful?

Security sector mapping is a tool for visualising a country's security sector as a complex system of different actors and institutions. Mapping can be used to “break the ice” with security sector stakeholders or participants in a training course who are not used to working with one another, by helping to provide a common point of reference for a discussion about security roles and relationships. Mapping is also an effective tool for assessing the state of a given security sector and supporting subsequent policy development.

In addition, mapping can serve as a platform for exploring the composition of sub-sectors of the security sector, such as the police, the police-courts-corrections system or the actors involved in a donor country's activities on behalf of a partner country. Finally, the use of mapping as a tool fosters co-learning among those participating in the exercise through their sharing of knowledge and experience.

### What are some of the different ways to do security sector mapping?

Mapping can be conducted in a number of ways. If the composition of the training group is highly heterogeneous, participants can develop a generic security sector map (see Figure 1 on the next page) and use this as a platform to analyse the actors and institutions that make up the security sector in a particular country.

<sup>9</sup> Much of content of this section originally appeared in David M. Law, “Security Sector Mapping,” Practice Note prepared for the Association for Security Sector Education and Training

**Figure 1: A generic map of a national security sector<sup>10</sup>**



<sup>10</sup> This map originally appeared in David M. Law, editor, "Security Sector Governance and Reform" *DCAF Backgrounder Series on Security Sector Governance and Reform*, Geneva, May 2009.

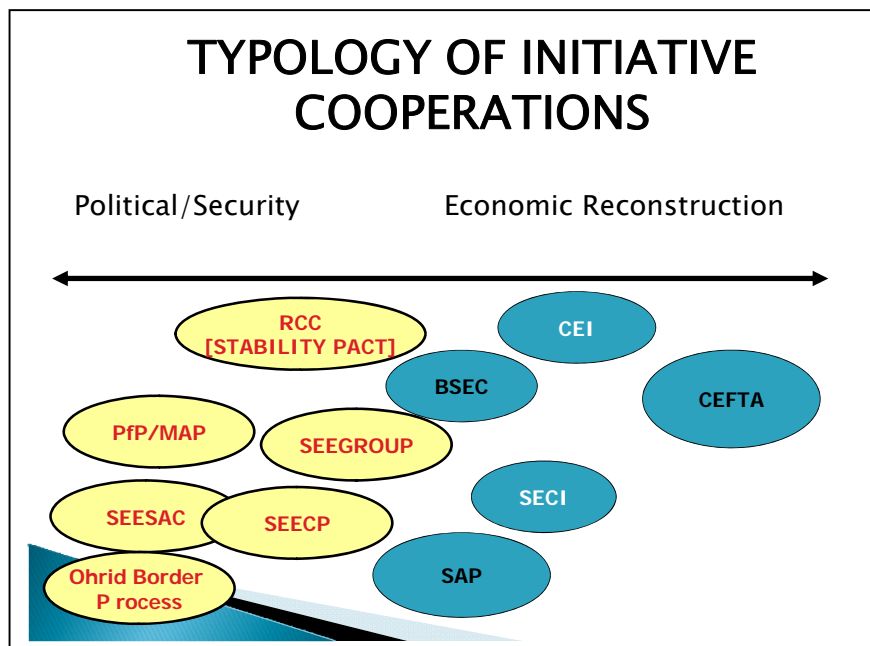
If participants are all from the same country, the exercise usually focuses on creating a national security sector map. If the course participants are from a limited number of different countries, in roughly equal numbers, participants can design their national maps in working groups and then compare their results in a plenary discussion. This is the approach we have taken in the programme (see Annex I for maps created in the context of the programme).

With groups whose knowledge of security issues is weak, it may be advisable to precede the mapping exercise with an interactive exchange on some fundamental questions, such as:

- What does security mean to you?
- Who is security for?
- Which actors provide security?
- Which actors undermine security?
- What kind of security forces/providers do you want? What should be their profile?

Another approach is to have participants brainstorm all the relevant actors and institutions and then devise an appropriate structural framework. In the context of the programme, participants mapped the various regional actors based on their types of activities. In the resulting graph, regional security actors in South-Eastern Europe are organised according to whether their agendas are more focused on political and security issues or economic reconstruction issues.

**Box 3: Mapping regional security actors in SEE<sup>11</sup>**



<sup>11</sup> RCC is the Regional Cooperation Council, PfP is the Partnership for Peace and MAP is the Membership Action Plan, both connected with North Atlantic Treaty Organisation. SEEGROUP is the South East Europe Security Cooperation Steering Group, SEESAC is the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons ([www.seesac.org](http://www.seesac.org)), SEECP is the Southeast European Cooperation Process. The Ohrid Border Process refers to the Ohrid Process on Border Security and Management that took place from 2003-2008. The CEI is the Central European Initiative, the BSEC is the Organisation of the Black Sea Economic Cooperation ([www.bsec-organization.org](http://www.bsec-organization.org)), the CEFTA is the Central European Free Trade Agreement ([www.cefta2006.com](http://www.cefta2006.com)), the SECI is the South East European Cooperative Initiative, and the SAP refers to the Stabilisation and Association Process with the EU. For a more comprehensive overview of these regional cooperation initiatives, please see "Survey of Regional Initiatives and Task Forces in South East Europe – Summary Findings," *Regional Cooperation Council, Western Balkans and Europe 2020 – Supporting Convergence and Growth, Regional Coordination Conference, Brussels, March 2011.*

In a related exercise, participants mapped their countries' participation in regional security organisations.

**Table 5: SEE countries' participation in regional security organisations<sup>12</sup>**

| Main patterns in regional security cooperation |     |          |      |          |      |       |     |     |           |      |                  |                   |        |
|--|-----|----------|------|----------|------|-------|-----|-----|-----------|------|------------------|-------------------|--------|
|  | CEI | CEFTA    | BSEC | PFP      | SECI | SEECF | RCC | SAP | SEE GROUP | OSCE | Adriatic Charter | Council of Europe | SEEREM |
| Albania  | X   | X        | X    | X (NATO) | X    | X     | X   | X   | X         | X    | X (left)         | X                 | X      |
| BiH  | X   | X        |      | X        | X    | X     | X   | X   | X         | X    | X                | X                 | X      |
| Bulgaria                                       | X   | X (left) | X    | X (NATO) | X    | X     | X   | -   | X         | X    |                  | X                 | X      |
| Croatia  | X   | X        |      | X (NATO) | X    | X     | X   | X   | X         | X    | X (left)         | X                 | X      |
| Greece   |     |          | X    |          | X    | X     | X   | -   |           | X    |                  | X                 | X      |
| Kosovo   |     | X        |      |          |      |       | X   |     |           |      |                  |                   | X      |
| Macedonia                                      | X   | X        |      | X        | X    | X     | X   | X   | X         | X    | X                | X                 | X      |
| Moldova  | X   | X        | X    | X        | X    | X     | X   |     |           | X    |                  | X                 |        |
| Monten.  | X   | X        |      | X        |      | X     | X   | X   | X         | X    | X                | X                 | X      |
| Romania  | X   | X (left) | X    | X (NATO) | X    | X     | X   | -   | X         | X    |                  | X                 | X      |
| Serbia   | X   | X        | X    | X        | X    | X     | X   | X   | X         | X    |                  | X                 | X      |
| Turkey   |     |          | X    |          |      | X     | X   | -   |           | X    |                  | X                 | X      |

### How do you map a country's security sector?

To illustrate how mapping works, the different stages that are involved in creating a map of a country's security sector actors are described below. The methodology for the other approaches outlined above would be similar.

#### Step 1 (approximately fifteen minutes)

- The first step involves explaining how a generic security sector is structured, describing its key components and contrasting the functions of these components. There are a number of different ways to conceptualise the structure of the security sector. In the approach described in Box 1, consideration is given to eight components or sub-sectors.

#### Step 2 (approximately thirty minutes)

- In the second step, participants are divided into working groups and asked to identify the actors in one or more components of their security sector. For this purpose, each group is given a computer and uses a blank version of the security sector map to record its results. Having participants fill in the blank map on a computer makes it possible to transfer group

<sup>12</sup> OSCE stands for the Organisation for Security and Cooperation in Europe, the Adriatic Charter is a programme associated with NATO, and the SEEREM refers to the South East Europe Regional Energy Market. For explanations of all other acronyms, please see the previous footnote.

- results quickly to a PowerPoint slide and allows all participants to view and discuss the results in real-time.
- If a computer and projector are not available, an alternative is to write up the results on a number of flip charts and post them together in a way that is visible to all participants.

**Box 4: Key components of a Typical Security Sector** <sup>13</sup>

1. Executive authorities that direct and manage security providers and are otherwise involved in a country's security, in particular, the President, and/or the Prime Minister and the so-called "power ministries".
2. Statutory security providers with a mandate from a representative authority, including the military, police, border guards, presidential guards, and intelligence services.
3. Legislative bodies that oversee the activities of the executive and of security providers, approve their budgets, and develop relevant legislation.
4. Judicial institutions that interpret and uphold the constitution and the laws of the land.
5. Civil society actors that monitor the activities of the security forces and of those that manage and oversee them, support the development of government policy relevant to the security sector, inform the public, and conduct training activities.
6. Non-statutory armed groups and formations: those who have the capacity to use force but who do not have a state mandate to do so.
7. Independent oversight agencies — ombudspersons, human rights commissions, auditing boards — which, while financed by the government, are not part of its executive, judicial, or legislative branches, and usually only report to parliament.
8. External actors that exercise one or more of the above functions in a country's security sector.

Step 3 (*ten minutes for each group's presentation and up to ten minutes for discussion of their results*)

- Usually, the mapping process will reveal gaps and discrepancies in the discussion groups' analysis and result in actors being moved from one component to another as participants come to understand more clearly their individual roles. This exercise is also likely to demonstrate that certain actors can be seen as belonging to one or more components.

Step 4

- A possible fourth step is to use the completed graph as a backdrop for an exercise in which the key gaps in a given security sector are identified and debated. Ten questions focusing on the key norms underpinning democratic security sector governance could be used to orient this discussion (see Box 5).

Another exercise that can be developed from the mapping results involves having the participants pinpoint the key relationships prevailing in their security sector. This generally involves asking three questions:

- Who are the key management actors?
- Who are the key oversight actors?
- Who are the key coordination actors?

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<sup>13</sup> This box originally appeared in David M. Law (Ed.), "Security Sector Governance and Reform" *DCAF Backgrounder Series on Security Sector Governance and Reform*, Geneva, May 2009.



### **Box 5: Democratic Governance of the Security Sector<sup>14</sup>**

1. Are the security forces capable of delivering security professionally and at a reasonable cost, and in a way that helps to promote justice for all individuals and groups in society?
2. Are the security providers overseen by, and accountable to, civilian and democratically-constituted authorities?
3. Are the security providers representative of the population?
4. Do the security providers operate transparently? Do the population and the parliament know what they need to know?
5. Are the state's security objectives and policies set out in a national security strategy defining tasks and responsibilities of components of the security sector?
6. Are the executive and civil management authorities in charge of the security forces capable of giving the security forces proper direction and management? Are effective budgetary practices in place?
7. Are judicial institutions capable of interpreting and upholding the law, as it refers to both to the behaviour of security sector actors and more generally? Are they effectively accountable?
8. Do civil society bodies have a role in monitoring security sector performance, informing and educating the public, and supporting official policy development? Are they active and independent?
9. Are domestic security sector actors capable of interfacing smoothly with one another?
10. Are domestic security sector actors well-integrated into regional and international security frameworks?

## **3.3 Scenario Planning**

### **What is scenario planning and why is it useful?**

Scenario-planning is designed to help one think about the different ways a particular phenomenon may evolve in the future. Unlike traditional planning methods, scenario planning is multi-futuristic, conceiving the future in terms of various possible outcomes. It avoids the established practice of trying to predict a single future as the one that will come to pass.

Scenario planning was originally developed for thinking about the situations in which a thermonuclear war may or may not take place. Later, it was used by oil industry actors to help anticipate the evolution of energy prices. Later still, scenario-planning was used as a method for anticipating the different ways countries or communities might evolve.<sup>15</sup>

Scenario planning creates a dialogue among the participants involved in the exercise, supporting their efforts to find a common language and understanding of the factors and forces shaping the trajectory of the phenomenon under study. The three or four scenarios generated through this

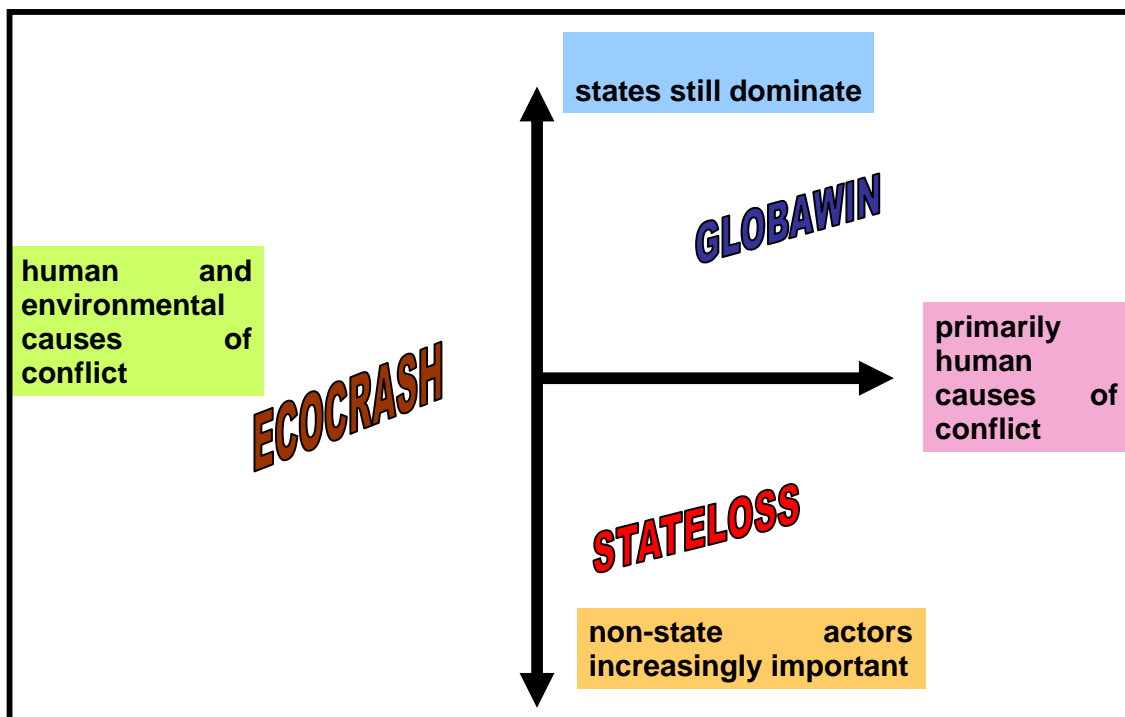
<sup>14</sup> This table is based on material that originally appeared in David M. Law, editor, "Security Sector Reform and Intergovernmental Organisations," *DCAF Backgrounder Series on Security Sector Governance and Reform*, Geneva, May 2009.

<sup>15</sup> For more information about scenario planning and its history see "Why Scenarios?" *Global Business Network*, accessed 9 August 2011 from [http://www.gbn.com/about/scenario\\_planning.php](http://www.gbn.com/about/scenario_planning.php).

process provide a platform for a discussion of the strategies and policies required to optimise outcomes. Scenario planning can be helpful in a variety of SSR-related situations. For example, it can serve as a useful vehicle for developing conflict prevention and resolution strategies, or for preparing the ground for the development of a national or regional security strategy.

As an example of the contrasting futures that can be imagined for a phenomenon, the following graph emerged from an exercise during which participants attempted to capture the different ways the threat spectrum facing the Euro-Atlantic Community might evolve in the period running up to 2020.<sup>1</sup>

**Figure 2: Euro-Atlantic Threat Scenarios to 2020<sup>16</sup>**



In the context of the programme, participants developed three possible scenarios for SEE leading up to 2025. The results of their exercise are summarised in Box 6 on the next page. For the full scenario descriptions, refer to Annex II.

<sup>16</sup> In this scenario exercise, two driving forces were used to construct a matrix showing three ways the threat spectrum facing the Euro-Atlantic community might evolve in the period to 2020. The horizontal axis relates to whether security issues continue to be primarily about conflict driven by human beings or whether they are shaped by an admixture of human and environmental causes (whereby it is acknowledged that many environmental problems are the result of human abuse of the environment). The vertical axis has, as its extremes, a world in which states are still the dominant actors and one in which they have been displaced in their leading role by non-state actors. *Globawin* is a scenario in which the Euro-Atlantic community successfully mobilises other states of the world community against the human causes of conflict. *Stateloss* is a scenario in which the failure of the Euro-Atlantic community to do so heralds the eclipse of the state as the primary actor in the international system to the benefit of the non-state actor. *Ecocrash* is a scenario in which the efforts of various types of actors to stem rising human and environmentally-generated conflict do not succeed, with ecological collapse resulting.

## Box 6: Summary of PSAP scenario exercise



### Scenarios for SEE to 2025

In the worst case scenario, “Balkan Bust?,” the combination of economic stagnation, as the Balkans loses its role as a conduit region for trade, and lost opportunities for joining the European Union leads to increasing poverty and mounting unrest. Corrupt governments and organised crime groups exploit ethnic tensions and unresolved conflicts, and the region erupts in fighting over border disagreements. Geopolitical battles are waged by external actors and terrorist organisations seeking control over routes for the exchange of natural resources, drugs, and people.

#### Driving Forces

1. SEE integration in a globalising world
2. Fight against corruption and organised crime
3. Impact of frozen conflicts and border issues on regional security
4. Development of common energy policy
5. Effectiveness of regional interstate cooperation
6. Economic development and prosperity
7. Geostrategic position of SEE
8. Health security
9. Comprehensive approach to legal/illegal migration

In the second scenario - “The Balkan Tigers”, the region experiences economic prosperity, despite the fact that most countries of the region are not members of the EU. This is due to the fact that while the EU has been losing its previously high regard and struggling from institutional fatigue, the Balkans region has been experiencing a surge of new national and regional civil society activity. And, with the emergence of a new group of capable political elites, the region has become a reliable partner and regional security provider for the EU.

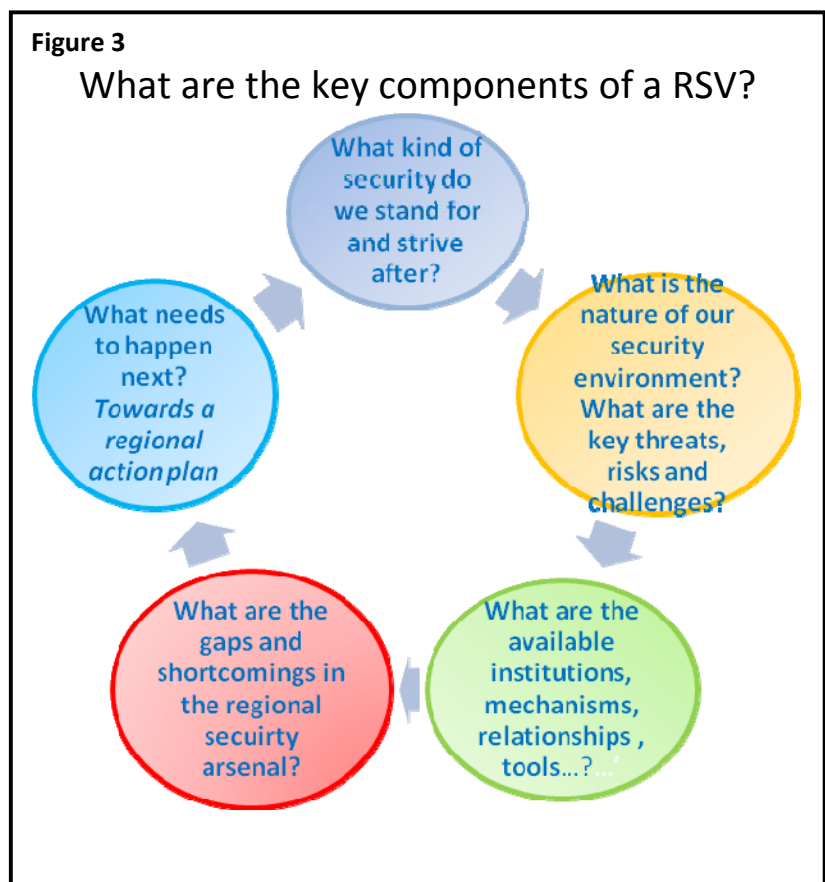
In the last scenario, “Balkans à la Grèque,” most of the Balkan countries have achieved accession to the EU, but failed to develop comprehensive reform strategies. The region serves as the greatest source of economic instability for the Union as the lack of direct investment, delays in infrastructure projects and EU cuts on commitments to new members exacerbate the poor economic situation. Eventually, the North-South polarisation of the EU leads to calls for the Balkan countries to be expelled from the Union.

### 3.4 Regional Security Vision

#### What is a regional security vision and why is it useful?

A regional security vision (RSV) is an integrated document that gives expression to the security realities, aspirations, objectives and corresponding requirements of a group of regional actors. An RSV serves both a present and future role, detailing the current values and situations of a region, while offering a strategy for handling current and prospective threats and opportunities. Such a document often uses different names, including regional security strategy, plan, policy, concept, or doctrine. For example, NATO has a Strategic **Concept** while the EU has a European Security **Strategy**, the OSCE has a **Charter** for European Security and the AU has a Common African Defence and Security **Policy**.

