

Parliamentary oversight of the security sector and political transition: Lessons from Niger

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Policy Paper - September 2022

1. Political context

In 2021, Niger successfully organised the first-ever peaceful transfer of power between two civilian regimes since independence in 1960. At the end of his two-term tenure, former President Mahamadou Issoufou announced that he would step down, in accordance with Niger's Constitution, allowing for the election of President Bazoum and an effective democratic transition. This transition was a positive step towards the consolidation of democratic institutions in Niger in a regional context of increasing political instability following coups in Mali, Guinea and Burkina Faso, and staggering security incidents in the larger Sahel region.¹

Since 2015, several non-state armed groups, including the Islamic State in the Greater Sahara (IS-GS), Al-Qaeda in the Islamic Maghreb (AQIM), and Boko Haram, have carried out repeated attacks against civilians and security forces in several regions of Niger, engaging in widespread banditry, and exploiting growing communal violence to recruit new members.² These events have exacerbated humanitarian needs and generated significant displacement of the population. While the increased cross-border attacks by violent extremist groups have forced

the Nigerien government to reallocate resources to bolster operational activities of the defence and security forces (DSF), the consolidation of security and defence governance structures has become an urgent strategic necessity for the stability of the country. Most importantly, this means providing sufficient resources and political support to enhance the accountability and effectiveness of state security institutions through the implementation of strong internal and external oversight mechanisms.



Exchange of experience between former and new members of the Defence and Security Commission (DSC) of the National Assembly, October 2021

¹ See for example, Nsaibia, Héni and Duhamel, Jules, "Sahel 2021: Communal Wars, Broken Ceasefires, And Shifting Frontlines," *ACLEDA*, June 2021.

² "South-western Niger: Preventing a New Insurrection," *International Crisis Group*, Report 301 / Africa 29 April 2021.

2. The Defence and Security Commission (DSC) of the National Assembly of Niger

A range of state and non-state actors contribute to overseeing security services in Niger. As in every democratic system, the parliament plays a crucial role in civilian governance of the security sector, particularly in establishing a legal framework based on the values of accountability and transparency and in overseeing government action to implement related policies.³ Over the past ten years, the National Assembly and its Defence and Security Commission (DSC) progressively extended the use of its oversight powers to investigate and contribute to public policy issues.⁴

In fragile and conflict affected contexts, this oversight role is increasingly important due to the escalating security challenges faced by the state, as well as the fragmentation and proliferation of non-state actors.⁵ Often national parliaments and their specialised permanent Commissions lack the know-how and capacity to carry out their missions in this field.

Whilst growing insecurity has led to a sharp increase in the national security and defence budget, the role of the parliament in overseeing resource management has become more critical. For parliament to effectively monitor and verify whether the security and defence sector is operating in accordance with the constitution, laws, regulations, and policies to which it is legally subjected, it is critical for the DSC to have sufficient capacity and resources, and for its members to have the technical skills and knowledge in terms of law-making, budget scrutiny, oversight, and government appointments.

DCAF has been involved in supporting capacity building of parliamentarians in Niger since 2017. With the aim of addressing the complexity and the lack of transparency of the security and defence

sector, DCAF focused primarily on enhancing DSC's institutional and oversight capacity on key issues such as security sector governance, legislative processes, and budget oversight, as well as on improving the relations between the parliament and civil society, the population, and the media by supporting field missions and providing training on communication techniques.



Self-assessment workshop in May 2021 to identify parliamentary capacity building and legislative needs.

3. DCAF's role in institutionalizing knowledge and lessons learned

Political transition between two parliaments is an attribute of every democratic system; it poses both challenges and opportunities for the effectiveness of its mission and functions. At the end of the parliament's term in March 2021, the DSC also reached the end of its mandate. One of the key challenges was to improve the knowledge transfer mechanisms between outgoing and incoming parliamentarians. Therefore, the DSC and DCAF embarked on a process of sharing and documenting lessons learned with outgoing parliamentarians, including collecting key recommendations and documenting good practices for new DSC members.

To facilitate the handover to the new Commission, an end-of-term review including recommendations, a briefing leaflet, and a video

³ Hans Born, Philipp Fluri, and Simon Lunn, eds., *Oversight and Guidance: The Relevance of Parliamentary Oversight for the Security Sector* (Geneva: Geneva Centre for Security Sector Governance, 2010).

