

Security sector concept

The most common definition of the [security sector](#) is provided by the Organisation for Economic Co-operation and Development (OECD) as being: 'all actors, their roles, responsibilities and actions – working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework'.

Security sector actors include:

- *state institutions* that provide the safety of the state and its citizens against violence and coercion including, inter alia, armed forces, police, paramilitary forces, gendarmeries, intelligence services, border guards, customs authorities;
- *civil authorities* that conduct oversight of these institutions: parliament/legislature; government/executive including ministries of defence, interior and foreign affairs, and national security agencies; and civil society, including the media, academia and NGOs;
- *criminal justice agencies*, that is, ministries of justice, prosecution and investigation services, the judiciary and the courts, human rights institutions, and traditional and customary justice authorities; and
- *non-statutory security forces*, that is, non-state bodies, private forces and militias.

Source: '[Inspiring Change - EU Support to Rule of Law, Justice and Security Sector Reform, 2012](#).'

EU and NATO support for security sector reform

Security sector reform (SSR) is an integral part of the EU enlargement process, being one of the EU's [flagship foreign policy endeavours](#) in post-conflict countries and a reflection of its tenet that development and security are closely linked. The EU and NATO have been providing guidance and support to the Western Balkan countries since the break-up of former Yugoslavia, both in a bid to streamline their governance and to overcome the consequences of various violent conflicts. As regards security sector reform, the EU has adopted multiple texts to regulate and steer the process. Some of the most relevant ones include:

- the European Commission's 2006 [communication](#), 'A Concept for European Community support for security sector reform', which defined the principles and norms for security sector reform;
- the 2007 Council [conclusions](#) on security and development, which called for a 'whole-of-government approach' to SSR, in accordance with the OECD's Development Assistance Committee guidelines;
- the 2011 '[Thematic evaluation](#) of European Commission support to justice and security system reform', pointing out the justice reform aspects most relevant to SSR, such as the legal institutions involved in the oversight of security institutions;
- the [booklet](#) 'Inspiring change – EU support to rule of law, justice and security sector reform', which explained the EU's approaches to providing such support and gave recommendations based on first-hand EU experience;
- the 'draft [EU concept](#) for support to disarmament, demobilisation and reintegration' (DDR) (2006), focused on EU engagement in post-conflict peace-building and complementing the policy framework for EU support to SSR. DDR processes, considered as more successful when part of a broader SSR, aim for 'sustainable peace, reconciliation of society, stability and long-term development' in post-conflict areas.

On the financial side, SSR is funded via [multiple instruments](#), such as the Common Foreign and Security Policy (CFSP) [budget](#), the European Development Fund ([EDF](#)), the Instruments contributing to Peace and Stability ([IcSP](#)) and the European Instrument for Democracy and Human Rights ([EIDHR](#)).

EU missions in the Western Balkans: past and present

The EU has a [long experience](#) in supporting SSR in its partner countries, notably through its Common Security and Defence Policy ([CSDP](#)) missions and development cooperation. At present, two missions are active in the region: [EUFOR ALTHEA](#) in BiH, and the EU Rule of Law Mission ([EULEX](#)) in Kosovo, with a renewed mandate until mid-2018. The mission in BiH oversees the military implementation of the [Dayton peace agreement](#), which put an end to the 1990s war, and provides [military expertise and technical support](#) to the authorities. EULEX was established in 2008 to support the development of an independent multi-ethnic justice, police and custom service, and of sustainable judicial authorities and law enforcement agencies. It also supports the normalisation of [relations with Serbia](#) via the EU-mediated Belgrade-Pristina dialogue.

The EU has also deployed a number of missions in the past. In 2003 the [Concordia](#) operation was deployed in FYR Macedonia to contribute to a stable, secure environment and to the implementation of the 2001 [Ohrid framework agreement](#), which put an end to an armed conflict between the Albanian [National Liberation Army](#) and the FYR Macedonian security forces. Again there, the EU Police Mission [EUPOL PROXIMA](#) (2003- 2005) was set up to assist in the development of a police service along European standards. Albania, FYR Macedonia, Montenegro, and Serbia have signed framework participation agreements ([FPAs](#)) with the EU, which facilitate their speedy involvement in CSDP missions and operations.

SSR and related justice reforms in the framework of the accession process

As part of the stabilisation and accession process ([SAP](#)), which constitutes the main framework for preparing the Western Balkan aspirants for EU membership, each country – [Albania](#), [BiH](#), [Kosovo](#), [Montenegro](#), [Serbia](#), and [FYR Macedonia](#) – has a stabilisation and association agreement (SAA) with the EU. These SAAs stipulate that in their cooperation on justice, freedom and security, the parties shall attach particular importance to the consolidation of the rule of law and the reinforcement of institutions at all levels in the areas of administration in general and law enforcement and the administration of justice in particular.

- Security cooperation under the [Regional Cooperation Council](#)
- South-eastern Europe Defence Ministerial (SEDM)
 - US Adriatic charter
 - Western Balkans defence intelligence chiefs (WEBADIC)
 - South-eastern Europe (SEE) chiefs of defence
 - Centre for Security Cooperation
 - Disaster preparedness and prevention initiative for SEE
 - SEE clearinghouse for the control of small arms and light weapons

During a country's accession negotiations, this issue is covered by [Chapter 24](#) (justice, freedom and security). Since 2011, a [new EU approach](#) has placed rule of law issues at the centre of the negotiation process and Chapter 24 (along with Chapter 23) is now among the first to be opened. It covers border control, visas, external migration, asylum, police cooperation, the fight against organised crime and terrorism, cooperation in the field of drugs, customs cooperation, and judicial cooperation in criminal and civil matters. Applicant countries need to have a strong and well-integrated administrative capacity within the law enforcement agencies and other relevant bodies, including a professional, reliable, and efficient police organisation. [Chapter 31](#) (foreign, security and defence policy) is another

relevant chapter which requires that applicants align progressively with EU statements and apply sanctions and restrictive measures when and where necessary.