In general, a RSV includes five main components (see Figure 3). First of all, generally held assumptions about the region's values, principles, and objectives are addressed. An analysis of the surrounding environment, including challenges and opportunities is an important second component. Subsequently, the available tools for handling the determined environment are considered, along with the associated implications for using such tools. Lastly, a follow-up component allows drafters of the RSV to determine the necessary next steps, including to whom and how the RSV should be disseminated. Beyond this basic structure, RSVs often vary. For example, NATO generally includes an operational dimension for its RSVs, while other regional governmental organisations typically omit this section.



Developing a RSV is a very useful activity for several reasons. For regions with a troubled history, such as SEE, it can provide an opportunity for participants to rethink relations with neighbours. Through the process of developing a RSV, confidence and consensus are built within the region. Moreover, a completed RSV can serve as a guide for the development and implementation of regional actors' policies, provide a framework for optimising contributions from relevant security actors within the region, and establish a framework for ensuring accountability. On a wider scale, a

RSV can help foster public support for security initiatives and enhance international confidence and possibilities for cooperation.<sup>17</sup>


An effective and democratically-inspired RSV observes the following principles: inclusiveness and responsiveness, debate and consensus, frank assessment of means, transparency, constant monitoring and threat assessment, international considerations, and respect for international law. Used as a training exercise, facilitators and participants alike can ensure that these principles are upheld through a co-learning environment that encourages all individuals to share their expertise and receive feedback.

As an example, the outline of the RSV developed through the programme is included below. Please refer to Annex III for the full document.

### **Box 7: Outline of PSAP RSV**

**Outline of PSAP Regional Security Vision**

|   |  |
|---|--|
| <p><b>Introduction</b></p> <ul style="list-style-type: none"><li>What Makes SEE a Region?</li><li>The Regional Context</li><li>The Legacy</li><li>The Status Quo</li></ul> <p><b>Regional Security Assessment</b></p> <ul style="list-style-type: none"><li>Regional Strategic Objectives</li><li>Regional Values and Principles</li><li>Regional Risks and Threats</li></ul> | <p><b>Mechanisms for Building Regional Security in SSE</b></p> <ul style="list-style-type: none"><li>Parliamentary Affairs</li><li>Defence Cooperation</li><li>Police and Border Security</li><li>Justice Cooperation</li><li>Cyber Security</li><li>Counter – terrorism</li></ul> <p><b>Rebranding SSE</b></p> <ul style="list-style-type: none"><li>Good People</li><li>Good Environment</li><li>Good Politics</li><li>Good Security Cooperation</li></ul> |
|---|--|



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<sup>17</sup> For more on national security policy development, see: DCAF Backgrounder in Security Sector Governance and Reform, “National Security Policy,” November 2005, available from <<http://www.dcaf.ch/Publications/Publication-Detail?lng=en&id=18417>>.

### 3.5 Basic Skill-building

#### Why is basic skill-building necessary?

While certain studies and previous work experience might be preferred for employment as a parliamentary staffer or civil servant, even the most qualified applicant will require a certain amount of ‘on-the-job training.’ The following slide lists several practical skills that are generally not acquired through theory-based academic studies.

#### Box 8: Basic skills for Parliamentary Staffers and Civil Servants

**Basic skill–building, using regional material**

- ▶ Drafting minutes/preparing an executive summary
- ▶ Annotating an agenda
- ▶ Preparing a principal for a meeting: talking points
- ▶ Meeting with the media: Qs & As
- ▶ Drawing up a media plan
- ▶ Speaking in public
- ▶ Using power point
- ▶ Writing policy briefs and planning papers
- ▶ Drafting speeches
- ▶ Using the internet and social media strategically....

While all of the above-mentioned skills are important and could be developed into specific training modules, the remainder of this section will be focused on writing skills. Writing for policy purposes is not only a skill that is particularly salient for parliamentary staffers and civil servants, but also a skill that is quite different from the academic writing learned through general studies.

One of the more curious phenomena in contemporary professional life is the contrast between the kind of writing that is required by political science departments, and that which is common in the world of political decision-making. Academic political writing tends to be theoretical, detached from any particular political outcome, and lengthy - in the case of theses and dissertations, very lengthy. Its counterpart in political life tends to be

| Table 6: Academic vs. Policy papers |                        |
|-------------------------------------|------------------------|
| Academic Papers                     | Policy Papers          |
| Uni-disciplinary                    | Multidisciplinary      |
| Issue exploring                     | Problem solving        |
| Comprehensive                       | Focused                |
| Neutral                             | Normative              |
| Time uncritical                     | Time critical          |
| Substantiated                       | Speculative            |
| As long as possible                 | As compact as possible |

practical, advisory, and short – a couple of pages, no more (see Table 6 for general differences between academic and policy papers).

Of course, this is a huge generalisation. Sometimes academics have to write short amounts, and sometimes political advisors are called upon to prepare speeches or studies that are equal in length to anything written in academia. But these are exceptions that confirm the rule.

There seems to be a growing acknowledgment within the political science branch of academia that the priority must be to enhance the capacity of the political elite to make and implement decisions. That being said, what will be of concern to anyone who has gone from being a student in a political science faculty to a policy advisory position in a government department or an international organisation is how poorly he or she is ready for the kind of writing such a role entails.

The focus of the programme has been on building the capacity of the participants to work for their country and for their region. One of the vehicles we have used to this end has been the policy planning paper (See Annex IV for examples of participants' policy papers).

The policy planning paper that DCAF uses for its training has several parts.<sup>18</sup> First, there is the cover page accompanying the memo, explaining in just a few lines what the paper is about, who it is from, whom it is to and why it should be read. This may sound simplistic. It has, however, two important purposes: first, to frame the advice as being for a particular addressee from a particular advisor; and second, to present the advice as support for a political decision.

The body of the policy planning paper typically consists of five parts.

First is the *introduction*, a short paragraph of three or four sentences summarising that which follows.

The second part provides *background* on the issue at hand. Normally, a decision-maker will have a good general idea of what is at stake. But there will be times when the issue is less familiar and/or highly technical. This may require one or more annexes that the decision-maker can refer to as necessary. The body of the text should not be cluttered with detail.

Part three provides the advisor's *analysis*. This should address only the key issues that the decision-maker needs to take into account to do his or her job.

The fourth part deals with big-picture *options* and is itself optional. For example, when advising a minister or one of his advisors, you may need to discuss how various political actors feel about the range of possible policy options, and the pros and cons of different policy paths. Does one batten down hatches and go all out for the status quo? Does one tinker with the status quo in an effort to maintain the prevailing political equilibrium? Has the time come for a radically different approach? And what are the political obstacles to proceeding down one or the other path? These are the kind of strategic issues that may need to be addressed here.

Finally, we have the policy *recommendations*. Here is where the policy advisor becomes truly advisory. Recommendations should be tightly focused and limited in number. They should flow out

of what has preceded. They should be limited in number to three or five (most long lists of recommendations can and should be consolidated).

While this approach can certainly produce good results, nurturing more capable, mature, and democratically-rooted advisors is a political challenge of the first order. In addition, working in English with participants who are not native-speakers has its own special challenges. Hence, although PSAP's task has not been to teach participants how to write English, the programme has spent considerable time on giving these young professionals tips on how best to write in a foreign language and, in particular, English. Our main objective has, however, been to teach PSAP's young professionals - some of whom may well go on some day to work in their country's political decision-making process or in Brussels with NATO or the EU - how to write in a brief, focused, and operational way.



## 4. Tools for the self-assessment of parliamentary capacity

*Teodora Fuior*

The tools presented in this section aim to assist Members of Parliament, parliamentary staffers, civil society organisations, and other interested users to evaluate the performance of their parliament in the field of security oversight. The section is divided into four parts, the first of which elaborates on the utility and importance of self-assessment exercises, whilst the following three sub-sections present several self-assessments made by PSAP participants during DCAF's training sessions, including:

- a quantitative assessment of the capacity of Defence and Security Committees in selected countries from South-Eastern Europe
- a qualitative self-assessment of parliamentary capacities in the region
- an assessment of the role of parliamentary advisor - current profile and future training needs

### 4.1. Self-assessing a parliament

Assessing the performance of democratic institutions and the quality of democratic processes is essential for any modern-day democracy. In transitional or post-conflict countries, this task is usually performed by foreign experts and international organisations. The general assumption is that local actors do not possess the necessary knowledge, objectivity, and methodological skill to carry out such an exercise themselves. However, it is important to note that sustainable democracy becomes possible only through context-sensitive approaches and local ownership. Ideally, local actors who are familiar with the history and culture of their country should be the ones who pass judgement on how national institutions function. They should determine priority areas for reforms, and identify ways to improve arrangements for democracy.

Overall, an assessment undertaken by local actors has greater potential to contribute to a country's democratisation process than an external evaluation, with some of the key advantages being:

- i) As a voluntary exercise, undertaken in the absence (or only with the facilitation) of external observers, it contributes to an uninhibited debate on the strengths and weaknesses of a democracy and its institutions
- ii) It helps raise greater local awareness about international democratic standards and good practices, the exercise of assessing institutional capacity being a vital tool for capacity-building itself<sup>19</sup>

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<sup>19</sup> See for example the definition of Capacity Building given in Agenda 21, the action plan of the United Nations related to sustainable development: *"Specifically, capacity building encompasses the country's human, scientific, technological, organisational, institutional and resource capabilities. A fundamental goal of capacity building is to enhance the ability to evaluate and address the crucial questions related to policy choices and modes of implementation among development options, based on an understanding of environment potentials and limits and of needs perceived by the people of the country concerned"*, Agenda 21, Chapter 37, UNCED, 1992

- iii) The findings belong to local actors, which maximises the possibility of accepting, using, and linking them to national reforms

To address this need for local ownership in the identification of institutional strengths, weaknesses, and priorities for assistance, we have designed a self-assessment toolkit, composed of questionnaires and checklists which facilitate a pragmatic evaluation of the progress achieved in parliamentary reform and modernisation efforts and in the strengthening of the democratic governance of security. The self-evaluations allow users to define priority areas for legislative and institutional reforms.

### **Who can do a self-assessment and when?**

A self-assessment of parliamentary capacities can be done individually by MPs or parliamentary staffers, by a group of parliamentarians, a parliamentary committee, or even civil society groups that might be interested in initiating a discussion about the national parliament and its role in democratic governance.

A self-assessment exercise can prove to be especially useful at the beginning of a legislative term, raising awareness about the specifics of parliamentary institution for new MPs. It may also be useful at the end of the legislative term, offering an opportunity to take advantage of the knowledge gained by experienced MPs, who are familiar with legislation and parliamentary procedures and are able to shape a pertinent institutional and legislative development programme for the next legislature. The best way to assess whether the parliament becomes institutionally stronger is to repeat a self-assessment exercise at different stages and moments along the legislative term.

Self-assessments are equally useful when participants are all nationals of one country, analysing their national parliament, or, when participants are from different countries, each one assessing its parliament and then comparing the results. Carrying out self-assessments in a multinational environment improves common knowledge and mutual awareness about shared challenges, helps peer development and networking.

It is important to emphasise from the outset of any self-assessment that there is no ideal parliament. Democratic practices can be compared, but not prescribed. Democracies are structured according to different national contexts and constitutional designs. Therefore, a practice or a rule that works well in one country might be entirely inappropriate in another. The aim of these self-evaluation exercises is not to classify or compare one national parliament with others, but rather to help users objectively evaluate the strengths and the weakness of their parliament, based on international standards.

### **What kinds of indicators can be used?**

Self-assessments use quantitative and qualitative indicators, each of them having their own strengths and weaknesses. As the advantages of one often make up for the weaknesses of another, a complete assessment of parliamentary capacity should combine both types of indicators, through a range of research methodologies, in order to validate data from several sources through cross examination.

### **Quantitative and qualitative indicators to measure parliamentary capacity**

Quantitative indicators are numerical, and therefore objective and concrete. This leads to better validity in interpretations of data. The following are a few examples of possible quantitative indicators which can be used to assess progress over a specific period of time:

#### **A. To measure improvements of the legislative process:**

- The number of laws initiated by parliament
- The number of amendments adopted to draft laws initiated by government
- The number of amendments introduced by minority parties
- The number of laws passed by parliament
- The number of international standards included in national legislation
- The number of committee hearings to inform legislation
- The number of CSOs that lobby parliament and contribute to legislative debates
- The number of laws that involved citizens' input
- The number of plenary minutes published in a timely manner

#### **B. To measure improvements of the oversight process.**

- The number of questions and interpellations
- The number of committee hearings on oversight issues (including budget execution)
- The number of visits in the field (including premises of security institutions)
- The number of reports produced by committees on oversight issues
- The number of petitions submitted to parliament and investigated by competent committees

Qualitative indicators reflect people's judgments, opinions, and attitudes towards a given situation or subject. They are most relevant in tracking trends in parliamentary performance, because many attributes of democratisation, especially parliamentary development, are inherently complex, political, and qualitative in nature. Qualitative evaluation and monitoring are based on judgemental assessments based on quality scales, surveys of parliamentarians and other national counterparts, focus groups, interviews, content analysis of press coverage, and other documents. The aspects that shall be reflected in the qualitative evaluations are the following:

- The climate of confidence or improved collaboration between the parliament and the executive
- The understanding of parliament's role and functions in a democracy
- The awareness of and the understanding of different legislative provisions and regulations that are relevant to parliamentary work
- Parliamentary attitude and political will to participate in decision-making processes and to oversee the activities of the executive
- Participation of parliament in mechanisms of reconciliation and peace consolidation
- The importance of a human rights focus in parliamentary activity
- The use of media by MPs to convey positions and views
- The use and the utility of project deliverables (handbooks, almanacs, backgrounders)
- Political commitment to parliamentary reform

The self-assessment exercises carried out in DCAF's Parliamentary Staff Advisors Programme were both quantitative and qualitative. The participants were able to examine the overall capacity of their parliament and compare it with parliaments in the region, identifying specific areas in which their parliament's capacity needed to be strengthened.

## 4.2. A quantitative self-assessment of parliamentary committees

Assessing the capacity of parliamentary committees is extremely relevant for understanding the overall institutional capacity of a parliament. The existence and the effectiveness of specialised committees is the first indicator of a parliament's capacity to play a significant role in national politics. A well-institutionalised structure of standing committees<sup>20</sup> should parallel the structure of the government.

Standing committees for defence and security are the main tool for parliamentary influence in the policy-making process within the security sector. Having a stable composition over the legislative mandate, committees build up parliamentary expertise, thus developing an independent ethos and a capacity for unbiased thought and action. With adequate powers, resources, and attitudes, committees can be an efficient instrument in fostering government reforms and transparency, the accountability of security providers, and the respect of human rights.

The PSAP provided the participants with the opportunity and tools to assess their own committees through a cross-examination of all committees represented in the programme. The exercise took place at the final training session within the PSAP, held in Geneva in July 2011, involving advisors to Defence and Security Committees from ten parliaments in South-Eastern Europe.<sup>21</sup> A qualitative assessment questionnaire<sup>22</sup> was sent to the participants in advance, allowing recipients sufficient time to fill it out before the meeting. The data was then collated and processed by the DCAF facilitator, so that the results could be analysed in the meeting.

The exercise offered participants a general overview of the capacity of Defence and Security Committees in the region, and raised their awareness of similarities and differences between the institutional structures across the region.

The following section presents the type of data that was gathered from this methodology (both qualitative and quantitative) and then discusses the implications of the findings on the committees' capacity to amend legislation and exercise oversight. To begin, the three tables on the next pages demonstrate the type of data that can be gathered from a quantitative comparative assessment. A full copy of the questionnaire which was used in this process can be found in Annex VI.

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<sup>20</sup> There are also ad-hoc committees appointed with a specific and narrow mandate, such as a particular bill or an issue under investigation that dissolve after finishing their mandate.

<sup>21</sup> Eleven committees responsible for defence and security from ten parliaments responded, including both the Defense & Security Committee and the Intelligence Oversight Committee in Bosnia-Herzegovina. The date gathered refers to the Spring-Summer Parliamentary Session of 2011

<sup>22</sup> See Annex V

**Table 7: Data on Committee Members<sup>23</sup>**

| <u>Cmt.</u> | <u>No. of mbs.</u> | <u>No. of female mbs.</u> | <u>% of female members</u> | <u>Committee chair elected by</u> | <u>Cmt.chair must be from</u> | <u>Appointment of members</u> | <u>% of MPs with experience in security</u> | <u>% of MPs in 2<sup>nd</sup> term or more</u> | <u>Chairperson experience as MP (in years)</u> |
|-------------|--------------------|---------------------------|----------------------------|-----------------------------------|-------------------------------|-------------------------------|---|--|--|
| Albania     | 22                 | 0                         | 0%                         | Plenary                           | Any MP                        | Parliam groups                | 40%   | 68%  | 12   |
| BiH Defence | 12                 | 3                         | 25%                        | Committee                         | Majority                      | Parties                       | 25%   | 33%  | 4  |
| BiH Intell. | 12                 | 1                         | 8%                         | Committee                         | Opposition                    | Parties                       | 8%  | 75%  | 0  |
| Bulgaria    | 21                 | 1                         | 5%                         | Plenary                           | Any MP                        | Plenary                       | 40%   | 28%  | 2  |
| Croatia     | 12                 | 0                         | 0%                         | Plenary                           | Opposition                    | Plenary                       | 50%   | 50%  | 4  |
| Kosovo      | 9                  | 2                         | 22%                        | Committee                         | Any MP                        | Parties                       | 20%   | 22%  | 4  |
| Macedonia   | 14                 | 0                         | 0%                         | Plenary                           | Any MP                        | Parliam groups                | 21%   | 43%  | 6  |
| Moldova     | 10                 | 0                         | 0%                         | Standing Committee                | Any MP                        | Plenary                       | 50-60%                                      | 90%  | 3  |
| Montenegro  | 13                 | 0                         | 0%                         | Plenary                           | Any MP                        | Parties                       | 38%   | 69%  | 11   |
| Romania     | 24                 | 0                         | 0%                         | Committee                         | Any MP                        | Parties                       | 20%   | 46%  | 9  |
| Serbia      | 17                 | 1                         | 6%                         | Committee                         | Opposition                    | Parliam groups                | -   | 88%  | 10   |

## Committee Members

The composition of parliamentary committees and the access of Opposition MPs to decision-making structures within the committee (especially the Chairpersonship), has an important impact on the effectiveness of oversight. All parliaments participating in the PSAP allow elected members from Opposition parties to become members of Defence and Security Committees (DSCs). Committee membership is usually decided by parliament through a vote in a plenary sitting. The nominations are made by all parliamentary groups according to the political configuration of parliament. This procedure allows for all of the political parties in parliament to be proportionally represented in DSCs.

The average number of members in DSCs is 15, with the highest being 24 and the lowest being 9. The general conclusion of the participants was that the size of their committee allows for functional meetings, easily fulfilled quorums, and the development of consistent debates and expertise on topic matters. Smaller or larger committees might create difficulties in ensuring a quorum or having meaningful and constructive debates, since a small committee would result in a lack of representative voices whereas a large committee runs the risk of being chaotic and ineffective.

The percentage of women members in DSCs within the region is very low. In fact, 6 out of the 11 committees analysed have no female members at all. This indicates a sharp gender imbalance in the field of security and defence, one even more acute than the low overall presence of women in parliaments from the region. The explanation given to this fact by participants is that women traditionally have low levels of interest in defence, tending to apply for membership in committees with different mandates.

<sup>23</sup> Data collected by DCAF from parliamentary staffers through a meeting and questionnaires in July 2011

**Table 8: Data on women in parliament<sup>24</sup>**

| Country                           | Lower or single House |       |       |       | Upper House or Senate |       |       |       |
|-----------------------------------|-----------------------|-------|-------|-------|-----------------------|-------|-------|-------|
|                                   | Elections             | Seats | Women | % W   | Elections             | Seats | Women | % W   |
| Montenegro                        | 03/2009               | 81    | 9     | 11.1% | -                     | -     | -     | -     |
| Romania                           | 11/2008               | 334   | 38    | 11.4% | 11/2008               | 137   | 8     | 5.8%  |
| Albania                           | 06/2009               | 140   | 23    | 16.4% | -                     | -     | -     | -     |
| BiH                               | 10/2010               | 42    | 71    | 6.7%  | 06/2011               | 15    | 2     | 13.3% |
| Moldova                           | 11/2010               | 101   | 19    | 18.8% | -                     | -     | -     | -     |
| Bulgaria                          | 07/2009               | 240   | 50    | 20.8% | -                     | -     | -     | -     |
| Serbia                            | 05/2008               | 250   | 54    | 21.6% | -                     | -     | -     | -     |
| Croatia                           | 11/2007               | 153   | 36    | 23.5% | -                     | -     | -     | -     |
| Macedonia                         | 06/2011               | 123   | 38    | 30.9% | -                     | -     | -     | -     |
| <b>23% female in WB countries</b> |                       |       |       |       |                       |       |       |       |

Ideally, committees should be characterised by equilibrium between party politics and expertise, attained by nominating a fair number of members based on their professional background, special knowledge, and interest in the mandate covered by the committee. However, in the committees assessed in the region, only around 30% the members actually have a professional background or experience in the committee's field of competence. In one case, the percentage is lower than even 10%. This is the outcome of the prevalence of political considerations in the work of parliament, underlining the urgent need for professional staff, capable of providing specialised advice within the committee's field of competence.