⁴ At the end of the 2016-2021 legislature, the DSC has produced a final report with the support of DCAF. This report included the monitoring and evaluation of the 2017-2021 plan of action of the DSC. The development of oversight activities by the DSC during this period included the conduct of field missions in the regions of Niger. The DSC has also been involved in the development process of the National Security Policy and in security and defence budget scrutiny.

⁵ Moderan, Ornella, "Proliferation of Armed Non-State Actors in the Sahel: Evidence of State Failure?" *Italian Institute for International Political Studies*, 3 March 2021.

compiling parliamentarians' testimonies were produced and shared with newly elected parliamentarians.⁶ In addition, several members of the Commission committed to accompany new parliamentarians taking on their new role through active participation in the first workshop organized by DCAF with the new DSC. As part of the transition, it was critical to ensure that the results that were achieved by the DSC with the support of DCAF would be sustainable after legislative elections and that best practices could be captured and shared with newly elected members of the Commission.

4. Starting a partnership with the new DSC

After general elections, the National Assembly of Niger entered its new legislative term in March 2021. As a partner of the DSC, DCAF's priority was to foster trust with the newly elected Commission, building on the work that was achieved with between 2017 and 2021. At the request of new parliamentarians, DCAF facilitated a self-assessment workshop in May 2021 to identify parliamentary capacity building and legislative needs. The self-assessment methodology provided a way of ensuring that the National Assembly and its DSC take full ownership of the capacity-building process. This workshop included a presentation from former members of the Commission, highlighting the need for further capacity building. It then moved to training sessions on security governance and reform (SSG/R), human security, and parliamentary oversight, before group work tailored to the needs of new parliament members. Conclusions from this four-day workshop were gathered in a report that provided recommendations and the baseline for the establishment of a five-year action plan. A second workshop was organized to support the DSC in developing its action plan in October 2021. Over four days, the DSC members worked to articulate 9 priorities:

- Assess the existing legislation to establish a diagnostic analysis on defence classified information ("secret defence") with recommendations for follow up.
- Continue building the capacity of the parliament in terms of security and defence sector oversight.
- Build an understanding in the DSC of gender issues in the security and defence sector.
- Strengthen regional cooperation between parliaments on security and defence, building on regional networks.
- Initiate a debate on the implementation of a follow-up mechanisms on recommendations made by the National Assembly as part of parliamentary inquiries.
- Strengthen the role of the National Assembly in security and defence procurement oversight.
- Conduct four accountability field missions every year in regions of Niger from 2021 to 2025.
- Sensitise the population on laws related to the rights of prisoners, including specific rights for women and the youth.
- Further integrate the DSC in the development, implementation and monitoring of Niger's National Security Policy.



Development of the DSC's five-year Action Plan workshop, October 2021

⁶ Recommendations from the end-of-term report included strengthening the involvement of the DSC in the validation process of the National Security Policy, as well as being part of its implementation and monitoring processes. They also included advocacy to enable the DSC to participate in the National Security Council, as well as developing sectoral gender policies for the defence and security sectors. Members of the DSC had also stressed out the need for more capacity building in terms of legislative processes and parliamentary oversight mechanisms, including budget scrutiny.

5. Implementation of the DSC's five-year action plan

The role of DCAF, in addition to providing thematic expertise on specific topics, consists of advising, facilitation and financial support, with the aim of enabling the DSC to implement its challenging plan of action in the current context of insecurity. Shortly after the validation of this plan, the DSC organized a presentation of its priorities to international partners that are supporting security governance initiatives in Niger, with the objective of enhancing coordination and identifying additional support to enhance its capacity in coming years.

A first field mission was conducted by the Commission in the region of Dosso at the end of the second parliamentary session of 2021 in November, and two other missions were carried out in the regions of Maradi and Tahoua in May 2022. New members of the DSC were able to meet with local authorities, security and defence forces and the population of these regions, to discuss the outcomes of their first year in parliament, as well as to enquire about the security needs of population and communities. In terms of political initiatives, a first parliamentary

endeavour will consist of the production of an assessment of the current legislative framework related to “secret défense”, which will aim at identifying concrete paths to enhance transparency and enable the parliament to play its civilian oversight role. Whilst this will necessitate full political backing from Nigerien lawmakers, the accomplishment of this objective would make Niger a pioneer in terms of parliamentary oversight of the defence sector in Western Africa.



Official presentation of DSC's 2021-2025 Action Plan by the President of the Commission, December 2021

Authors

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