In new democracies, elections tend to bring high turnovers in parliament composition, which makes the development of a stable core of experience more difficult. The number of MPs with previous parliamentary experience (being at least at a second legislative term) differs greatly in the region, ranging from 22% in Kosovo to 90% in Moldova, with a regional average of 57%. The amount of parliamentary experience held by the chairperson of the committee also varies greatly, between the 12 years held by the chair of the Albanian committee to the chair of the Bosnian intelligence oversight committee, who is a first-time MP. The average across the region is approximately 5 years.

Committee membership is stable for the duration of the legislative term, allowing members to develop expertise, negotiation skills, and a capacity to deal with officials from the executive with sufficient depth as to be treated as serious governing partners. Stable committee membership also ensures continuity in the approach of legislative and oversight activities and more parliamentary power to shape outcomes.

Chairmanships of these committees are negotiated among the larger parliamentary parties based on post-election political configurations, and appointed through a vote in the plenary or in the committee. Due to the fact that committees dealing with the security sector have an important oversight function, the chair must always be a member of an Opposition party according to regulations in Serbia and Croatia. It is believed that this ensures greater vigilance and perseverance in the exercise of oversight. On the other hand, due to the sensitivity of defence and security affairs, in most countries there is no rule about who should hold the chairmanship of Defence and Security Committees, but the tendency is to allocate it to the majority parties.

<sup>24</sup> Data collected from <http://www.ipu.org/wmn-e/classif.htm>, as of 31<sup>st</sup> August 2011

## Meetings

There is a great variety in the frequency of committee meetings, ranging from twice a week to once a month. It appears to be most common that committees arrange to hold meetings once a week. We note that there is a directly proportional relationship between the frequency of meetings and the number of staffers supporting the activity of a committee: the more frequently the committee holds meetings, the larger is the committee secretariat.

Committee work facilitates more technical and detailed scrutiny of government activity. The advantage of working in a committee is the lack of publicity and media coverage, which encourages open dialogue, facilitates negotiations, and allows for the development of a common view. Most parliamentary Standing Orders and Rules of Procedure state that committee meetings are open to the media unless the committee decides otherwise. However, given the need for secrecy in the security sector, the meetings of DSCs are often held *in camera*. Several committees in the region have adopted their own Rules of Procedure, detailing and adding specificity to the procedures followed in their work.

**Table 9: Data on Committee Meetings and Resources<sup>25</sup>**

| <b>Committee</b>   | <b>How often does the committee meet?</b> | <b>No. of staff</b> | <b>Staffers support (No. of committs)</b> | <b>Neutrality obligation for Staffers?</b> | <b>Eval. of staffers</b> | <b>Career path for staffer</b> | <b>Duration of contract</b> | <b>Does Parliament have a Research dept?</b> | <b>Does Parliament have a Legislative dept?</b> |
|--------------------|---|---------------------|---|--|--------------------------|--------------------------------|-----------------------------|--|---|
| <b>Albania</b>     | Twice a week                              | 5                   | Multiple                                  | Yes  | Yes                      | No                             | Indeterm.                   | Yes  | Yes   |
| <b>BiH Defence</b> | Twice a month                             | 2                   | One                                       | Yes  | Yes                      | No                             | Indeterm.                   | Yes  | Yes   |
| <b>BiH Intel.</b>  | Once a month                              | 2                   | One                                       | Yes  | Yes                      | No                             | Fixed/Indeterm.             | Yes  | Yes   |
| <b>Bulgaria</b>    | Once a week                               | 5                   | One                                       | Yes  | No                       | No                             | Fixed term                  | No   | Yes   |
| <b>Croatia</b>     | Once a week                               | 3                   | Multiple                                  | Yes  | Yes                      | Yes                            | Fixed/Indeterm.             | No   | Yes   |
| <b>Kosovo</b>      | Twice a month                             | 3                   | Two                                       | Yes  | -                        | Yes                            | Indeterm.                   | No   | Yes   |
| <b>Macedonia</b>   | Twice a week/Once a month                 | 1                   | One                                       | Yes, but only during work                  | Yes                      | No                             | Fixed/Indeterm.             | Yes  | No  |
| <b>Moldova</b>     | Once a week                               | 4                   | One                                       | Yes  | Yes                      | Yes                            | Indeterm.                   | No   | No  |
| <b>Montenegro</b>  | Once a week                               | 4                   | One                                       | Yes  | Yes                      | Yes                            | Fixed/Indeterm.             | Yes  | Yes   |
| <b>Romania</b>     | Twice a week                              | 5                   | One                                       | Yes  | Yes                      | Yes                            | Indeterm.                   | Yes  | Yes   |
| <b>Serbia</b>      | Once a month                              | 4                   | One                                       | Yes  | Yes                      | Yes                            | Indeterm.                   | Yes  | No  |

## Mandate

The mandate of parliamentary committees in the region is defined by the Standing Orders of the Parliament. An outstanding case is Montenegro, whose parliament adopted a special “Law on Parliamentary Oversight of the Security Services” in December 2010, defining the mandate and the powers of the Defence and Security Committee. The law provides for sanctions in case of failure to take part in committee meetings when summoned or to provide required information. Besides

<sup>25</sup> Data collected by DCAF from parliamentary staffers through a meeting and questionnaires in July 2011

clarifying the “rules of the game” for both parliament as well as executive officials, the advantage of having such a law is that it makes the committee and its oversight activities more prominent.

### **Committee Mandates**

Firstly, they advise the plenary on all the relevant legislation (including the State budget law) and parliamentary decisions to be taken within their field of activity. They are the primary vehicle for formulating recommendations to the government. Committee reports offer the starting point for all the debates on legislation in the plenary.

Secondly, the committees are mandated to monitor the activities of executive agencies, pursuing their accountability from two points of view:

1. *Administrative* - determining facts and laws governing a specific situation, in the attempt to make sure that government agencies respect the rule of law and the rights of the population and to avoid defective administration, waste of public resources, and corruption in the act of governance
2. *Political* - evaluating the political choices of the executive, their consistency with national interests and the Program of Government, their implementation and consequences

Committees’ oversight activities are diverse, but their foundation is parliament’s legal **power to get information from the executive**, and consequently to demand documents and reports or to summon executive officials to committee meetings and demand them to reveal, explain, and justify their actions.

### **Legislative activity**

All the parliaments in the region have the right to initiate legislation and to amend legislative proposals as they deem necessary. The higher the number of amendments debated, the more active in the fulfilment of its legislative function a committee is. However, there is a great difference between the numbers of amendments and legislative proposals initiated by each committee in the self-assessment exercise. Three of the DSCs did not adopt any amendments during the last parliamentary session, whilst others adopted dozens, and some even more than a hundred. There is also a great difference between the number of legislative proposals initiated by the DSCs or their members across different parliaments. Croatia declared 68 legislative initiatives, whereas five other countries had none. These huge discrepancies might prove for an uneven use of parliamentary powers, but also for a different approach of legislation and different legislative procedures. Therefore, one needs to be circumspect when it comes to making direct comparisons between countries.

Committee reports on legislation have increased value when the Standing Orders provide that an amendment to a law proposal cannot be considered in the plenary debate unless it was included (be it adopted or rejected) in the Committee report. Therefore, Members of Parliament who are interested in a law proposal, debated by a committee they are not a member of, have to follow the debates of the respective committee, attend its meetings, or submit their written amendments to the attention of that committee. This procedure avoids amendments made spontaneously in the plenary, enhancing legislative coherence and consistency. It also grants committees a very



important role within the work of parliaments, their debates and reports being mandatory steps in the legislative process. A majority of the parliaments in the region have legislative procedures that follow these rules, laying the premises for strong institutional development at committee level.

All countries aside from Moldova and Montenegro indicated their parliament had a **Legislative Department**. These legislative departments review committee reports on legislation and check their accordance with the constitution and the legislation in force. They can propose amendments regarding the form of the legislative texts. They also monitor the successive modifications of a specific piece of legislation; they integrate the modifications in a harmonised text and propose republication, if needed. Therefore, the support they provide to the legislative work of a committee is significant.

**Table 10: Data on Committee Legislative and Oversight Activity<sup>26</sup>**

| <b>Committee</b> | <b>Amendments</b> | <b>Legislative Initiatives</b> | <b>Hearings</b> | <b>Sanctions for non-attendance at hearings</b> | <b>MPs access to classified info</b> | <b>Safeguards on classified info</b> | <b>Security clearance for staffers?</b> | <b>Public sessions / In Camera</b> |
|------------------|-------------------|--------------------------------|-----------------|---|--------------------------------------|--------------------------------------|---|------------------------------------|
| Albania          | 24                | 0                              | 2               | No  | After security clearance             | Vetting                              | Yes                                     | Generally Public                   |
| BiH Defence      | 0                 | 2                              | 0               | No  | Yes                                  | Secrecy Oath                         | Yes                                     | Generally Public                   |
| BiH Intelligence | 0                 | 0                              | 0               | Yes   | Yes                                  | Secrecy Oath                         | Yes                                     | Generally In Camera                |
| Bulgaria         | 4                 | 0                              | 6               | No  | Yes                                  | None                                 | Yes                                     | Generally In Camera                |
| Croatia          | 10                | 68                             | 7               | No  | Yes                                  | Secrecy Oath                         | Yes                                     | Generally Public                   |
| Kosovo           | 106               | 0                              | 2               | -   | Yes                                  | Background Checks                    | No                                      | -                                  |
| Macedonia        | 1                 | 0                              | 0               | No  | Yes                                  | Supervised by Ministry of Interior   | Yes                                     | Always Public                      |
| Moldova          | "a lot"           | 15-20                          | 3               | No  | Yes                                  | None                                 | No                                      | Generally Public                   |
| Montenegro       | 7                 | 1                              | 0               | Yes, up to EUR 20,000                           | Yes                                  | None                                 | Yes                                     | Generally In Camera                |
| Romania          | 57                | 3                              | 9               | No  | Yes                                  | Secrecy Oath                         | Yes                                     | Generally Public                   |
| Serbia           | 0                 | 0                              | 0               | No  | No                                   | No                                   | Yes                                     | Generally Public                   |

### Oversight activity - Hearings

Parliament's oversight function is more efficiently and visibly developed at the level of committees. Committees' oversight activities are independent from the plenary or from the legislative schedule. The committees settle their own programme and oversight agenda, they decide whom they summon to hearings during committee meetings - which may be open or closed to the public, depending on members' decision. Macedonia is an exception, with DSC holding its meetings always public.

<sup>26</sup> Data collected by DCAF from parliamentary staffers through a meeting and questionnaires in July 2011

### **Oversight strategies**

**Pro-active:** When committees engage in what are called “**police patrol**” activities, which are regular and planned (eventually together with the Ministry or the overseen agency) - regular meetings to discuss legislation or recent policy developments, regular activity reports submitted to the committee, and committee visits to troops, military or civilian premises, and offices.

**Reactive:** When committees act only after a so-called “**fire alarm**” sounds, and they organise hearings or inquiries to investigate deeds signalled in parliamentary debates, media, or complaints.

The majority of the assessed committees combine a proactive approach to oversight with a reactive one. Hearings are the most efficient oversight tool at the level of committees. All the Defence and Security Committees in the region have the power to summon Ministers and other executive officials to hearings. Even more, in Montenegro and Bosnia-Herzegovina, the legislation provides for administrative or penal sanctions for refusal to attend committee hearings, a good practice that reinforces executive accountability. Without legal sanctions for non-attendance or failure to provide the information requested by committees, parliamentary oversight risks remaining merely an empty shell.

Hearings provide valuable information for the work of a committee, with both legislative and oversight activities being highly dependent on this information. However, relying solely upon the information offered by the executive is insufficient for holding well-informed debates in a committee.

### **Access to information**

MPs need to be aware of alternative analysis and policy proposals in order to develop an independent capacity for decision-making. Such sources of information may be found within the parliamentary administration or even outside parliament among civil society organisations, academia, or special interest groups.

A majority of the parliaments in the region possess a **Research Department**, aiming to cover research needs for the varied areas of competence of all of the Parliament’s standing committees. Individual MPs or committees may address specific requests for research on topics of interest to this department. However, making full use of these departments does not seem to be a strong suit of the DSCs in the region. In their responses to DCAF’s questionnaires, the majority of staff advisors mentioned the existence of a Research Department; however, they were unable to offer many concrete examples of how the department had assisted in the functioning of their committee, barring Bosnia and Herzegovina, where the department assisted the DSC with research on the topic of sending troops abroad.

The conclusion reached during the discussions was that Research Departments have, as structures within the parliamentary administration, a potential that is generally underused. Few of these parliaments have the capacity to equip research departments with financial resources that allow hiring researchers in all areas of parliamentary work. However, even the research resources

presently employed by parliaments are sometimes insufficiently used, due to an underdeveloped institutional culture within parliaments.

| <b><i>Responses from Participants - Recent hearing topics in the committees</i></b>   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Procurement in security sector Ministry/security forces reform</li> <li>• Military retirement</li> <li>• Reports on organised crime</li> <li>• Private security companies</li> <li>• Trade of arms and ammunition</li> <li>• Illegal detention of national citizens by foreign entities</li> <li>• Coordination of state bodies</li> </ul> | <ul style="list-style-type: none"> <li>• Hearings of new ambassadors</li> <li>• Reform in the diplomatic service</li> <li>• Energy safety network with the Ministry of Energy</li> <li>• Accession to the Schengen Zone</li> <li>• The Lisbon Treaty</li> <li>• Negotiations with EU, Reports of EC about the country</li> <li>• Visa Liberalisation</li> </ul> |

The little use DSCs make of Research Departments sheds light again on how much they rely on committee staff for the research in defence and security issues. The large list of research topics covered by the 10 PSAP advisors participating in the assessment, during just a single parliamentary session, shows how intensely the research capabilities of these staffers is used by committees.

| <b><i>Responses from Participants - Topics of research PSAP Advisors</i></b>  |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Security (defence and policy) policy and expenditures</li> <li>• National Security Agency, Supreme Council for Defence and Security</li> <li>• Deploying troops abroad</li> <li>• Civil Protection and Emergency Rescue System</li> <li>• Private detectives and private security companies</li> <li>• Bilateral cooperation with the country holding the European Presidency</li> <li>• Bilateral cooperation on illegal migration</li> </ul> | <ul style="list-style-type: none"> <li>• Subsidiarity in the area of security and defence</li> <li>• Oversights of secret operations</li> <li>• Military police legislation in European &amp; NATO countries</li> <li>• Reform of the diplomatic service</li> <li>• Attracting national citizens living abroad to return to the country (experiences and good practices)</li> <li>• Parliamentary military commissioner</li> <li>• Top appointments in police agencies</li> <li>• Administrative and penal convictions</li> <li>• Anti-corruption Strategy</li> </ul> |

### **Access to classified information**

Throughout the Parliaments of the region, members of DSCs are granted access to classified information in order to carry out their roles, in accordance with the Need-to-Know principle. Only information classified by foreign bodies, such as NATO or the European Union carry restrictions, with access usually being given only after a vetting process, and even then only to a limited number of committee members (or solely the chair).

Parliamentary advisors to these committees have access to classified information after a vetting process, culminating with the issuance of a security clearance. The advisors who go through this process are generally selected by the chair.

### 4.3. A qualitative self-assessment of parliament

After reviewing the capacities of their committees using quantitative indicators, PSAP participants were invited to a different exercise, a qualitative self-assessment of their parliament. For this purpose we designed a questionnaire<sup>27</sup> containing statements based on principles, assumptions, procedures, and standards of behaviour commonly met in democratic parliaments around the world. The statements are grouped into **six sections**. Each section covers a specific area of parliament's capacity, essential for the performance of the role of parliament in a democracy. To the three basic functions of all parliaments (representation, legislation, and oversight), we have added:

- i. a special section on security oversight, given its importance for democratic processes in transition and post-conflict countries
- ii. a section on institutional capacity, essential for the translation into practice of all the other legal capacities parliament may be endowed with, and especially fragile in democracies which are not well settled and well resourced; and
- iii. a section on the visibility and the accessibility of parliament - a big responsibility for parliaments in transition, allowing the public to witness democratic processes, participate in the work of parliament, and also evaluate it.

The participating staff advisors<sup>28</sup> were asked to read each statement and make a judgment regarding the application of that principle/standard by their own parliament, and to mark a score on a five-point scale. The statements marked with high scores indicate areas of parliamentary capacity which integrate well with international standards and allow for an efficient parliament. The statements marked with low scores indicate gaps and weaknesses in parliamentary capacity, therefore highlighting areas which may need institutional or legislative reform. Compiling and analysing the scores obtained by the statements in each section will allow for a comparison between the fulfilments of a parliament's different functions.

It is to be expected that no parliament would attain the highest score for every statement, given the different checks and balances ensured by different constitutions and due to the reality that all parliaments can be strengthened.

One should also keep in mind while facilitating such an assessment that responses are very subjective, especially in a multi-national environment. They depend on the personality of each participant, on their critical sense, and they may be altered by a sense of competition among

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<sup>27</sup> See Annex V

<sup>28</sup> 11 staff advisors to DSC in seven countries participated to this exercise: Bulgaria (one), Croatia (one), Macedonia (two), Moldova (one), Montenegro (three), Romania (one) and Serbia (two). The qualitative self-assessment exercise took two hours, during the 28<sup>th</sup> Training Session for Parliamentary Staff Advisors from South Eastern Europe, organised by DCAF in Geneva, during 27-28 July 2011.

neighbouring countries, no one wanting to appear as representing the least-developed parliament<sup>29</sup>. Such alterations are most probable in an environment and a group which are new for participants. That was not the case in our exercise. The PSAP staff advisors who undertook this assessment were very familiar with each other, having participated together in DCAF trainings for a number of years. Therefore, we hope their responses were not significantly altered by the above mentioned factors.

The conclusions of the self-assessment are likely to form the basis of recommendations that identify priority areas for future reforms. To facilitate this task, each section ends with three open questions, which asks the users to define:

- (1) the greatest improvement made recently in that particular area
- (2) the most serious on-going deficiency
- (3) the most urgent measures required to improve performances

The following is an overview of the results:

**Table 11: Average rankings of participating countries**

|                   | Representativeness | Institutional capacity | Legislative capacity | General oversight | Security oversight | Visibility Accessibility | Av.         |
|-------------------|--------------------|------------------------|----------------------|-------------------|--------------------|--------------------------|-------------|
| <b>Macedonia</b>  | 4.00               | 3.60                   | 4.00                 | 4.20              | 3.60               | 4.70                     | <b>4.02</b> |
| <b>Montenegro</b> | 3.44               | 3.40                   | 4.20                 | 4.40              | 4.60               | 4.00                     | <b>4.01</b> |
| <b>Moldova</b>    | 2.30               | 3.50                   | 4.10                 | 3.60              | 3.70               | 3.00                     | <b>3.37</b> |
| <b>Croatia</b>    | 4.30               | 4.10                   | 3.90                 | 4.30              | 4.40               | 4.20                     | <b>4.2</b>  |
| <b>Serbia</b>     | 4.20               | 4.20                   | 4.00                 | 4.50              | 3.33               | 4.33                     | <b>4.09</b> |
| <b>Bulgaria</b>   | 3.67               | 4.30                   | 4.10                 | 3.90              | 4.20               | 4.30                     | <b>4.08</b> |
| <b>Romania</b>    | 2.88               | 3.90                   | 3.90                 | 4.10              | 3.90               | 4.00                     | <b>3.78</b> |
| <b>Av.</b>        | <b>3.54</b>        | <b>3.86</b>            | <b>4.03</b>          | <b>4.14</b>       | <b>3.96</b>        | <b>4.08</b>              | <b>3.93</b> |

The final average rankings are quite homogenous, showing no major differences between the six areas of parliament's capacity, or between countries in the region. We can draw the conclusion that the parliaments in PSAP countries work in a fair enabling environment, which provides them with sufficient institutional and legal strength in order to fulfil their role in a democratic society.

### **Representativeness of the Parliament – 3.54**

The area ranked lowest in this assessment is the **representativeness** of parliament, scoring only **3.54 points out of a maximum 5 points**. The majority of parliamentary staff advisors seem to believe that the capacity of their parliament to represent the people is an area which needs to be addressed in the future.

- The most common obstacle in the representation function of parliament is party discipline. This was the question getting the lowest score in the section, from all participants. It seems that in the large majority of the countries in the region, MPs have to vote according to party lines, otherwise they may face political sanctions. External pressure from electoral campaign financiers

<sup>29</sup> Sometimes the more a parliament is institutionally developed, the more capacity for objective analysis and criticism the staffers have.

affects parties' duties and MPs' priorities (for example, in Romania). MPs feel often observed too closely by the executives, in an attempt to influence their behaviour (Bulgaria faces such a situation). Several staff advisors identified their electoral law as being a cause for this backlash. Others believe the problem is not the government or the parliament as institutions, but the way the political parties run the relationship between the legislative and executive; a general change of the philosophy and the organisation of political parties is needed to increase internal transparency and participation in decision-making.

- Many parliaments do not appear to have an even ratio of men to women (as can be also seen from the quantitative assessment data). No parliament in the region has specific legal mechanisms to address gender imbalance (such as mandatory quotas). However, promoting women's participation in politics and decision-making is an aspiration for political parties and parliaments in the region.
- Minority groups are ensured participation in parliaments all over the region. There is place for improvement of their parliamentary representation in several countries in the region.
- Parliamentary procedures allow for, and encourage, the participation of opposition parties to the work of parliament in a majority of respondent countries. Exceptions are Romania and Moldova, where parliamentary advisors feel that changes are necessary to allow for better participation.
- A few parliaments in the region do not have a committee for petitions, allowing citizens to submit complaints directly to Parliament (Macedonia, Montenegro). In others, even if such a committee exists, a lack of public information and lack of confidence in parliament result in a low number of petitions submitted. Having a specific committee for petitions gives a positive signal to the public, encouraging them to use this institution, designed to oversee over the protection of human rights.
- The lack of office space and facilities affects the capacity of parliaments to represent their electors. This is not so much a problem in capital cities where parliaments sit in the plenary (Moldova), but rather in many parliamentary constituencies, which are not sufficiently developed, thus limiting the access of citizens in the provinces to their elected representative.

### **Parliament's Administrative Capacity and Institutionalisation – 3.86**

The second section of the assessment dealt with parliament's **administrative capacity** and institutionalisation, and we see a final average score of **3.86 points out of 5**. Rules of procedure are considered to be clear, known, and respected by MPs. Parliaments in the region are able to operate independently of their executives, deciding things such as their budget and agenda, as well as committee structure and membership. Parliament's autonomy is important to the running of an efficient democracy, as MPs need to be allowed the freedom to adequately represent the beliefs of their constituents, without external pressure.

- One of the key challenges highlighted in this section was the need for more office space and research facilities that most parliaments appear to have. Budgets are not high enough to cover the costs of all of the legislature's requirements. Therefore, some parliaments are going without an acceptable amount of working space, or necessities such as a fully-stocked library to ensure well-informed research.
- Committee resources are considered insufficient in terms of meeting rooms, offices, facilities (Montenegro, Macedonia, Moldova), and in terms of staff (Croatia, Romania, Bulgaria, Montenegro).

- Employment policy leaves room for improvement in several parliaments, where it allows party activists to be hired as committee staff in spite of having no background or interest for the field of the committee, and sometimes appearing only on the payroll but providing no support to committee activities. Such practices undermine the efficiency of committee work and the relevance of parliament as democratic institution.
- The lowest score in this section belongs to the assessment of how parliaments implement a Code of Conduct/Ethics which guides the MPs in the fulfilment of their mandate. Several parliaments do not have such a Code (Serbia, Moldova, Montenegro, Macedonia), whilst others have it but do not make effective use of it (Croatia, Romania, Bulgaria).

### **Parliament's Legislative Capacity – 4.03**

Parliament's **legislative capacity** received a score of **4.03 out of 5**. In all participating countries, committees have a privileged position in the legislative procedures. The plenary follows committee recommendations and amendments on legislative proposals. Without any exception, MPs have the right to initiate legislation and to amend legislative proposals; parliamentary procedures allow them to **fully** exercise this right. Each of the respondent parliaments ensures that enacted legislation is consistent with the Constitution and basic human rights. They also ensure that enacted legislation is clear and concise.

- Several parliaments limit the right of MPs to amend or reject executive ordinances and decrees (Bulgaria, Montenegro, Serbia).
- The most common limitation of the legislative capacity is considered to be the insufficient time provided to MPs and committees for analysis and debate of proposals (especially in Croatia, Macedonia, Moldova). Legislative procedures allow the government to submit proposals late in the parliamentary session, compelling parliament to adopt them in emergency procedures. One respondent even went as far as to say that time pressure sometimes leads parliament into passing legislation non-consistent with the Constitution and allowing violations of basic human rights.
- In a few countries procedures for consultation with relevant interest groups and civil society organisations in the course of legislation are considered insufficiently used or developed (Romania, Croatia, Moldova).

### **Parliament's General Oversight Capacity – 4.14**

The section on parliament's **general oversight capacity** received the **highest score** in the assessment: **4.14 points out of 5**. All the respondent parliaments have the constitutional and legal powers necessary for the effective oversight of government activity. They have the authority to investigate activities of the executive and to settle inquiry committees. Without any exception, the respondent parliaments have the power to force the executive to resign, by voting a Motion of No Confidence. Permanent committees in their turn, have the power to oversee the activity of Ministries and other executive agencies in their area of competence. When summoned, Ministers and other executive officials attend plenary sessions or committee meetings and they provide any information required.

- However, many of the parliamentary advisors responding to the questionnaire feel that their parliament is not making full use of their legal powers to hold the government accountable (Bulgaria, Romania, Moldova, Serbia).

- One common limit of parliamentary oversight across the region is fact that parliaments do not monitor and evaluate the impact of enacted laws. Only one staff advisor evaluated the parliament's performance in this regard as satisfactory (Romania).
- Some parliaments have a weekly session for Questions and Interpellations (Bulgaria, Romania, Serbia) but in other parliaments the frequency of this session is only once per month (Croatia, Moldova, Macedonia, Montenegro). However, MPs may submit written questions to the government at any moment. The frequency of these sessions appears to be related to the size of the parliament.
- The parliament's capacity to influence and scrutinise the national budget through all its stages (formulation, approval, execution, evaluation) is considered to be a problem in many parliaments, including in consolidated democracies. Most respondents highly appreciated the performance of their parliament in this regard. Others appreciated that there is much room for improvement (Bulgaria, Romania, Macedonia), especially because too few amendments to the government budget proposal are being made.
- The most serious ongoing deficiencies in parliamentary oversight are considered to be the lack of trust between the legislative and executive and the lack of interest for oversight within the parliament. Parliaments are failing to hold their governments accountable owing to a lack of political will to do so.

### **Parliament's Security Oversight Capacity – 3.96**

The section reviewing more specifically parliament's **oversight of the security sector, scored 3.96** points out of 5. With very few exceptions, the activity of all security sector actors is regulated by legislation enacted by parliament. In all participating parliaments the members of Defence and Security Committees (DSC) have legal access to secret information necessary to perform their oversight function. DSCs have the right to visit troops, military premises, and offices of security institutions. Several committees have detailed agendas for oversight activities that help DSC organise more efficiently their work and develop a long term systematic approach of oversight issues.

- There are countries where not every single actor within the security sector functions based on a **statutory law** adopted by parliament (Bulgaria, Moldova, Serbia). There still exist institutions regulated only by executive order (or presidential decree), or whose creation and mandate are only briefly provided for in articles of laws regulating other issues.
- In spite of having the right to summon Ministers and other officials for **hearings**, the majority of staff advisors note that their committee is not making full use of this right, with the frequency of hearings on security matters being lower than expected (Bulgaria, Romania, Serbia, Montenegro, Moldova, and Macedonia). Only the staffer from Croatia appreciated the performance of their DSC as satisfactory.
- The **resources** available to DSCs are appreciated as being reasonable, but to increase the efficiency of committee work, more human and research resources are needed in all the participating parliaments.
- Several parliaments are not approving and monitoring the **budget** of every security sector agency (Macedonia, Moldova, and Serbia). Moreover, parliaments do not have the power to request the Supreme Audit Institution to start an audit or an investigation on security budget execution (Macedonia) or, even where the law might allow for such a request, parliament never submits such request (Romania, Serbia). Parliament's capacity to influence decisions on defence



procurement contracts is limited by the lack of a clear legal power to approve contracts higher to a specific value (Romania).

- One of the most important drawbacks for security oversight is the lack of **political will and interest**. There are other public sectors that are simply more important for MPs and citizens (economy, education, health etc)

### **Parliament's Accountability and Visibility – 4.08**

The sixth and final section of the assessment concerns **parliament's accountability and visibility** and it was marked with **4.08 points out of 5**. Parliamentary procedures allow for plenary and committee meetings that are open to the media and the public. Parliamentary debates are frequently broadcast live on television, internet, or radio, and journalists are not restricted while reporting on parliament and the activities of its members. Citizens have access to legislation through a variety of channels, such as internet, official journals, mass media, and MPs constituency offices. Plenary and committee minutes are published in a timely manner (delays happen sometimes in Croatia, due to the high volume of legislation adopted), and so are the voting records on important parliamentary decisions or legislation (the only exception being Moldova).

- DSCs tend to favour secrecy when they organise hearings on security issues, rarely holding public hearings (Moldova, Croatia, Romania, and Macedonia). Although *in camera* hearings are often justified, nevertheless most of the security oversight issues are of public interest and being open to the public would not jeopardise national security in those cases.
- Citizens' opportunities to express their views and concerns directly to their representatives, regardless of party affiliation are not always the best (Serbia and Moldova).
- The most serious problem identified by participants in the lack of confidence in parliament. Public expectations in relation to parliament are appreciated as being not fulfilled by several staff advisors (Romania, Moldova, Bulgaria, and Serbia). A possible cause of the public mistrust is the fact that the electoral system does not effectively ensure the accountability of parliament, individually and collectively, to the electorate (Bulgaria, Romania, and Moldova). Another cause is that MPs are perceived as lobbying in favour of corporate interests, therefore rules and mechanisms should be established to protect MPs and parties from private influence, and to prevent conflicts of interest.

### **Proposed measures for remedy**

The importance of a self-assessment relies in the fact that it offers participants an opportunity to think about the measures that would offer remedy to the identified weaknesses, or simply empower the institution of parliament, improving its performance. Therefore, the end of a self-assessment could be the beginning point of drafting a parliamentary development plan.

The table on the next page presents the main recommendations made by participants.

| Area of parliamentary capacity                   | Proposed measures for remedy  |
|--|---|
| Representativeness                               | <ul style="list-style-type: none"> <li>• Electoral law: party lists replaced with individual candidacy</li> <li>• Introduce quotas for woman participation</li> <li>• Unicameral parliament</li> <li>• Change political parties' legislation with the aim to have more open and democratic internal decision-making processes.</li> </ul>   |
| Administrative capacity and institutionalisation | <ul style="list-style-type: none"> <li>• Bigger budget at the disposal of parliament, to allow for more space, staff, research capacities</li> <li>• Change salary policy to attract experts</li> <li>• Employment of staff based on competition and clear criteria</li> <li>• Create a Research Department</li> <li>• Create an Intranet System</li> <li>• Update parliamentary library</li> <li>• Clarify competences of parliament in relation with executive</li> </ul>   |
| Legislative capacity                             | <ul style="list-style-type: none"> <li>• E-parliament</li> <li>• Change procedures to request government to submit legislative proposal in due time</li> <li>• Strengthen the Research Department to provide comparative legislative analysis to committees</li> <li>• Request government to draft clear and concise legislative proposals</li> <li>• Improve political education and culture</li> <li>• Stimulate MPs and committees to initiate legislation when requests or needs are not responded by government</li> </ul> |
| Oversight capacity                               | <ul style="list-style-type: none"> <li>• Improve relationship with executive; create permanent points of contact</li> <li>• Make better use of Questions and Interpellations (weekly sessions would be the ideal frequency)</li> <li>• Improve parliament attitude - political will</li> </ul>  |
| Security oversight capacity                      | <ul style="list-style-type: none"> <li>• Debate the opportunity of a law on parliamentary oversight of security</li> <li>• Improve parliament attitude - political will</li> <li>• Adopt laws which detail the mandate, the organisation, and the powers of every institution/agency within the security sector</li> <li>• Empower parliament (DSC) to approve big procurement contracts</li> </ul>   |
| Visibility and accessibility                     | <ul style="list-style-type: none"> <li>• Issue frequent press releases about committee activities</li> <li>• Involve civil society experts in legislative debates</li> <li>• More frequent public hearings</li> <li>• Committees should have their own internet pages, with a variety of relevant information about the committee's work and contact details</li> </ul>   |

## 4.4. The role and profile of the parliamentary advisor

Committee advisors are indispensable for an effective parliament. Depending on the internal organisation of the parliament's administration, committee staff may cover a wide range of activities, from secretarial work to complex juridical advice, including drafting legislation, committee reports, research papers, or speeches. They prepare and organise committee meetings, maintain contact with government and state officials, collect information, and help interpret government information.

This diversity of tasks and roles results in a diversity of job titles in different parliamentary administrations. Some of the titles we have found around Europe include: Advisor, Senior Advisor, Legal Advisor, Associate, Upper Associate, Councillor, Expert, Consultant, Secretary, Officer, Clerk, Media Officer, Inquiry Manager, Scrutiny Manager, *Letrado*. It therefore appears difficult to identify the functions and the legal status enjoyed by staffers in different parliaments.

### **Circles of Expertise in Parliament**

In order to fulfil their role as legislators, MPs need both political and neutral/professional counselling. There are four circles of expertise MPs rely on:

1. Personal advisors employed within the parliamentary office in the constituency
2. Staff employed by parliamentary groups (political factions)
3. Staff supporting the work of parliamentary committees
4. Specialised departments of parliament (research, legislative etc.)

Politically-oriented advice tends to concentrate on the first two circles. These parliamentary staffers are often temporary employees whose work contract depends on the re-election of the MP or the party. They ensure the communication between different levels of decision-making within a single political party. Documents like Government Action Plan, Party Strategies, and Party Legislative Priorities usually offer guidelines for their work. They also help MPs to identify, express, and promote constituency interests.

The neutral/professional advice concentrates within the latter two circles of expertise, where non-political staffers are predominant, assisting MPs from all parties. They are permanent employees, who retain their posts even if the political majority changes after elections. Often they are forbidden to be party members or to express their own political views in their official capacity. Furthermore, they are not permitted to favour any particular MP or party.

Advantages compared to political advisors:

- enjoy more legitimacy in relation with security agencies
- develop better expertise, on specific topic issues
- cost-effective for all the parties to have expertise within the committees

As the target group of the PSAP, the participant parliamentary staff advisors were invited to assess and compare their role within the parliament and, during a brainstorming session<sup>30</sup>, to identify needs and priorities for future training.

### **Legal status**

Most parliaments in the region have a clear legislative framework for the status of parliamentary staff, detailing rights and obligations, as well as a career path, developing milestones of opportunities for advancement within the parliamentary administration. The legal status of parliamentary staffers is similar to, or exactly the same as that of public servants, in which case they are regulated by the same law.

The duration of a parliamentary staffer's contract can be either fixed-term or indeterminate. Sometimes, this varies depending on the position - for instance in Montenegro, the contract is fixed for advisors and indeterminate for secretaries. In Romania, Albania, Serbia, and Moldova the work contracts of all parliamentary staffers are indeterminate. In Bulgaria, committee staffers have fixed-term contracts for the duration of a legislative term, regulated by the general Labour Code; the committee chair nominates the candidates for all staff positions and decides on renewing or ending a contract after elections.

The feedback gained from the discussions indicates that stable parliamentary staff can compensate for the lack of institutional memory that parliament has, compared to other parts of the government. Given the high turnovers of new members brought in the parliament by each election<sup>31</sup> in South-Eastern Europe, stable committee advisors are vital for ensuring a continuity of expertise that can balance the lack of experience of new committee members.

In all participating countries, staffers are obliged to maintain political neutrality, at least during working hours. The Romanian Law on the Status of Parliamentary Staff identifies incompatibilities with the position of parliamentary staffer, who is forbidden to engage in any other paid activities, with the exception of teaching, research, and arts. Direct hierarchical relations between relatives are also forbidden.

### **Career path**

A parliament that provides a career path to its employees keeps them engaged, satisfied, developed, and most importantly, effective. A career path provides upward mobility given that evaluation criteria - and sometimes a certain period spent in a job - are satisfied.

For example, in Macedonia, a staffer needs to spend 3 years in the positions of Associate and Upper Associate before reaching the position of Advisor.

In Romania, there is a clear upward path from Consultant to Expert, and then to Councillor, but the advancement is not linked to a time frame, but to the availability of open positions and on the

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<sup>30</sup> The brainstorming took place during the 28<sup>th</sup> PSAP training session in Geneva, on 27-28 July 2011. Eleven staff advisors to DSC in seven countries participated to this exercise: Bulgaria (one), Croatia (one), Macedonia (two), Moldova (one), Montenegro (three), Romania (one) and Serbia (two).

<sup>31</sup> In some of the security and defence committees from the region up to 70-80% of the members have no previous parliamentary experience and no background in the security field.

fulfilment of yearly evaluation criteria. These criteria are defined by the legislation on status, rights, and obligations of parliamentary staff and the rules of procedure of the committee:

- Fulfilment of the objectives fixed in last year's evaluation
- Respect of duties and obligations as regulated in the civil servants' legislation; and
- Fulfilment of tasks appointed by the chair person

In Bosnia, amongst the evaluation criteria for entering the service are political neutrality, academic degrees, and performance in the present position. The yearly evaluations are based on the following criteria:

- Timely, efficient, high quality performance (40 points max)
- Diligence and hard work (15 points max)
- Cost-effective performance (10 points max)
- Low absence from work rate (10 points max)
- Own personality and inter-personal skills (10 points)

All participating staffers undergo regular evaluations of their work, barring Bulgaria - where no such system is in place at the moment.

### **Roles and duties**

The roles and duties allocated to **staff advisors** can differ greatly between parliaments. However, duties of the parliamentary staff advisors working for Defence and Security Committees can be organised into three categories:

1. **Administrative** - in charge of overall office operations within a committee - organising committee meetings and hearings (including inviting MPs, executive officials, experts, media) preparing and distributing necessary documents;
2. **Expert support** - related to legislative and oversight activities of the committee - writing committee reports and minutes, drafting legislative proposals, drafting legislative amendments and justifying them, research on legislation, research on national and international security issues, writing speeches, giving oral and written advice on issues related to the mandate of the committee;
3. **Communication** - responsible for building and maintaining open and effective lines of communication between the committee, governmental agencies, media, and general public; writing press communiqués, organising press conferences, posting committee documents to website or parliamentary intranet.

#### ***Responses from the Participants - Most frequent tasks performed by staffers***

- Organising committee meetings and participate in committee activities
- Writing reports on legislation
- Drafting amendments and legislation
- Providing legal advice
- Background research and document analysis
- Networking and communication with executive institutions

One important difference can be distinguished in the region regarding committee secretaries.

In some countries, the committee Secretary is the most junior position, being responsible only for general office support and administrative duties (Romania, Bulgaria, and Moldova). In other countries, the Secretary is the most senior of the staff advisors (Bosnia, Croatia, and Serbia). They carry out a great number of specialised tasks, including expert advice to legislative and oversight activities of the committee.

In Macedonia, the Secretary is the only staff supporting the work of the committee, providing overall office support and expert advice. In Montenegro, the Secretary and the other advisors are equally involved in administrative and expert support.

### **Division of labour**

The number of staff supporting each committee ranges from 2 to 5, with 4 being the average size. Most of these staffers only support one committee, although those in Albania, Croatia, and Kosovo support multiple committees (usually they provide support to the Defence and Security Committee as well as the Intelligence Oversight Committee).

In DSCs with wide mandates, covering the entire security sector and with several advisors providing expert support to the committee, the staffers may be assigned responsibilities in specific areas (as in Romania). Division of labour may follow, on the lines of:

- Different agencies (Ministry of Defence, Ministry of Interior, Intelligence Agency, Border Police)
- Different issues (Budget, HR management, international missions, security sector reform, intelligence activity, classified information)

Inadequate staff numbers and training represent a significant problem for efficient committees. A lack of well-trained staff acutely limits and delays committee's research possibilities and access to legislative advice, obliging members to rely mainly on the information provided by the government and security agencies - the very institutions the committee is meant to oversee.

None of the committees represented in this assessment is supported by staff seconded from executive agencies. Institutional agreements with different Ministries or bodies such as the National Audit Office can allow the temporary transfer of the employees to the service of a parliamentary committee. This arrangement can be particularly useful for Defence and Security Committees who could benefit from seconded professionals with high expertise acquired within the security forces. This is one way parliamentary committees could compensate for the lack of qualified expertise within the parliamentary administration.

### **Profile**

The PSAP participants have drafted the profile of the ideal employee for the post of committee advisor. A variety of attributes were identified, ranging from educational qualifications to personality traits. The profile may provide some useful information for parliaments who decide to employ staff supporting Defence and Security Committees.

A firm grounding must be provided in the form of a university education, specifically a Master's degree in a relevant subject area such as law, political science, diplomacy, international relations, European affairs, or security. A military academy degree is also just as applicable. Previous work

experience is considered valuable, especially with public administration, international organisations, or NGOs. Specific prior knowledge or experience within the military or other security providers was not identified as necessary for becoming a good advisor to Defence and Security Committees.

A number of skills and competencies are considered important for committee advisors. They should develop a good level of knowledge of their country and a deep understanding of the legislative process and the legislation in force in the field of the committee. A high degree of professionalism is expected from parliamentary staff advisors - the specificity of professionalism in such a work environment being given by the political neutrality and the objective analysis of issues, for the benefit of committee members across political party lines. The advisors should be individuals of strong integrity and a record of no convictions, in order to qualify for a security clearance, frequently needed in the work of Defence and Security Committees.

Moreover, some general, non-technical skills relating to many careers were pointed out as important for committee advisors. They need the ability to work well under pressure and to speak well in public. They have to be able to network successfully, to work well in teams, to be enthusiastic, flexible, confident, determined, reliable, and creative.

### **Needs and expectations for future training**

The PSAP participants identified a number of areas where further training would increase their capacity to contribute to the work of their committee. Most of these areas are directly linked with the legislative and the oversight functions of parliament:

- Good practices in legislative procedures and reporting styles
- Tools and practices for the oversight of laws implementation
- Security policy cycle – analysis and oversight
- Security sector – understanding the actors and the reform processes
- Security and defence budget oversight
- Good practices in budget approval
- Standards and procedures for handling classified information
- Assessing the institutional capacity of the committee/of the parliament
- Parliament's relations with the public and the media

The other areas where training is needed are related to the personal skills required for the work of a parliamentary advisor:

- Research techniques
- Analytical skills and techniques for comparing legislation
- Communication and public speaking skills
- Writing policy papers, public speeches, minutes, and executive summaries
- Writing and implementing a communication strategy
- Drafting/reviewing strategic documents
- Networking and the use of social media
- Computer skills, use of internet, use of MS Powerpoint

The optimal frequency for providing training is considered to be twice a year, in order to allow time for the things learnt to be slowly understood and incorporated into the daily work of the staff advisors.

## 5. Conclusion

*Teodora Fuior*

This Toolkit has been a long time coming to fruition since 2008 when the first training sessions were designed and practiced. Much has been achieved in the process.

First, training parliamentary advisors has contributed to a more effective functioning of parliamentary committees in South-Eastern Europe<sup>32</sup>. Professional staff equipped with information, knowledge and skills is fundamental for the work of committees. Woodrow Wilson, stated in 1885 that “*Congress in session is Congress on public exhibition, whilst Congress in its committee-rooms is Congress at work*”<sup>33</sup>, meaning that the committees are the place where parliament is working rather than debating. Without committees dedicated to detailed, technical analysis of legislation, governmental policy and activity, the parliament can only rubberstamp decisions taken elsewhere.

A parliament can only be as good as the people who serve it. Through the training received by their support staff, Defence and Security Committees were provided a capacity which otherwise would not have been available. The development of in-house expertise has allowed for better informed and objective analysis, and helped committees become more independent of the executive. Such emancipation of parliament can only contribute to democratic consolidation and good governance of security sector. For some, this empowerment of parliament to play a role in security and defence matters marked the beginning of truly democratic defence reforms in their countries.

The training had two main virtues: it was a long-term programme, addressing a core group of individuals, and it had a regional outreach, involving parliamentary staffers from ten countries.

Disseminating information, knowledge, and tools within the same group of parliamentary advisors, over a significant number of years, has produced an expertise appreciated as a valuable asset for the work of committees. Serving the same committee and receiving sustained training, the parliamentary staffers ensured a degree of continuity in the technical approach of security legislation and oversight, and allowed for the emergence of institutional memory in the respective committees, in spite of high turnovers of members after elections.

The regional dimension of the training has given participants an opportunity to significantly improve their understanding of their region as a whole and of individual countries in particular. The variety of exercises centred on regional security cooperation helped them acquire knowledge about the constitutional design, legislation and institutional arrangements in neighbouring countries, but also about current social and political priorities, people mentalities and public perceptions. Their capacity to advise their committees on regional policy was enhanced.

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<sup>32</sup> These conclusions are based on the PSAP Final Evaluation. Responses to an Evaluation Questionnaire were collected by DCAF during August – October 2011, from Secretaries-General, Committee Chairs, and Staff Advisors from the parliaments which took part in the programme. Out of ten participating countries, six replied to this final evaluation: Bosnia-Herzegovina, Croatia, Moldova, Montenegro, Romania, and Serbia. All six of them rated the programme as highly beneficial for their parliament, making a significant contribution to the capacities of their Defence and Security Committees.

<sup>33</sup> Woodrow Wilson, *Congressional Government*, Baltimore: The Johns Hopkins University Press, 1981, p. 69.



Through joint self-assessments of parliament capacity, staff advisors have learnt what an effective parliament should do and how committees are supposed to accomplish their legislative and oversight functions. Best practices and international standards for security governance have become common knowledge. They are aware about the shared challenges faced by parliaments in security oversight, and have learnt how to identify what needs to be changed in order to reduce democratic deficits.

Another gain of the long-term regional approach to training is an increase in regional parliamentary cooperation. The staffers participating in the programme are today a solid team of professional experts who provide each other mutual support, ideas, and inspiration. They are able to share good practices and lessons learnt and thus to multiply the informational resources available to their parliament. They have started to organise, together with their committees, a significant number of national, bilateral and regional events, promoting the dialogue and upgrading this network, from career civil servants to elected legislators.

A significant number of handbooks, policy papers, backgrounders and other publications were provided by DCAF, for guidance and reference throughout the training sessions. This was an important contribution to the development of a common conceptual understanding of security governance within the region. Last, but not least, the programme improved the participants' knowledge of the English language, an essential skill in terms of building, maintaining, and enhancing regional and international networks among civil servants.

The fundamental idea this training programme has aimed to pass on is the fact that *parliament matters!* It is the institution which represents the link between citizens and security sector, allowing security and democracy to be compatible. Parliamentary procedure is an important constraint on government, and parliaments have substantial power when they choose to exercise it. Hopefully, this Training Toolkit can further contribute to enrich capacity and information resources available to parliaments in fulfilling this mission. The Toolkit might also prove to be suitable for other regional settings – and adaptable to the training of civil servants and representatives of civil society organisations.

## 6. Annexes<sup>34</sup>

### 6.1 Annex I: Mapping

The comparative mapping exercise of national security sectors in SEE carried out in the PSAP project highlighted the following points:

1. The **external actors component** of the national maps (see maps 1-6 below) is significant for countries such as Bosnia or Kosovo that have gone through major conflict on national territory and/or are formative in nature. The foreign presence has been markedly less significant in Montenegro and Macedonia, while in Bulgaria or Romania it is reduced to diplomatic representation of international organisations.
2. The **roles of President and the Prime Minister** in the security sector tend to follow a general pattern across the SEE region. Generally, the PM makes decisions, except during a 'state of emergency', where the President acts as the commander-in-chief. Croatia has a unique power-sharing system whereby the Prime Minister nominates WHAT, the President must express his approval, and then the Parliament ratifies the decisions.
3. **National Security Councils (NSCs)** are usually under the direction of the Prime Minister. The role of NSCs tends to vary across the region. Montenegro, Romania, and Moldova have NSCs with both decisional and advisory roles. In all other countries, the NSCs only have advisory powers. In Romania, the NSC meets twice a year (or more, if needed) and has a permanent secretariat. In Serbia, the NSC meets at least 4 times per year and also has a secretariat. Other NSCs in the region are used in an ongoing consultative process.
4. SEE countries also vary in terms of the **parliamentary committees** that play a role in the national security sector. Moldova, Montenegro and Serbia have one committee with wide mandate, covering all security sector. Bosnia, Bulgaria, Kosovo, Macedonia and Romania have special parliamentary committees for the oversight of intelligence services. Croatia has a civilian body for intelligence oversight, nominated by and reporting to the Parliament.
5. The **autonomous agencies** that have been constituted to play an oversight role are quite well developed. All countries have a Supreme Audit Institution and an Ombudsman with a general mandate on human rights. Bosnia has a Parliamentary Military Commissioner with the role to protect human rights and liberties of the armed forces. Independent Boards for police oversight were created in Montenegro and in Bosnia.

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<sup>34</sup> All contributions to the texts presented in the Annexes were made by parliamentary staffers participating in the PSAP, in their personal capacity.

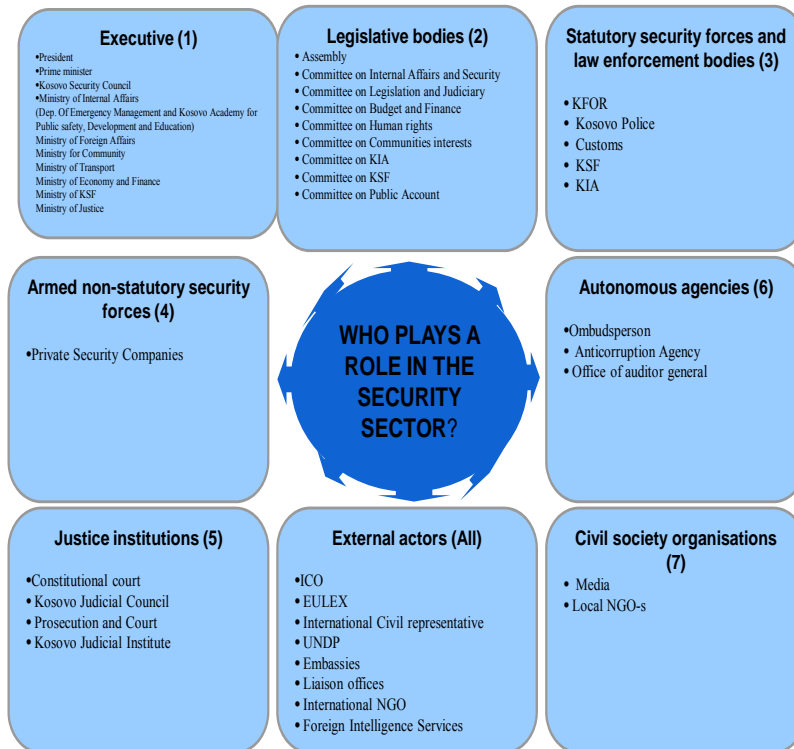
**Table 1: Legislative Bodies**

| Legislative Bodies  | Kosovo | Bulgaria | Moldova | Montenegro | Romania | BiH | Macedonia | Serbia |
|---|--------|----------|---------|------------|---------|-----|-----------|--------|
| Committee on Internal Affairs and Security                                | X      |          |         |            |         |     |           | X      |
| Committee on KSF  | X      |          |         |            |         |     |           |        |
| Internal Security and Public Order Committee                              |        | X        |         |            |         |     |           |        |
| Committee on National Security, Defence and Public Order                  |        |          | X       |            | X (2)   |     |           |        |
| Joint Committee for Defence and Security                                  |        |          |         | X          |         | X   |           |        |
| National Parliament of Republic of Srpska's Committee for Security        |        |          |         |            |         | X   |           |        |
| Parliament of Federation of BiH's Committee for Security                  |        |          |         |            |         |     |           |        |
| Committee for Defence and Security  |        |          |         |            |         |     | X         |        |
| Committee on Legislation and Judiciary                                    | X      |          |         | X          |         |     |           |        |
| Committee on Budget and Finance   | X      | X        | X       | X          |         |     | X         | X      |
| Committee on Public Account   | X      |          |         |            | X (2)   |     |           |        |
| Committee on Human Rights   | X      |          | X       |            | X (2)   |     |           |        |
| Committee on Communities' Interests                                       | X      |          |         |            |         |     |           |        |
| Committee on KIA  | X      |          |         |            |         |     |           |        |
| Subcommittee on Special Intelligence means                                |        | X        |         |            |         |     |           |        |
| Subcommittee on Intelligence Service                                      |        |          | X       |            |         |     |           |        |
| Joint Committee for Foreign Intel Service                                 |        |          |         |            | X       |     |           |        |
| Joint Committee for Domestic Intel Service                                |        |          |         |            | X       |     |           |        |
| Joint committee for the oversight on Intelligence Security Agency         |        |          |         |            |         | X   |           |        |
| Committee for the Oversight on Intelligence Security Agency               |        |          |         |            |         |     | X         |        |
| Control of the State Agency for National Security Committee               |        | X        |         |            |         |     |           |        |
| <b>Foreign Affairs and Defence Committee</b>                              |        | X        |         |            |         |     |           |        |
| Committee on Foreign Affairs  |        |          | X       |            |         |     |           | X      |
| Committee for Foreign Policy  |        |          |         |            | X (2)   |     |           |        |
| Committee for Foreign and European Affairs                                |        |          |         | X          |         |     |           |        |
| Anti-corruption, Conflict of Interests and Parliamentary Ethics Committee |        | X        |         |            |         |     |           |        |
| <b>Economic Policy, Energy and Tourism Committee</b>                      |        | X        |         |            | X (2)   |     |           |        |
| Committee on Legal Affairs  |        | X        | X       |            | X (2)   |     |           |        |
| <b>Joint Committee for European Affairs</b>                               |        |          |         |            | X (2)   |     |           |        |
| Parliamentary Military Commissioner                                       |        |          |         |            |         | X   |           |        |
| <b>Independent Board of the BiH PA</b>                                    |        |          |         |            |         | X   |           |        |
| Citizens' Complaint Board on Work of the Police Officers in Police Bodies |        |          |         | X          |         | X   |           |        |

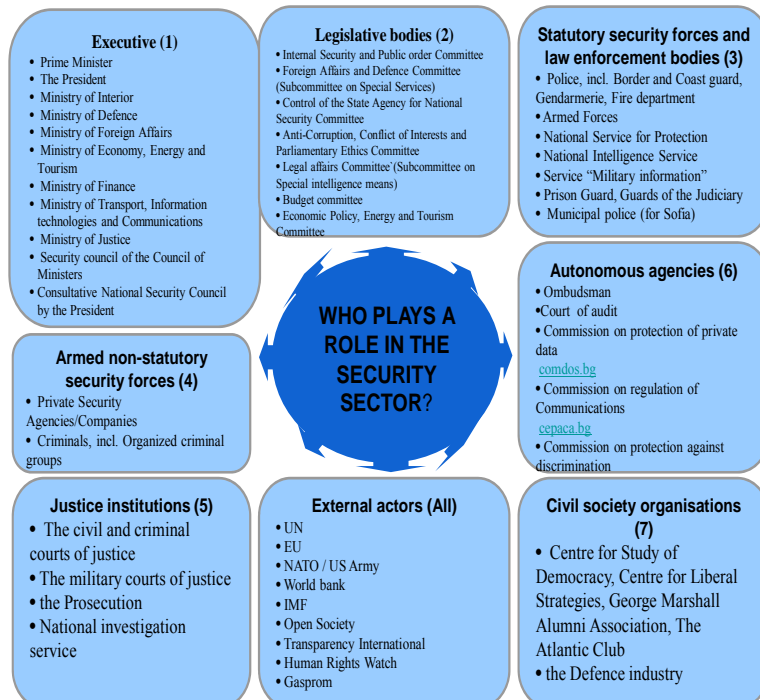
**Table 2: Autonomous Agencies**

| Autonomous Agencies  | Kosovo | Bulgaria | Moldova | Montenegro | Romania | BiH | Macedonia | Serbia |
|--|--------|----------|---------|------------|---------|-----|-----------|--------|
| Ombudsman  | X      | X        | X       | X          | X       | X   | X         | X      |
| Anticorruption Agency  | X      |          |         |            |         |     |           | X      |
| Anticorruption attorney  |        |          | X       |            |         |     |           |        |
| Centre for combating corruption and economical crimes  |        |          | X       |            | X       |     |           |        |
| Anticorruption initiative  |        |          |         | X          |         |     |           |        |
| State Commission for Combating Corruption  |        |          |         |            |         |     | X         |        |
| Agency for combating Money Laundering and Financing Terrorism  |        |          |         |            |         |     | X         |        |
| Office of Auditor General  | X      |          |         |            |         |     |           |        |
| Court of Audit   |        | X        | X       |            | X       |     |           |        |
| Audit Institution  |        |          |         | X          |         |     |           |        |
| Commission on Protection of Private Data   |        | X        |         | X          | X       |     |           |        |
| Centre on Protection of Personal Data  |        |          | X       |            |         |     |           |        |
| Direction on Protection of Private Data  |        |          |         |            |         |     | X         |        |
| Commissioner on Protection of Private Data   |        |          |         |            |         |     |           | X      |
| Comdos.bg (The Committee for disclosing the documents and announcing affiliation of Bulgarian citizens to the State Security and Intelligence services of the Bulgarian National Army) |        | X        |         |            |         |     |           |        |
| Commission on Regulation of Communication  |        | X        |         | X          |         |     |           |        |
| Cepaca.bg (The commission for Establishing of Property Acquired from Criminal Activity)  |        | X        |         |            |         |     |           |        |
| Commission on protection against discrimination  |        | X        |         |            | X       |     | X         |        |
| Commissions for human rights   |        |          | X       |            |         |     |           |        |
| Helsinki Committee for human rights in BiH   |        |          |         |            |         | X   |           |        |
| The Agency for fighting against human trafficking  |        |          |         | X          | X       |     |           |        |
| National Bank  |        |          |         |            | X       |     |           |        |
| State Companies coordinated by Executive Bodies  |        |          |         |            | X       |     |           |        |

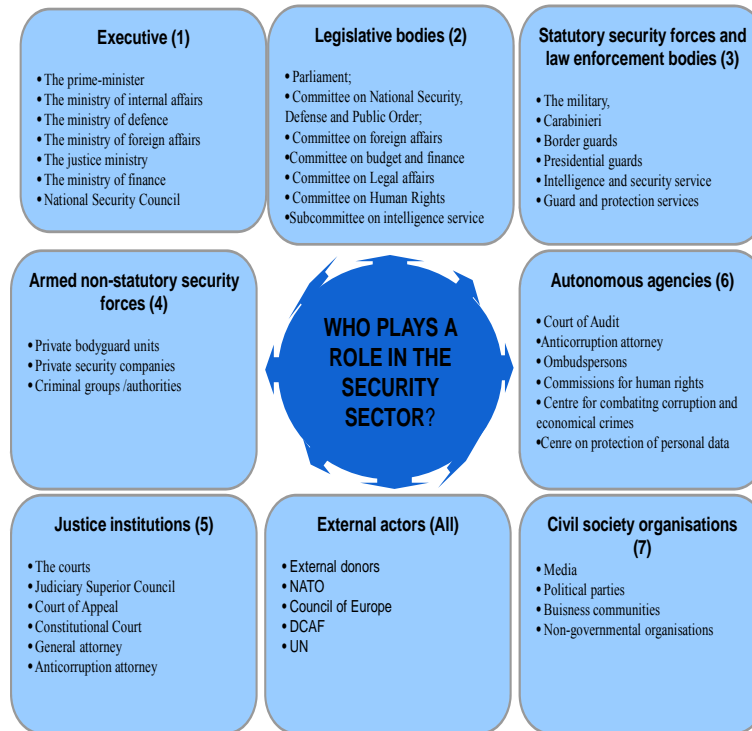
## Map 1: Kosovo



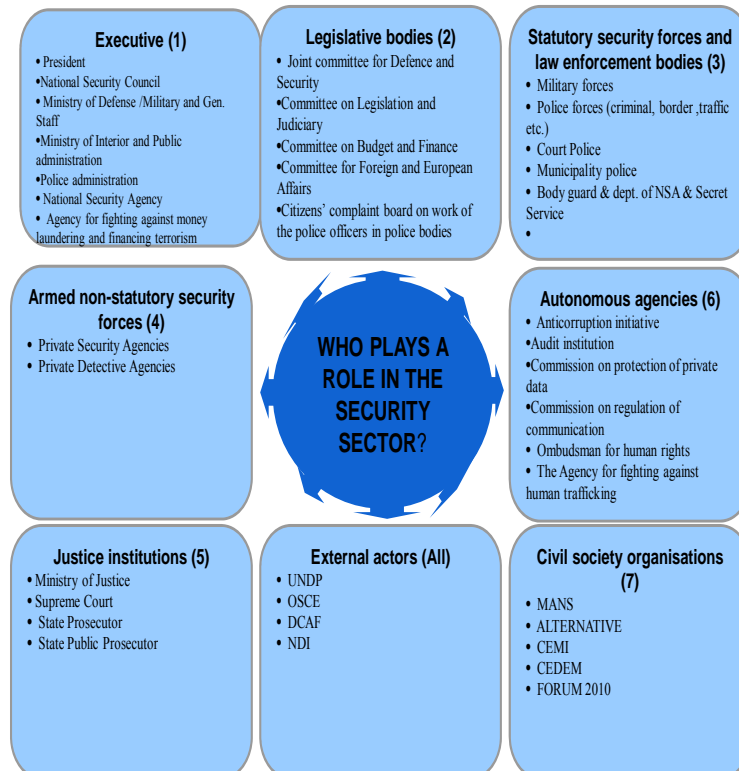
## Map 2: Bulgaria



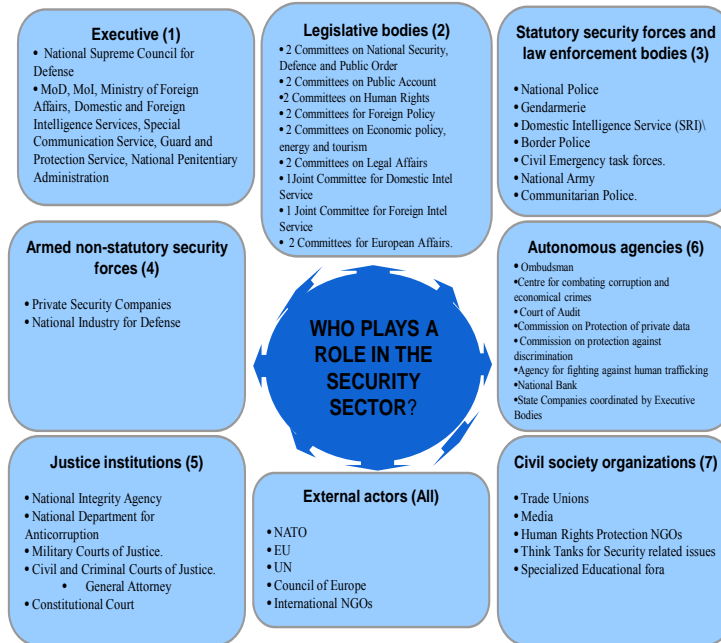
### Map 3: Moldova



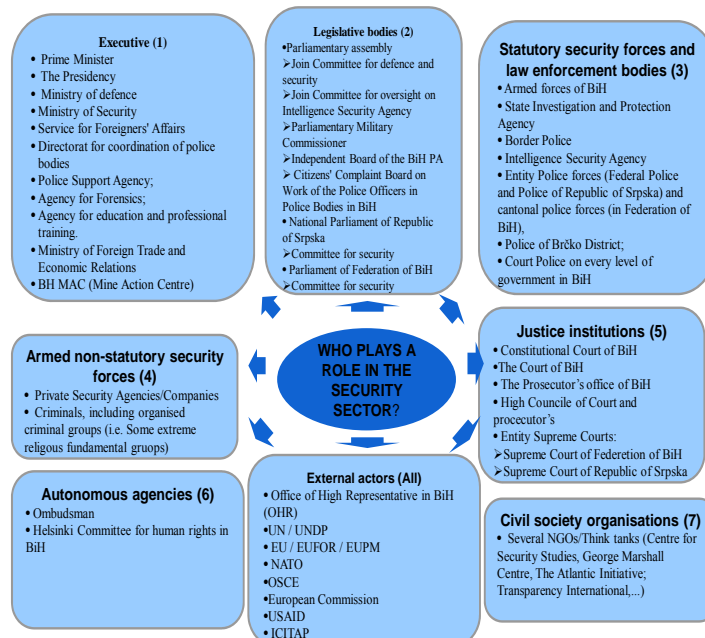
### Map 4: Montenegro



## Map 5: Romania



## Map 6: Bosnia and Herzegovina



## 6.2. Annex II: Scenarios

### **SCENARIOS FOR THE BALKANS TO 2025**

#### **SCENARIO ONE: BALKAN BUST?<sup>35</sup>**

##### **A widening crisis**

This story begins in late 2012, with a new wave of financial and economic crises in the Balkans. After Greece, now Bulgaria and Romania are facing huge budget deficits. This results in a rapid growth of inflation, a rise in public debt, and massive popular discontent. The Council of the EU decides to put Bulgaria, Romania, and Greece under special monitoring procedures and to restrict their access to the common European space where capital, goods, and people can move freely.

As this happens, Russia and Turkey are in the process of reconsidering their geostrategic position. Turkey has decided to accentuate its new interest in the Arab world; an interest which had already become apparent in 2009-10. The Arab Awakening of 2011, which has continued unabated, but with several inconclusive results, has presented Turkey with a number of difficult choices that pit its economic interests against its political ones. Turkey maintains its support for Hamas in Gaza, as well as efforts to cooperate with Iran, where the regime has so far survived any contagion from developments in the Middle East and North Africa. For its part, the Russian government has moved successfully to bind Turkey into its system of gas pipelines and to encourage it to buy into a new generation of nuclear power plant design and construction. At the same time, Russia and Iran are very close to a bilateral agreement in the sphere of nuclear cooperation. As a result, SEE faces the threat of losing its importance as a conduit for the North-South and East-West transport of goods and resources.

President Obama, striving for re-election, decides not to criticise Israel when it strikes Iran's uranium enrichment facilities. This leads to an escalation of anti-American terrorist activities throughout the Middle East and North Africa, and complicates Western efforts to support the ongoing democratisation in the region. This is accompanied by a renewed effort to extend terrorist networks in SEE.

##### **Towards deepening economic stagnation and political destabilisation**

2015-2020 are years of further economic stagnation for the countries in the region. In the Middle East and North Africa, political and military chaos continues to put pressure on energy supplies and on the EU member states' already-troubled budgets. In the EU, only the North-Western member-states are politically calm and economically prosperous. Greece, Bulgaria, and Romania now feel almost beyond the periphery of the Union. The doors for accession for Croatia, and all the other non-member countries from the Western Balkans, now seem definitely closed. This generates further economic decay and political unrest in the region.

As poverty takes its toll on the region, there is mounting unrest and ever more acute social conflict. Intolerance, mistrust, and xenophobia increasingly shape the political discourse.

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<sup>35</sup> The main contributors to this scenario were Zeljko Grubestic, Danail Georgiev and Veljko Rackovic



In the resulting political vacuum, local criminal groups and trans-border networks become all-powerful; they can now determine the course of national politics in most states of the Western Balkans. Living in symbiosis, corrupt governments and organised crime groups work together to exploit existing ethnic tensions, frozen conflicts, and border issues, with a view to enhancing their power to manipulate SEE's disorganised and divided societies.

### **Devastation**

From 2020-2025, the SEE countries feel totally isolated from the EU. The international community loses its control over the governments in Bosnia and Herzegovina and Kosovo. These countries fall under the almost complete influence of radical nationalistic leaders and powerful trans-border criminal networks for trafficking and smuggling. Using paramilitary units, nationalists gain control over large territories and then expand towards the politically weak neighbouring states, such as Serbia and Macedonia. National authorities cannot control the borders between Serbia, Kosovo, Bosnia and Herzegovina, Macedonia, and Albania. Armed nationalist militia and criminals terrorise the local population. The paramilitary groups attack villages dominated by their enemy's ethnicity.

Some municipalities in Sandzak declare their independence from both Montenegro and Serbia and aspire to join the Muslim part of Bosnia. This act triggers a chain reaction of analogous declarations in Bosnia-Herzegovina and Macedonia. Other countries in the Balkans want to take part in the process of reshaping the borders. Rapidly Serbia, Albania, Macedonia, Croatia, Bulgaria, Greece, and Turkey become involved in armed conflict, which has a devastating effect on their people and economies.

As a consequence, the Balkans seem set to remain, for at least another 50 years, the poorest region in Europe: a territory where big powers, along with terrorists, wage geopolitical battles for control over routes for natural resources, drugs, goods, and people.

## **SCENARIO TWO: THE BALKAN TIGERS<sup>36</sup>**

In this scenario, the Balkans come to enjoy economic development and prosperity, notwithstanding the fact that most of the states of the region are not integrated into the European Union.

### **Beginning**

This story begins in the early part of the second decade of the second millennium. People in the Balkans are confronted, on the one hand, with growing signs of dissension within the EU and institutional fatigue on the enlargement front and, on the other hand, with the inspiring example of people-power at work for change in the Middle East and North Africa.

As this story opens, the Balkans have faced the harshest winter ever. This has been accompanied by huge price increases for heating and basic foodstuffs, economic and social tensions, drastic, yet ineffective, financial measures taken by governments, political instability, unemployment and burgeoning illegal migration westwards.

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<sup>36</sup> The main contributors to this scenario were Raluca Stefan and Blerina Pula.

The EU has fallen in many people's esteem across Europe and in SEE, especially owing to its approach to basic human and civil rights. The deportation of Roma from France in 2010 is still in many peoples' minds. The ongoing failure to respond effectively to the growing wave of would-be immigrants from the Middle East and North Africa serves as a reminder of this failing. The EU's inability to forge a common policy on immigration – witness the rivalry of Italy and France on this issue – has again spotlighted not only the weakness of social systems in migrants' countries of origin, but also the notion of Europe's commitment to equal rights for citizens.

The European Union appears increasingly confronted with a choice between embracing a shared fate or defending (purported) national interests. Towards the end of 2014, it is looking increasingly plausible that these national interests will prevail.

### **Middle**

The period from roughly 2015 to 2020 is characterised not only by a continuation of the trends described above at the EU level, but also by a growing awareness in SEE countries that they need to be thinking of national and regional measures that can be taken to promote stability and prosperity.

The key development in this period is the emergence of new national and regional civil society organisations striving for radically different policies in the areas of health, education and economy. Established political parties face a choice: go for the new in an uncertain journey or stonewall for the past with predictable outcomes. The situation in the Middle East and North Africa, and the Former Soviet Union is on everyone's mind.

The crunch comes when civil society creates the Balkan E – Democracy forum for public participation in local and regional governance deliberations. This sets off a major explosion in civil society initiatives in the region.

### **End**

In the third period, a new generation of political elites arises in the region and manages to overcome the various differences between the states. Renewable energy, the infrastructure, the economy and social policies become the top priorities of a new generation of governments.

Due to past difficulties, the EU has frozen its process of enlargement for an undetermined period. It is not clear, however, that this still matters. Though divided into separate regions of development and culture, the European Union has managed to keep its unity. At the same time, even if the Balkans are not part of the EU, the region has become a reliable partner and a regional security supplier.

## SCENARIO THREE: BALKANS À LA GRECQUE<sup>37</sup>

### SEE from 2015

All the Balkan states are integrated into the EU, except for Serbia and Kosovo. However, following the process of EU integration, several of these countries have failed to develop comprehensive reform strategies, causing poor public governance and high levels of corruption. Public institutions and non-state initiatives appear weak, seemingly unable to establish a functional legislative framework and to foster social and economic growth. The pattern witnessed in Romania and Bulgaria after their accession repeats itself.

The Balkan region remains a major hub of criminal activities, in the absence of the effective use of the EU and other international instruments. Throughout the entire region, the lack of capacity for fulfilling common European standards, the low levels of direct investment, the energy dependence and delays in the implementation of infrastructure projects create an unstable environment, propitious to the proliferation of conflicts.

The massive migration and brain drain from East to West saturate the labour market in the “old” Europe and encourage SEE citizens to return to their home countries. This poses new challenges in implementing adequate policies for integration, social inclusion and the fight against discrimination - key elements for the internal security of each state.

The EU encourages the region to start using the financial instruments available, in order to enforce “wise” political decisions targeting the adjustment of budgetary expenditures, simplification of taxation and strengthening of fiscal discipline.

The region begins to develop energy projects that are complementary to Nabucco and build liquefied natural gas terminals to supply regional and other EU countries. Over the long term, these projects seem to have the potential to become the EU’s top priorities, and to lead to the construction of an entirely new pipeline across the area, in a public-private joint venture.

### How does SEE evolve from 2018 to 2021?

What a difference a year or three can make! In this period, the promising prospects of the first years of EU membership of the Western Balkans states are overshadowed by a series of developments. In the Middle East, there has been a renewed surge of sectarian violence following the military altercation between Saudi and Iranian forces over the situation in the Gulf states. Russia has been plunged into chaos as the long-awaited breakthrough in new energy technologies has been realised in the US and oil price futures have slipped dramatically. This has been good, obviously, for economies in the EU. However, the Union seems to have lost its momentum as ever farther-reaching demands for institutional reform have surfaced from the center and left, and the European right has been strengthened electorally as new waves of immigrants have entered the Union from newly-destabilised neighbouring regions.

These developments not only impact EU attitudes towards non-core EU states, but also undercut the reform zeal in these countries. Against this background, the EU has decided that Serbia and

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<sup>37</sup> The main contributors to this scenario were Anca Daria Cotoc, Naser Etemi and Oxana Chitoroga

Kosovo have failed to fulfil the conditions for integration in the EU. This comes notwithstanding their continuing, but inconclusive, efforts to forge a strategy of “compromise” to make both countries EU-eligible.

The EU political mainstream decides, in this situation, to cut back on their commitments to the new members. In particular, the authorities fail to disburse the structural funds to the SEE that are earmarked for economic recovery. This has the effect of reorienting the investment policies of major players to countries with better prospects, and leads to major protests in SEE. Here the nationalist, non-integrationist right senses the wind in its sails. This in turn is used as an argument to slow the reform dynamic in the EU’s new members, a reaction that inevitably negatively impacts the social and economic climate, sparking inflation, large budget deficits, increased taxes, general strikes, victimisation of new and aspiring members by established ones, and the overall paralysis of public services.

The underlying problems here are two-fold: the political structure of the EU has been unable to come into alignment with its economic superstructure, thus allowing European policies to move to a new level and to effective mutual political solidarity and increased convergence between the more developed part of the EU and its Southern and South-Eastern reaches; at the same time, it is now clear that the countries of SEE have failed to act collectively and decisively in defending their interests in Brussels, and in convincing the core members that they are worthy members of the club, under the much more difficult geo-political and geo-economic conditions that have intervened regionally and worldwide.

**The period of 2021-2025** is characterised by a North-South polarisation within the EU. Overcoming their second recession in a decade, the biggest economic powers of the EU reinvent the supremacy of the “old” Europe. Its leaders decide to introduce monitoring mechanisms to identify member states that are “taking more than they are giving”. This is accompanied by a growing tendency to privilege the interests of core members at the expense of the newcomers. Under these conditions, the countries of the WB, but also longer-standing members such as Greece, Slovenia, Romania, and Bulgaria, begin to think of integration options other than the EU.

In the meantime, however, there is a massive slow down in infrastructure investments in the Balkans; unemployment moves upwards and poverty encompasses ever larger segments of the population. The EU starts to play hardball. In order to safeguard the financial stability of the single currency, the integration of the Balkans into the Eurozone is postponed indefinitely, and the accession of Serbia and Kosovo is put on ice.

As measures are taken at the European court to challenge the latest entrants on their preparedness to fulfill their obligations under EU law, the countries of SEE sense an ever-growing isolation from the EU. But what else can be their point of orientation in the complex world of 2025 (and you thought 2011 was tough!). Penalty payments, imposed by the Court of Justice, deepen the economic instability of the Balkans and force them to petition the international community for economic and security support. The Balkans remain isolated inside the EU, and, in the process, become the biggest threat to Europe’s economic stability, incapable of handling the weaknesses of their economies and of adopting adequate measures to overcome the crisis.

The period ends with the “Northerners” in the EU asking for the Balkans’ expulsion.

## 6.3 Annex III: Regional Security Vision

A SECURITY VISION FOR SOUTH-EASTERN EUROPE<sup>38</sup>  
Regional Perspectives for Shared Peace and Prosperity

### PREAMBLE

#### **Does South-Eastern Europe (SEE) need a common security vision?**

A security vision is a **statement of identity** that sets out **strategic objectives** for the long term, the **actions** necessary to realise these objectives and the **values and principles** that underpin them. At the same time, such a vision identifies the **threats and risks** standing in the way of achieving these objectives, as well as the **responses** that can be generated in order to overcome them.

A regional security vision is a long-term plan that identifies the goals and interests that should guide the region's future, as well as the political and organisational tools that the region can deploy in pursuing them.

A security vision reflects its constituency's need for stability and common growth. National Parliaments are the legitimate forum in which to express and debate the interests of the people and these legislatures represent a powerful tool for fostering regional cooperation. Networks of parliamentary experts, such as the one which has drafted this security vision, support the work of Parliaments and facilitate inter-regional exchanges of ideas and experience. This document is a result of such common efforts and aspirations.

This security vision is a mission statement, a platform for helping SEE find its place on the contemporary and emerging international stage. **It is a vision for a common future.**

### **CHAPTER 1: WHAT MAKES SEE A REGION?**

*"We must, indeed, all hang together or most assuredly we shall all hang separately."*  
Benjamin Franklin

#### **I. The Regional Context**

A region is not a simple issue of geography; it is also defined by politics, economy, society, culture, and security. A region shares a territory, a common history, similar languages and cultures, as well as close traditions and institutional legacies. A region is also a common space that allows for human interaction.

In this sense, South-Eastern Europe (SEE) is very much a region. It displays multiple dimensions: economic, social, and especially cultural. It has common traditions, values, and a way of life. The

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<sup>38</sup> The main contributors to this Regional Security Vision were Anca Daria Cotoc, Danail Georgiev, Blerina Pula and Raluca Stefan.

region has been beset with disputes about borders, religion, and ethnicity, which have often had international repercussions and given it a reputation as a fragile construct.

SEE has always been a bridge between peoples and interests. As is true of other regions in a globalised world, neither SEE as a region, nor the countries of this region individually, can be viewed as independent actors.

## **II. The Legacy**

Although geographically, the region has always been considered a meeting point between the Orient and the West, the people's aspirations have always been European. For decades, the region has been politically separated from liberal democracies worldwide. However, it has never ceased to perceive itself as part of Europe. The region's profile - its human capital, natural resources, promising markets, social structure, demographic trends, levels of education, and cultural, ethnic, and religious diversity - situates it firmly in the European mainstream.

Against the background of regional conflict and a lack of cohesion, SEE countries have tended to affirm their European identity, while downplaying their regional affiliation, as if the two were mutually exclusive. Regional cooperation is viewed as an instrument for attaining membership in the European Union - a way of overshadowing the Balkan label - by turning regional deficiencies into European challenges.

The risk of traditional military confrontation in the region has greatly diminished, yet instability and fragmentation are still a common challenge. Economic difficulties, as well as the lack of continuity and coherence in political, social, and judicial reform, undercut the commitment that the countries of the region have made to the European integration process.

## **III. The Status Quo**

An array of asymmetrical threats such as international terrorism, attempts to compromise cyber networks, security differentials among states, national financial frailty, and organised crime challenge the Euro-Atlantic space into which the states of SEE seek to integrate. In addition, natural and man-made environmental issues with regional effects, such as climate change, pandemics, and natural disasters challenge the region. In this context, SEE states have joined with other democratic states to develop and diversify their solidarity through different forms of cooperation.

The SEE states have embraced regional cooperation as a vital instrument for meeting their peoples' desires for enhanced welfare and stability. The states of the region are active internationally and have become significant contributors to international peace support operations, even if their role has mainly concentrated on the military dimension. They are committed firmly and irreversibly to democratic values, although this commitment is severely challenged by the phantoms of the past and the legacy of local conflict, as well as the new sources of instability that confront all states of the international community.

The youthfulness of democracy in SEE is often cited as an explanation or justification for such shortcomings as weak political leadership, the abuse of power, corruption, and the unsatisfactory

track record of sustained efforts to reform systems of public administration in the region. Although these are common problems, there are as yet few initiatives aiming to generate common solutions. What is the region afraid of? What is it waiting for?

## **CHAPTER 2: THE REGIONAL SECURITY ASSESSMENT**

*“We can’t solve problems by using the same kind of thinking we used when we created them.”*

Albert Einstein

### **I. Regional Strategic Objectives**

The region’s strategic objectives include political and economic stability, the peaceful resolution of conflicts and disputes, sustainable development, and Euro-Atlantic integration. These are long-term objectives for the region that will continue to determine its evolution as an integral part of the Euro–Atlantic space. While pursuing these objectives, the countries of the region continue to respect the principles of international law and cooperate with all democratic organisations and states.

### **II. Regional Values and Principles**

Regional values and principles help guide the activities of the various actors working to achieve the region’s strategic objectives.

Regional values include peace, freedom, democracy, justice, respect of human rights, gender equality, recognition of ethnic and cultural diversity, and dialogue among different civilisations.

With respect to territorial integrity and the sovereignty of states, the **principles** guiding the region are based on common values, and reflect a commitment to good governance, democracy, stability, and regional cooperation.

### **III. Regional Risks and Threats**

**Risks and threats** to regional security consist of internal and external factors or situations that could impede the realisation of the region’s strategic objectives. Such risks and threats are in continuous flux, which makes it difficult to characterise them as being external or internal in nature. SEE faces multi-faceted global, regional, and national threats that affect the security of all countries of the region. These have an interdependent, diffuse, and multi-directional impact, requiring flexible and coherent means of prevention and management. Their assessment needs to take into consideration the indivisible nature of global security, as well as the different levels at which security challenges manifest themselves.

**Global level:** International terrorists and traffickers of weapons of mass destruction, structured in cross–border networks, use religion, politics, and modern technologies as tools for proliferation. Climate change, the outbreak of new pandemics, and energy dependence represent challenges to both regional and international security. The region must participate actively in international community efforts to combat these threats and, at the same time, take parallel measures on the regional level.

**Regional level:** SEE has a history of internal conflicts, based on territorial disputes and ethnic confrontation. Also, it has often been a fertile environment for the development of organised crime, trafficking, and illegal trade. Such activities are encouraged by political instability, failed reform efforts, and incoherent policies.

**National level:** SEE countries are challenged by poor governance, political extremism, and frozen conflicts, all of which encourage corruption, democratic deficits, and severe demographic, social, and economic imbalances. In addition to traditional threats, the states of the region are confronted with new challenges, such as low public confidence in state institutions, lack of development of critical infrastructure, intellectual brain drain, and limited natural resources. These shortcomings diminish regional opportunities and give SSE “a negative regional brand”, which reduces the region’s international credibility and legitimacy.

The region’s **main priority** is to identify the necessary resources that can be shared in working to fulfil regional strategic objectives and to combat existing and future security risks. Enhanced human capital and access to natural resources, supported by national policies and joint regional approaches, are preconditions for SEE becoming a net contributor to security.

### **CHAPTER 3: MECHANISMS in KEY AREAS for building REGIONAL SECURITY IN SEE**

*“Together we are more effective and better prepared for the threats we face.”*

Internal Security Strategy for the European Union

The practices and instruments of security cooperation change over time. Agreements evolve into processes, and gradually become a way of understanding the reality and context in which we live. It is imperative to constantly improve existing instruments and to develop new ones to meet changes at all levels – global, regional, national, local, and especially, individual.

Based on an inventory of regional agreements conducted in 2009, this regional security vision identifies six priority domains of cooperation relevant to regional security: Parliamentary Affairs, Defence, Police and Border Security, Justice Cooperation, Cyber Security, and Counter-terrorism.

**Parliamentary Affairs:** There is an opportunity for Parliaments to become more visible and more active. Parliaments can play a strong role in encouraging cooperation and developing regional initiatives in this regard. Parliamentary involvement can help build the requisite political will and promote effective and legitimate cooperation initiatives that enjoy public support.

**Defence Cooperation:** The military bears an important responsibility to support regional stability, in particular through providing assistance to nations in need and fostering common security standards. Defence cooperation and exchanging best practices on operational procedures in SEE can facilitate the transformation of national defence sectors and foster inter-operability. Closer cooperation and joint initiatives in defence procurement and training are essential in order to ensure cost effectiveness at a time when defence budgets are under enormous pressure.

**Police and Border Security:** Policing and border security are no longer only a national security concern, they also play an important role in regional confidence-building and the creation of



international alliances. Effectiveness and efficiency can be achieved only if proper coordination is in place.

**Justice Cooperation:** Respect for the rule of law and the protection of fundamental rights should drive reform processes in the area of justice and home affairs.

**Cyber Security:** The threat of disruption and compromise of cyber communications poses new challenges in the field of security. As national defence-related activities become the target of cyber assault, states must develop pre-emptive and preventive capabilities. At the regional level, an adequate cyber-defence policy and coordinated efforts are needed: information networks are dependent on multiple infrastructure systems, resulting in a high interdependency.

**Counter-terrorism:** The fight against terrorism is based primarily on national strategies. There is a need, however, for accompanying measures on the regional level that seek to counteract religious fundamentalism and fanaticism, as well as ethnic, national, and cultural intolerance.

National Parliaments need to support the implementation and the effectiveness of regional agreements, and to conduct effective democratic oversight.

Although the need and will to cooperate is documented in many official documents, there is a lack of operational mechanisms. These gaps include:

- overlapping agreements;
- difficulties in clarifying competencies and areas of operations;
- lack of synchronisation and/or variations in legislation across jurisdictions;
- variations in national perceptions of security threats hindering effective cross-border communication;
- the legacy of the regional security system, the lack of trust among security actors and the lack of public accountability;
- inadequate political will and continuity to ensure meaningful reforms;
- inexperience in creating and organising the institutional, administrative, and political aspects of regional cooperation;
- institutions at varying stages of reform across the region;
- insufficient coordination among domestic security structures;
- divergent strategic interests shaped by historical patterns;
- weak public-private partnerships between state security structures and non-governmental actors;
- failure of state institutions to take advantage of security sector expertise amassed through cooperation activity in the social, cultural, and academic sectors; and
- low levels of trust in international organisations with significant security expertise, worldwide networks and a rich database of research in security-related areas.

The **primary tools** for establishing a regional security partnership in SEE include formal security treaties, membership in international security organisations, agreements on joint action, processes of multilateral dialogue, peace and stability pacts, as well as preventive diplomacy.

A Regional Security Partnership would include all the states of the region in **one single regional security agreement**, which would address cooperative security (sharing information and expertise)

and comprehensive security (military and non military aspects of security). A multilateral agreement on such a partnership could mark an important step in enhancing regional security.

#### **CHAPTER 4: RE-BRANDING SEE**

*“Faced with common problems, there is no substitute for common solutions.”*

Report on the Implementation of the European Security Strategy

The SEE region needs practical instruments to implement cooperation initiatives. In order to make parliamentary activity legitimate and functional at the regional level, national parliaments must provide greater support.

This regional security assessment, carried out by parliamentary staffers from SEE countries, has identified several areas of common interest and issued the following recommendations for rebranding SEE:

##### ***I. GOOD PEOPLE***

Enhancing the human capital of the region is the key to overcoming the negative patterns of the past and creating new spaces for growth and development. To this end, there are several steps that should be taken:

##### **1. Human capital**

- Prioritise measures to advance social cohesion, education, research, and related areas.
- Implement relevant programmes of the European Commission supporting academic mobility and exchanges.
- Foster mutually-supportive linkages between national and European-level education systems, in particular, concerning strategies aimed at improving the education level of the region.
- Make the education system, vocational training, and overall human capital development a top priority in the reform processes of all SEE countries.

##### **2. Employment**

- Strengthen the efficiency of employment policies targeting the younger generation; this is the key to overcoming the brain drain and ensuring social stability in the region.
- Complement the settlement of migrants with adequate integration policies supporting safety and social stability.

##### **3. Social security**

- Overcome negative demographic trends through the establishment of more favourable economic and social conditions (high quality of education, healthcare, material living conditions, unemployment benefits, and care for the needy and underprivileged).
- Work to prevent pandemics and environmental disasters by allocating sufficient resources and ensuring effective coordination of regional efforts.

#### **4. Societal security**

- Mobilise the various actors - ranging from central governments and armed forces, to municipal authorities and private sector, down to individuals - on whose efforts the prospects for maintaining and increasing societal security depend.
- In particular, enhance trans-border cooperation in countering trans-border criminal activities, while ensuring that fundamental human and civil rights are not infringed upon in the process.

## ***II. GOOD ENVIRONMENT***

The environment plays a decisive role in determining the welfare and stability of human life. Effective protection of the environment requires strategically coordinated projects and long-term regional planning. Initiatives could include the following:

### **1. Good climate**

- Invest in national systems of integrated environmental and economic accounting in the region, with a view to assessing the environmental sustainability of economic activities.
- Sponsor an Annual Regional Environmental Assessment to anticipate, evaluate, and mitigate potentially adverse environmental repercussions.
- Organise a regional conference to analyse the Regional Environmental Assessment and promote the development of a SEE Strategy and Action Plan on Climate Change.
- Use the education system and NGO networks to enhance people's understanding of the impact of over-consumption of natural resources and the benefits of ecologically-friendly projects, and to build awareness of their roles and responsibilities at the community level.
- Use the European Environment Agency's shared environmental information system as a guide in formulating regional policies.

### **2. Renewable energy**

- Establish a Regional Green Trust Fund to support greater access to green and sustainable technologies throughout the region.
- Elaborate legislation supporting research into more efficient energy production, transport, consumption and production, as well as greater predictability in energy supply; prioritise national funding accordingly.
- Launch short-term initiatives to tackle the most pressing issues, such as offsetting and establishing inter-regional energy markets.

### **3. Critical Infrastructure**

- Identify regional critical infrastructure in the energy, transport, and other relevant sectors.
- Develop a regional strategy to protect critical infrastructure based on shared responsibilities and resources.
- Conduct a risk analysis to assess threat scenarios, and develop common methodologies for identifying and classifying infrastructure risks, threats, and vulnerabilities.
- Invest in secure critical communication networks and databases; allocate human and financial resources to the creation of adequate institutional mechanisms for building a broad-based, state-of-the-art information society; use Information and Communication Technology (ICT) to help promote sustainable economic and social development.
- Launch a South-Eastern Europe ICT security forum to raise awareness of the political, economic, security and social benefits of ICT.

### **III. GOOD POLITICS**

Publicly elected officials represent society in terms of education, culture, and mentality. Relations between the state and its citizens are regulated on two dimensions: the input side – the access people have to public authority, based on political equality; and the output side – the way the public authority is exercised, based on political impartiality. Optimising both sides is the key to good politics.

#### **1. Informed policy decision-making**

- Create a Regional Security Academy where public servants and military staff can learn to work together and form a centre of expertise.

#### **2. New Policy Initiatives**

- Convene periodic joint parliamentary committee sessions with a view to developing common policies in areas of regional interest, such as population, critical infrastructure, sustainable development, and Euro-Atlantic integration.

#### **3. Governance Indicators**

- Elaborate, at the regional level, a set of key indicators for good governance and efficient public services that aim to identify deficiencies in public administrations and create a robust system of governance oversight.

The main criteria for evaluating governance at the regional level are efficiency, transparency, and participation:

- **Efficiency:** presupposes an efficient economic system, a comprehensive and adequate legal framework, and appropriate solutions to citizens' needs in such areas as security, healthcare, education, and public administration;
- **Transparency:** presupposes easily accessible information and criteria for evaluating the performance of public institutions (economic, financial, internal and external audits);
- **Participation:** presupposes public involvement in policy development, an independent electoral management organism, and enhanced administration to support initiatives of an engaged civil society.

#### **4. The Global Dimension: Identity management and protection**

- Develop regional guidelines for governance based on targeted, result-oriented policies and a bottom-up approach that emphasises the real needs of the population and its expectations of the public sector.
- Conduct periodic assessments of local problems, and commission the results as a basis for future coordinated strategies: the key point is the coherent use of resources.
- Develop an e-democracy platform to increase citizens' involvement and engagement in the policy making process; adopting e-democracy means reduced costs, improved interaction between the elected and the electors, greater transparency, accountability, and information access, as well as more efficient public administration.
- Create an e-plenary session for citizens to actively participate in regional policy debates, supported by regional mechanisms and institutions.

#### **IV. GOOD SECURITY COOPERATION**

Through security cooperation, SEE states develop a common thinking about strategic issues, increase their capability and willingness to take on missions that serve the common interest and encourage the transformation of the region into a reliable partner of a Europe that is striving to reinforce its role on the international stage.

##### **1. Cooperative Security**

- **Strengthen political cooperation:**

- Expand dialogue and mediation capacities designed to transform the competitive approach to regional security into a cooperative one.
- Build mechanisms designed to convert regional cooperation agreements into viable policy platforms.
- Use international instruments, with the support of national parliaments, to promote trust and cooperation in the region.

- **Apply an Integrated Approach to Security:**

- Increase the synergy between internal and external dimensions of security, through strategic decision-making, coordinated policies, and adequate legislation.
- Use European mechanisms such as the European Neighbourhood Policy, Black Sea Synergy, and Eastern Partnership as instruments for enhancing partnership and cooperation at all levels.
- Enhance E.U. member states' role in the region as a driving force in shaping the South-Eastern dimension of the European Union; encourage them to help regional states in fully exploring cooperation opportunities, to support the candidate states on their way to accession and to impart their own experience of integration.

- **Conduct a Joint security review**

- Make an inventory of the range of security instruments available to the region, including in the area of crisis management.
- Strengthen national and regional crisis management capabilities.
- Integrate international oversight best practices, wherever appropriate, into national and regional practice.

- **Develop Common Regional Capabilities (civilian and military):**

- Make the development of joint capabilities a top priority.
- Support joint efforts to preserve and strengthen effective regional initiatives; enhance conflict prevention and crisis management forces, and improve early warning capabilities; develop an agreed-upon regional readiness strategy for disaster response, as well as a strategy for disaster prevention through joint efforts at the national and regional levels.
- Explore opportunities to create multi-country task forces modelled on the EU Battle Groups and Civilian Response Teams.

- Enhance information-sharing on civil and military capabilities through a regional database for comparing defence expenditures in SEE countries and the dedication of regional resources to ensure community resilience.

## **2. New approach to regional disputes**

- **Utilise International Instruments and Mechanisms**

- Use the UN Charter and other international instruments to the fullest in settling regional disputes, including international arbitration mechanisms.

- **Address Border Security**

- Settle border disputes through dialogue.
- Implement EU guidelines and standards for regionally-coordinated border police cooperation.
- Establish permanent common border assessment reports with international assistance.

- **Embrace Constructive Cooperation**

- The main responsibility of the political leadership is to achieve concrete and tangible progress, in a spirit of compromise and collective constructive action, while refraining from divisive rhetoric and populist actions that would harm the interests of citizens; leaders should focus on enhancing the capacity of the region to innovate and coordinate, and to project legitimacy, aware of the fact that helping to strengthen their partners' capabilities will often be the best way of strengthening their own.

The SEE countries are committed to peace, respect for democratic values, and European integration. Regional cooperation is a key element in this process, whereby the parliamentary dimension plays an essential role in ensuring accountability and expertise.

This Security Vision is a testimony to the fact that people from the region can work together for a common destiny.

## 6.4. Annex IV: Policy Planning Papers

**To:** Members of Parliament, Committee for Defence, Public Order, and National Security, Parliament of Romania

**From:** Anca Daria COTOC, Advisor to the Committee for Defence, Public Order, and National Security

**Date:** March 2011

**Subject:** Cyber security- risks, threats, challenges and opportunities for Romania

### **Summary:**

This policy paper addresses the new challenges in the field of security that cyber warfare might pose. When national security-related activities become the target of cyber assaults, it is the responsibility of the government to counter these attacks and to develop appropriate capabilities to do so. However, it is also the responsibility of the legislature to update relevant legislation, *inter alia*, by defining the critical information infrastructure involved and the authorities responsible for its protection.

### **CYBER SECURITY: RISKS, THREATS, CHALLENGES AND OPPORTUNITIES FOR ROMANIA**

#### **Introduction**

A recent document issued by the Centre for Strategic and International Studies provided a list of cyber incidents since 2006. The study focuses on successful attacks on government agencies, defence and high tech companies, and economic crimes with losses of more than a million dollars. Almost 70 such incidents with tremendous impact were found.

Owing to its membership in the EU and NATO, and its geographic location, Romania is exposed to a number of conventional and unconventional threats, such as terrorism, border insecurity, illegal migration, and organised crime, along with cyber crime and cyber terrorism. The possibility that the internet or other computer networks will be used to commit acts of terrorism cannot be ruled out. In the past two years, countries like Estonia, Lithuania, and Georgia have been the target of terrorist attacks against public institutions, public and private e-services, and critical infrastructure.

Since a growing number of European networks are interconnected through membership in the EU and NATO, which links states via dedicated computerised networks for government communications, a cyber attack against any of the nodes in such networks can potentially have implications for all actors connected to them.

Although, from this perspective, cyber threats do not seem to be a burning problem, they can represent a real danger for Romania's national security. Despite the fact that these problems are firmly on the security map, few coherent solutions have emerged, including from legislative actors.

Nevertheless, the first steps have been taken. The Romanian Intelligence Service (the national authority in the field of cyber security) and the Ministry of Communication and Information Technology have worked together to implement a pilot project that will create a national system for

early warning and defence coordination against cyber strikes. These two bodies will incorporate the information they have gathered into this joint system for security management.

This system has three main functions: to integrate the information at the level of the protected networks, to report suspect events in order to establish the origin of the attacks and to transmit an early warning regarding the vulnerabilities identified. In addition, the Computer Emergency Response Team, created as a new organisation under the tutelage of the Ministry of Communication and Information Technology, aims to organise a research centre that will deal with information, equipment, network, and system security, and focus the information technology and communication specialists, as well as the authorities, on the security of the virtual environment in Romania.

### **Analysis**

Despite the progress made on the technical level, Romania continues to have problems in the field of legislation, public awareness, and public-private coordination. There is still a need for a proper definition of critical information infrastructure from the perspective of an EU member on Europe's periphery that is not only dealing with European mechanisms for identification and protection of critical infrastructure, but is also facing the challenge of implementing similar mechanisms with non-EU states.

Romania's experience in this area so far demonstrates that we face a major challenge owing to the **underdeveloped and inconsistent legal frameworks** existing at both the domestic and international level.

At the national level, there are some out-of-date laws on cyberspace issues:

- *Law no. 64/2004* for ratification of the Council of Europe's Convention on Cybercrime: an outdated international agreement embedded before cyber threats became national security issues for European countries.
- *Law no. 161/2003* regarding measures for assuring the transparency of governmental functions and for preventing corruption; Title III: Cybercrime prevention and counter measures: the provisions, based on outdated offences and measures referred to in the Council of Europe's Convention, were applied only through national legislation.

At the international level, there are no universal laws or agreements on what constitutes a cyber attack and what punishments, economic sanctions or liabilities should ensue. There are no unanimously agreed-upon international norms regarding uniform monitoring, record keeping, and cooperation among key actors, which is necessary to track and trace attackers. Given the global nature of the Internet and the cross-border nature of cyber attacks, it is necessary to legally establish proper mechanisms for coordinating measures to prevent cyber attacks and to address them when they occur. Such measures should privilege strong public-private partnership initiatives.

Cyber security is a complex domain, involving both public and private interests. It includes the security of civil and military government networks, as well as industrial and technological interests that are part of what is termed 'critical infrastructure'. It also includes the security of private, economic, industrial, research, and technology networks. Cyber security even involves the security of personal computers. As a consequence of this interdependency, a secure cyberspace demands



the joint efforts of all the actors involved. It also requires a long-term plan to prevent brain drain in this field, in view of the fact that one of the most valuable resources that Romania “exports” is its IT specialists.

An analysis of the present situation reveals several gaps:

- **lack of coordination** of cross-cutting efforts to fight cyber attacks involving multiple private or government departments;
- **low visibility** of the problem, with the corresponding lack of awareness among the public and key policymakers (lack of cyber education); and
- **lack of strategic thinking**: insufficient investment in human capital as a skilled and adaptable resource engaged in an ongoing learning process, along with investments in technological innovation and research.

### **Options**

Romania needs to address the cyber space challenge on several policy levels.

#### **At the legislative level:**

- improve the existing legislation by defining the critical information infrastructure through a legally binding document with national applicability (so far, only an EU Directive is in place and it requires member state implementation);
- pass a special law criminalising cyber attacks, which will establish the applicable legal provisions (IT legal framework/Criminal law/Law of Armed Conflicts), taking into account the impact of a cyber strike;

#### **At the technical level:**

- introduce compulsory security measures and standards for all information systems, especially those of critical infrastructure companies, regardless of their ownership (public or private); and
- ensure access to high profile encryption codes/protection firewalls for all companies, public or private, that deal with security-related data, in accordance with the degree of possible damage that an attack could inflict upon them.

#### **At the educational level:**

- invest in human resources through academia, in order to nurture and be able to recruit upcoming experts;
- support special salary benefits for IT workers in order to make an IT career in the public sector more attractive; and
- raise public awareness about cyber threats, as the disruption of government services has direct repercussions for the daily lives of the public.

### **Recommendations**

Based on the above analysis, the following steps should be taken by the legislature in order to fulfil the outlined policy options. The Romanian Government, with the support of the national Parliament, should

1. develop a **National Strategy on Cyber Security** that will define and classify risks and threats in the area of cyber defence and ensure that practical measures are in place to deal with potential incidents;

2. include cyber attacks as an asymmetric threat in the **National Security Strategy**, along with international terrorism, nuclear proliferation, regional conflicts and cross-border organised crime;
  3. draft a **law on critical information infrastructure** that identifies the actors and the mechanisms of protection, and legalise preventive measures against cyber attacks;
  4. oversee **partnerships between the government and private companies**, in order to ensure the security of government networks and to improve the exchange of expertise, using a cooperative approach to prevention and protection measures;
  5. promote a **national campaign** to raise general public and institutional awareness of cyber threats;
  6. work in cooperation with other parliaments to draft model legislation, building upon the **Council of Europe's Convention on Cybercrime**; and
  7. support **cyber defence research capabilities** and specialised human capital investments.
- 

**TO:** Chairman of the Foreign Policy and Defence Committee, National Assembly of Bulgaria

**FROM:** Danail GEORGIEV, Advisor to the Foreign Policy and Defence Committee

**DATE:** March 8, 2011

**SUBJECT:** Enhancing Bulgaria's contribution to peace support activities

**Summary:**

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This paper discusses and proposes measures for accelerating the process of transforming and developing greater national operational capabilities in order to respond to the increasingly globalised and challenging international security environment. The paper proposes the means by which the Parliamentary Foreign Affairs and Defence Committee could influence the government's policy in order to make the Bulgarian Armed Forces more adaptable, inter-operable, and cost-effective for successful participation in international UN, NATO, and EU operations and missions.

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The global geopolitical changes at the end of the 20th century have generated a qualitatively **new military strategic environment** and imposed the need for a reassessment of the risks and challenges to security, both from a national and an international perspective. The development of the security environment and the nature of the threats that it engenders make it very likely that the Bulgarian Armed Forces (BAF) will be deployed in crisis response operations outside the zone of responsibility of NATO and the territory of the EU. In view of this, Bulgaria will need to rethink its framework for participating in peace support activities.

***BACKGROUND***

**Bulgaria's international peace support activities** started in 1992 as a practical expression of the country's support for the implementation of the decisions of the United Nations.

The National Concept for Participation of the Republic of Bulgaria in Peace Support Operations (PSO), which was developed and ratified by the government in 1994, provides the basis for Bulgaria's international peace support activities. In accordance with the Concept, Bulgarian participation in PSOs is directed towards the following goals:

- To further integrate the country in European security structures through participation in PSOs jointly with NATO and the EU, mandated by the United Nations or by the Organisation for Security and Cooperation in Europe (OSCE).
- To prepare highly-qualified and trained personnel in the sphere of PSOs, and increase cooperation between the military and the police.
- To acquire new military technical experience and increase the preparation of the national armed forces for new security scenarios.
- To ensure that the participation in a particular operation corresponds with the national interests of the Republic of Bulgaria.
- To selectively participate in conflict-prevention, peacekeeping, and support operations, as well as in the maintenance of an already-achieved peace.

The participation in expeditionary forces and operations plays an important role in the transformation of the Armed Forces. This participation is one of the key drivers reshaping the Armed Forces' structure, rearmament and modernisation.

### ***CURRENT PROBLEMS***

Due to financial and organisational reasons, delays in the acquisition of new operational capacities have occurred, resulting in a **deficit of capabilities**. This decreases the ability of the BAF to perform their tasks in peace support operations. Bulgaria's contribution to crisis response operations tends to be accomplished through small, separate subdivisions and capabilities, which are constituted on an *ad hoc* basis. National participation in peace support activities is not in line with expenditures for the missions nor political commitments to the defence policies of the political-military alliances and organisations in which Bulgaria participates. In a situation characterised by financial shortages, the government needs Parliamentary stimulation and support in order to implement the reform plans, along with its other important political priorities. It would be useful if the Foreign Affairs and Defence Committee could introduce the critically important requirements for the transformation process for the consideration of the relevant Ministers.

### ***OPTIONS***

1. During the next meeting of the Foreign Affairs and Defence Committee, the discussions with the Ministry of Defence should focus on the possibilities for adapting the ongoing transformation of military structures and capabilities in order to equip the BAF for new tasks. However, the requirements in a Committee's statement or decision are not legally binding for the government, and thus could be ignored by the executive.
2. The Committee could launch an initiative to raise public awareness and gain support in society for the proposed Armed Forces transformation. The Parliamentarians, in partnership with the major NGOs involved in security and defence reform matters, could organise public conferences to discuss the challenges of the transformation, particularly the restructuring of the BAF, the development of new capabilities and the acquisition of new armaments and equipment. The linkages between this process and Bulgaria's contribution to multinational peace support activities need to be highlighted in the public sphere.

### ***RECOMMENDATIONS***

It is advisable to build a broader discussion around the issue, involving more actors and, particularly, society as a whole. It is important to engage a wide arrange of stakeholders – politicians, experts from the army, as well as independent organisations and the media. This way, citizens will be better

informed about the problems to be faced and the options available to decision-makers in the defence sector. The resultant transparency and openness will facilitate trust and public support.

Against this background, the Committee wishes to make the following recommendations to the government:

- The government should prioritise the development of interoperable capabilities for operations with Bulgaria's allies in NATO and partners in the EU.
- Over the course of the next 3 years, the Bulgarian peace support participation should involve forces and equipment with total personnel of up to 10% of the Land Forces. This contribution should be realised by rotations of a reinforced battalion. The Air Force should be able to participate, with helicopters and all necessary personnel, without rotation, for a period of six months per year. The navy should be able to participate, with resources equivalent to those required for one frigate, for a period of three to six months per year. The logistics elements for our participation in operations should be ensured accordingly.
- A strategic rethinking of the defence planning is needed in order to establish the optimal balance between capabilities and the actual financial resources of the state. Defence management should be guided by the principles of good governance and by forward strategic planning, based on the operational capabilities of the forces and the possible scenarios for their use. At the same time, the system will need a relatively constant share of the Budget of the Ministry of Defence – at least 1.5 % of GDP.
- After the last amendments in the Law on Defence and Armed Forces of the Republic of Bulgaria are made, the necessary legal preconditions to secure the reorganisation of the Armed Forces command structure will have been created. The changes should result in new requirements for the military education system. Structures that which are currently duplicating each other need to be rethought and rationalised. In addition, new mechanisms should be introduced to support career development in the military service.

The criteria for a successful transformation should be:

- re-engineering of the command and control systems;
- focused, but flexible capabilities;
- concentration on the creation of operational military power;
- mobility and deployability;
- multinational interoperability;
- capability for interagency operations; and
- concentration and economic effectiveness.

**TO:** Chairman of the Defence and Security Committee, National Assembly of Serbia  
**FROM:** Veljko Rackovic, Advisor to the EU integration Unit  
**DATE:** March 18<sup>th</sup>, 2011  
**SUBJECT:** Towards a regional approach on securing energy infrastructure

## **BACKGROUND**

Ensuring secure and affordable energy is a key regional objective for South-Eastern Europe (SEE). Due to its important geo-strategic position, the region should benefit from potential new energy routes that are foreseen to pass through SEE. Addressing these issues requires an urgent, continuous, regional and integrated policy approach, using a wide range of locally, nationally, or internationally-defined policy measures. Access to affordable, clean, and secure energy to boost sustainable economic growth will require innovative and well-coordinated action. Tackling the challenge of energy security will also require an extraordinary level of regional cooperation in several areas, including increasing energy efficiency, market transparency, diversifying energy supplies, and protecting the world's energy supply system.

## **PROBLEM ANALYSIS**

Energy vulnerabilities and climate change are affecting regional security to the extent that they are becoming major regional challenges. These problems are connected to the continual and growing dependence on fossil fuels. It is impossible to solve just one of these challenges in isolation: both have to be addressed.

Contentious energy supplies can lead to conflict, insecurity, and poverty. With regards to climate change, there is a proven correlation between drought and the likelihood of high intensity conflicts in some regions.

Some scientific estimates point out that the SEE region is the most energy supply-vulnerable part of Europe, and perhaps even of the world. In addition, political violence, along ethnic lines within and among the states of the region that have been historically at risk of descending into conflict, may become more likely. In that respect, energy supply and adaptation measures, strongly supported by the international community, are of the highest priority for the region.

According to some security analyses, major energy routes are predicted to pass through the SEE region. Increased dependence and vulnerability of SEE countries, owing to their involvement in an interconnected infrastructure in transport and energy, are not only local but also regional and global challenges. Thus, SEE countries require a common approach in dealing with the issue.

## **RECOMMENDATIONS**

Against this background, the Committee should take the following action:

- 1.** Set up a special working group to draft a Regional Agreement on energy efficiency as the most cost effective means to reduce reliance on long, insecure links to fossil fuel supplies. This agreement should focus especially on the transport sector, buildings and appliances, and also support the diversification of energy types, energy sources, routes of energy supplies and technology.
- 2.** Set up a special working group, consisting of MPs from SEE parliaments, to produce guidelines for developing policy and market instruments for establishing transparent, efficient and competitive markets for energy production, supply, and use, as well as transmission and transit services.
- 3.** Initiate the signing of a Regional Memorandum to create Regional Task Forces to secure the main energy routes. Those Regional Task Forces would be mixed units with civil, administrative, and police components.
- 4.** Conduct a Feasibility Study on Carbon Capture and Storage Potential in the regional context. In this regard, it is necessary to foresee a more global regulatory framework for sound, safe, and environmentally-friendly carbon capture and storage, and, in doing so, to ensure that only zero-emission coal and gas power plants are built from now on.

The role of Parliaments from the region in supporting harmonised energy reforms under the Energy Community platform is of crucial importance. More attention needs to be paid to strengthening the capacities of the Parliaments concerning the legislative process and their oversight over the executive.

## 6.5. Annex V: Qualitative questionnaire for self-assessment of parliamentary capacity

### Questionnaire for a Self Assessment of Parliamentary Capacity

#### **1. The representativeness of the parliament**

1.1. The composition of parliament is representative of minority groups and regions (in terms of political opinions, geography, ethnicity, religion, education, etc.)

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.2. Women are fairly represented in the parliament.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.3. Parliamentary procedures allow and encourage opposition and minority parties to contribute to the work of parliament.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.4. MPs have a full right to express their opinion freely, being protected from executive or legal interference.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.5. Party discipline is not strictly enforced, MPs being usually allowed to vote against their party.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.6. The control of funding of political parties and electoral campaigns guarantees the independence of elected MPs in the exercise of their function.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.7. Parliament participates in mechanisms of reconciliation and peace consolidation.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.8. Parliament effectively deals with citizens petitions and complains through a specialised committee for this matter.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.9. Members of Parliament have a strong organised constituency base, composing of offices, staff, and time scheduled to go in the constituency and meet people.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

1.10. Parliament is effective as a forum for debate on questions of public concern.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

|   |  |
|---|--|
| What is the biggest recent improvement in the above?    |  |
| What is the most serious ongoing deficiency?            |  |
| What measures would you take to remedy this deficiency? |  |

**2. Parliament's Administrative Capacity and Institutionalisation**

2.1. Rules of Procedure are clear, known, and respected.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.2. Parliament is independent from the executive in deciding on its own budget.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.3. Parliament is independent from the executive in deciding on its agenda and program.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.4. Parliament is independent from the executive in deciding on its committee structure and membership.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.5. Committee membership is stable during a parliamentary mandate.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.6. Committee resources are adequate to the needs of parliamentary work in terms of meeting rooms, offices and facilities.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.7. The number and the professional qualifications of parliamentary staff are adequate to the needs of parliamentary work.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.8. Parliament has sufficient information resources (library, research department, intranet system), to support the activity of members, factions and committees.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.9. All parliamentary decisions and legislative projects are debated in the competent committee before being submitted to debate and approval in the plenary.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

2.10. A Code of Official Conduct/Ethics for parliamentarians is implemented and overviewed by an appointed Ethics Commissioner or by an Ethics Committee.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

|   |  |
|---|--|
| What is the biggest recent improvement in the above?    |  |
| What is the most serious ongoing deficiency?            |  |
| What measures would you take to remedy this deficiency? |  |



### 3. Parliament's Legislative Capacity

3.1. The laws issued by parliament prevail in number the ordinances and the decrees issued by the government.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.2. Parliament has the right to endorse, amend, or reject government's ordinances and decrees.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.3. MPs have the right to **initiate** legislation and parliamentary procedures allow them to make use of this right fully.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.4. MPs have the right to **amend** legislative proposals and parliamentary procedures allow them to make use of this right fully.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.5. Parliamentary procedures provide MPs and committees with sufficient time to analyze and debate legislative proposals.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.6. Procedures for consultation with relevant groups of interests and NGOs in the course of legislation are systematic and transparent.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.7. The plenary usually follows committee recommendations and amendments on legislative proposals.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.8. There is an effective and easy system to track legislation and its status, inside the parliamentary administration.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.9. Parliament ensures that the enacted legislation is clear, concise, and intelligible.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

3.10. Parliament ensures that the enacted legislation is consistent with the constitution and the human rights of the population.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

|   |  |
|---|--|
| What is the biggest recent improvement in the above?    |  |
| What is the most serious ongoing deficiency?            |  |
| What measures would you take to remedy this deficiency? |  |

#### **4. Parliament's General Oversight Capacity**

4.1. Parliament has constitutional and legal powers for an effective oversight of government activity.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.2. Parliament is effectively making use of its constitutional and legal powers to hold the government accountable.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.3. Parliament monitors the impact of laws once they are enacted, and evaluates the problems associated with the implementation of laws.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.4. The parliament has the authority to appoint or confirm ministers.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.5. Parliament is making use of a special weekly session for Questions and Interpellations.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.6. Ministers and other executive officials attend promptly the plenary session or committee meetings when their presence is requested, providing the parliament with the information requested.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.7. Permanent committees have the power to oversee the activity of ministries and other executive agencies in their area of competence.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.8. Parliament has the authority to investigate activities of the executive and to settle inquiry committees.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.9. Parliament has the power to force the executive to resign, by voting a Motion of Censure or by a No Confidence Vote.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

4.10. Parliament is able to influence and scrutinise the national budget, through all its stages (formulation, approval, execution, evaluation).

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

|   |  |
|---|--|
| What is the biggest recent improvement in the above?    |  |
| What is the most serious ongoing deficiency?            |  |
| What measures would you take to remedy this deficiency? |  |

**5. Parliament's Security Oversight Capacity**

5.1. Parliament is consulted in defence and security issues systematically and consistently.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.2. The activity of every security agency is regulated by legislation debated and enacted by parliament.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.3. The activity of every security agencies is overseen by a parliamentary committee, no agency being exonerated from parliamentary oversight.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.4. The committees responsible for defence and security issues dispose of adequate research, information, staff and other facilities to support their effective performance.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.5. The competent parliamentary committees organize frequently hearings on security matters.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.6. The competent parliamentary committees approve the budget for each security agency and monitor the execution of the budget by the respective agency.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.7. Parliament has the right to request the Supreme Audit Institution to start an audit or an investigation on security budget execution.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.8. Parliament may ask information, investigate and eventually have a say on important defence procurement contracts.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.9. Competent parliamentary committees have the right to visit troops, military premises, and security sector agencies offices.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

5.10. MPs have legal access to secret information necessary to perform their oversight function, and the government is providing them with secret information.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

|   |  |
|---|--|
| What is the biggest recent improvement in the above?    |  |
| What is the most serious ongoing deficiency?            |  |
| What measures would you take to remedy this deficiency? |  |

**6. Parliament's Accountability and Visibility**

6.1. Parliamentary procedures allow for plenary and committee meetings which are open to media and the public.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.2. Journalists are free from restrictions in reporting on parliament and the activities of its members.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.3. Plenary and committee minutes are published in a timely manner.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.4. Records of voting on important parliamentary decisions or legislation are published in a timely manner.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.5. Parliamentary committees often hold public hearings of ministers and other executive officials.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.6. Parliamentary debates are frequently broadcast live on television or radio.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.7. The electoral system effectively ensures the accountability of parliament, individually and collectively, to the electorate.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.8. Citizens have immediate access to enforced legislation, through a variety of channels (internet, official journal, mass media, MPs circumscription offices, public libraries).

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.9. Citizens have adequate opportunities to express their views and concerns directly to their representatives, regardless of party affiliation.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

6.10. Public expectations about the role to be played by parliament are fulfilled.

|   |   |   |   |   |
|---|---|---|---|---|
| 5 | 4 | 3 | 2 | 1 |
|---|---|---|---|---|

|   |  |
|---|--|
| What is the biggest recent improvement in the above?    |  |
| What is the most serious ongoing deficiency?            |  |
| What measures would you take to remedy this deficiency? |  |

## 6.6. Annex VI: Quantitative questionnaire on parliamentary capacity in SEE

### Questionnaire on parliamentary capacity in South-Eastern Europe

Responses to this questionnaire are important in order to assess the in-house capacity and expertise of the parliament. Please answer the questions below by indicating the correct number, or by choosing the appropriate answer from the available options.

When answering, consider the activity of your Committee during the last parliamentary session (Spring-Summer of 2011).

#### **A. Contact details:**

Parliament: .....

Committee title: .....

Contact person: .....

#### **B. Structure of the Committee you serve:**

1. The Committee has \_\_\_\_\_ Members (please indicate number).
2. The Committee has \_\_\_\_\_ women Members.
3. The Chair of the Committee is:
  - elected by vote in the Committee;
  - elected by vote in the Plenary;
  - appointed by the Standing Bureau of Parliament;
  - appointed by the Parliamentary Groups (factions);
  - other (please explain).....
4. The Chair of the Committee is:
  - always a Member of the Majority;
  - always a Member of the Opposition;
  - alternately, a Member of the Majority or a Member of the Opposition;
  - there is no rule, chairmanship is negotiated between Parliamentary Groups, based on the political configuration resulted after elections;
  - other (please explain) .....
5. Members are appointed to the Committee:
  - by the Plenary;
  - by the Parliamentary Groups;
  - by the political parties;
  - volunteer to the Committee of their choice;
  - other (please explain) .....
6. Approximately \_\_\_\_\_ % of the Members had previous experience in the committee's field of competence.
7. The current Chair has been an MP for the past \_\_\_\_\_ years.
8. There are \_\_\_\_\_ Committee Members who are at their second term in Parliament.

**C. In-house parliamentary expertise linked to the Committee:**

9. The Committee is currently supported in its work by \_\_\_\_\_ staffers.  
 10. Please mark with an X the corresponding support activities provided by different types of parliamentary staff working for your committee.

| <b>Support activities</b>   | <b>Type of staff</b> | <b>Secretary</b> | <b>Advisor</b> | <b>Administrative support staff</b> | <b>Others (specify the job title) .....</b> |
|---|----------------------|------------------|----------------|-------------------------------------|---|
| Coordination of staff and activities  |                      |                  |                |                                     |   |
| Overall office support  |                      |                  |                |                                     |   |
| Organise committee meetings (prepare documents, invite MPs and executive officials) |                      |                  |                |                                     |   |
| Participate in committee meetings   |                      |                  |                |                                     |   |
| Provide advice, documentation, research, analysis to the committee chair            |                      |                  |                |                                     |   |
| Provide advice, documentation, research, analysis to committee members              |                      |                  |                |                                     |   |
| Provide legal advice during committee debates                                       |                      |                  |                |                                     |   |
| Draft legislative proposals and amendments to legislation                           |                      |                  |                |                                     |   |
| Write committee reports on legislation  |                      |                  |                |                                     |   |
| Write minutes/reports on meetings   |                      |                  |                |                                     |   |
| Participate to hearings and inquiries   |                      |                  |                |                                     |   |
| Participate in committee visits to security premises                                |                      |                  |                |                                     |   |
| Write committee oversight reports   |                      |                  |                |                                     |   |
| Maintain the communication between committees and ministries                        |                      |                  |                |                                     |   |
| Maintain the communication with media and NGOs                                      |                      |                  |                |                                     |   |
| Other activities – please specify   |                      |                  |                |                                     |   |

11. Based on the above, please list the three assignments you are most frequently tasked with. Please specify how often, on a monthly base, this occurs.
- a) ..... How often in a month: .....
- b) ..... How often in a month: .....
- c) ..... How often in a month: .....
12. Please list three topics you have been asked to research on during the last parliamentary session:
- a) .....
- b) .....
- c) .....

13. Does the Parliament you serve compose of a Research Department?

- YES  NO

If yes, please list three topics your committee requested research assistance from the Research Department, during the last parliamentary session:

- a) .....  
b) .....  
c) .....

14. Does the Parliament you serve compose of a Legislative Department to review committee reports on legislation and check their accordance with existing legislation?

- YES  NO

15. Committee staff support:

- only one Committee;  
 more than one Committee. Mention which ones.....

16. Parliamentary staff have an obligation of political neutrality:

- YES  NO

17. Are there any criteria in place in your Parliament for evaluating the work of parliamentary staff:

- YES  NO

If yes, are these criteria defined by:

- legislation on status, rights and obligations of public servants;  
 legislation on status, rights and obligations of parliamentary staff;  
 rules of procedure of the Parliament;  
 rules of procedure of the Committee;  
 other, please specify.....

Please mention up to three criteria:

- a) .....  
b) .....  
c) .....

18. Is there a career path for parliamentary staff?

- YES  NO

If yes, please mention (in short) the ranking/position and the number of years/position:

.....  
.....  
.....

19. The positions of parliamentary staff in your Parliament are:

- regulated by a fixed term contract (i.e., corresponding to the legislature);  
 regulated by contract of an indeterminate duration;  
 other, please specify.....

Please describe (in short) the employment policy of your Parliament:

.....  
.....  
.....

20. Parliamentary staff serving security, defence, public order or intelligence committees require a security clearance:

- YES  NO

21. The Committee is also supported by \_\_\_\_\_ staff seconded (delegated) from executive institutions for a determined period of time.

**D. Committee procedures and practices**

22. The Committee meets:

- twice a week;
- once a week;
- twice a month;
- once a month;
- other, please specify .....

23. The Committee meetings:

- are always public;
- are, in principal, public, but the Committee may decide to hold a meeting in camera;
- are, in principal, held in camera, but the Committee may decide to hold a public meeting;
- are always held in camera.

24. Amendments CANNOT be submitted directly to the Plenary, avoiding the debate in the Committee. They must be included in the Committee report (be it accepted or rejected).

- YES
- NO

25. The Committee proposed \_\_\_\_ amendments to legislation during the first session of 2011.

26. Committee Members have put forward \_\_\_\_ legislative initiatives during the first session of 2011.

27. The Committee organizes hearings.

- YES
- NO

The Committee organised \_\_\_\_ hearings in the first session of 2011.

Please mention up to three topics chosen for hearings in 2011.

- a) .....
- b) .....
- c) .....

28. There are administrative/penal sanctions for refusal to attend committee hearings and to provide requested information.

- YES
- NO

If yes, please detail

.....  
.....  
.....

29. Committee Members have access to classified information, when necessary for the conduct of committee activities (“Need to know” principle).

- YES
- NO

30. The access of Committee Members to classified information is conditioned by:

- A vetting process conducted by ..... and finalised with the issuance of a Security Clearance by .....
- A secrecy oath (or a signed declaration) taken at the beginning of their mandate in the committee, saying that they will respect information confidentiality.
- No condition, access is given automatically, with the membership in the committee.



31. Please mention three most important powers of your Committee.

- a) .....
- b) .....
- c) .....

32. Mention three matters the Committee received information on from the executive during the early stages of the decision-making process and did NOT take an action:

- a) .....
- b) .....
- c) .....

Please describe (in short) the reason why the Committee did NOT take action:

.....  
.....  
.....

33. Are there any practices or legislative provisions that reinforce the work of your Committee, that have been introduced/established during the last year?

- YES                       NO

If yes, please mention these practices:

.....

34. Comments:

.....  
.....