Regional cooperation is another priority of the SAP. The Regional Cooperation Council ([RCC](#)), which operates under the guidance of the south-east European cooperation process, aims to support the European and Euro-Atlantic aspirations of its non-EU members, and, among others, to develop cooperation in the areas of justice and home affairs, security and parliamentary relations (see box above on security cooperation under the RCC). In its 2017-2019 strategy and work [programme](#), it pledges to continue its commitment to security cooperation in the region.

NATO and the Western Balkans

Having joined NATO in 2009, [Albania](#) is its only full Western Balkans member. After having been invited to start accession talks in December 2015, [Montenegro](#) signed its accession protocol in May 2016. Ratifications are ongoing and once all 28 NATO members have completed the procedure, Montenegro will become the 29th Alliance member. At present, it enjoys invitee status, allowing its representatives to participate as observers in NATO meetings. NATO membership aspirants [BiH](#) and FYR Macedonia each have an individual partnership action plan ([IPAP](#)) in support of their domestic reform efforts, and also in the membership action plan ([MAP](#)), providing advice, assistance and practical support. Although [Serbia](#) does not aspire to NATO membership, and the Alliance fully respects its policy of military neutrality, the two parties have enjoyed deeper cooperation through an IPAP since 2015. All countries take part in the Partnership for Peace programme and the Euro-Atlantic Partnership Council. In [Kosovo](#), NATO has been leading a peace-support operation – the Kosovo Force (KFOR) since June 1999.

Parliamentary diplomacy: EU and NATO

The European Parliament maintains interparliamentary relations with the Western Balkan countries through the following delegations: [EU-FYR Macedonia](#), [EU-Serbia](#), [EU-Albania](#), [EU-Montenegro](#) and the [Delegation for relations with BiH and Kosovo](#). The stabilisation and association agreements concluded with each country are the legal basis for parliamentary level political dialogue and for setting up respective stabilisation and association committees (SAPC) as joint bodies between the EP and the national parliaments. In April 2016, Kosovo's SAA was the last to [enter in force](#), and the [first](#) meeting of its [SAPC](#) was held shortly after. Although BiH's SAA came into force in 2015, its parliamentary dimension has not yet been implemented, as its SAPC has not yet adopted its rules of procedure. FYR Macedonia's [Joint parliamentary committee](#) was the first to be created – in 2004 – and is equivalent to the other countries' SAPCs.

While Albania has a member delegation to NATO's [Parliamentary Assembly](#), BiH, FYR Macedonia, Serbia and Montenegro all have associate delegations, and the Assembly of Kosovo has a parliamentary observer delegation. By integrating parliamentarians from the region, NATO's Assembly seeks to strengthen their parliamentary democracy and complement bilateral programmes of partnership and cooperation.

Parliamentary oversight of the security sector

According to the 2013 study, '[Parliamentary oversight of the security sector](#)', by the European Parliament's Office for Promotion of Parliamentary Democracy, the main objective of the security sector is to maintain peace and stability in line with democratic standards. Democratic accountability can be achieved through control and oversight by various executive, legislative, judicial and independent state bodies and non-state actors that represent the public interest. Parliaments in general have a pre-eminent role in security sector governance due to, inter alia, their representative function, but also their

responsibility for exercising democratic control over public resources and for the adoption and implementation of legislation.

With regard to the security sector, legislative oversight bodies are generally responsible for enacting laws; approving the budget; examining whether security sector activities comply with the general policies; holding hearings of ministers, senior officials and experts; consulting with other parties; participating in major decision-making processes, and visiting the troops. The main legislative oversight bodies are the parliamentary standing committees for the armed forces, internal affairs/police, justice, intelligence and security, as well as the relevant select committees/committees of inquiry.

The primary security sector **governance** functions of both well-established and emerging democratic parliaments can be divided into three parts:

- *Enacting and/or amending security sector legislation* – this allows the parliament to define the mission, structure, functions and competences of the main actors and determine the security policy and its implementation.
- *Controlling the security-sector budget expenditures* – the parliament controls security sector-related items of the general budget and oversees expenditure and procurement related to major projects. There is also ex-post oversight or budget auditing through hearings, inquiries and public reports.
- *Overseeing the executive* – special parliamentary committees and independent oversight bodies that assist parliament are in charge of overseeing the implementation of the budget, laws and security policies, defence procurement, appointments of senior officials, and sending and withdrawing troops abroad.

Parliaments in emerging democracies have an additional two-phase task regarding security sector reform. In the first phase, they establish the relevant legal framework and then start building the security sector's capacity. Afterwards, they oversee the implementation and enforcement of the legal framework and the capacity-building projects. In the second phase – after the country's transition to democracy – they enact or revise the legal framework (primarily the constitution), in order to regulate the security sector's governance. The rules they put in place are aimed at preventing the country from sliding back to authoritarian rule through a coup; protecting and promoting human rights; codifying the role and place of security institutions (primarily the role of the armed forces); and clearly defining the emergency powers of the executive.

The above-mentioned study outlines the following four main challenges for strengthening the oversight role of parliaments in emerging democracies: establishing or re-establishing their own parliamentary institution; changing the parliamentarians' mind-set; tackling the lack of expertise and resources; and establishing a committee structure that works. With

Democratic accountability principles applicable to the security sector

- accountability of security sector institutions to the democratic authorities;
- accountability of the executive to the parliament for actions related to the security sector;
- constitutionally provided parliamentary oversight functions related to the security budget;
- parliamentary verification of sanctions applied to misconducted security sector institutions;
- parliamentary involvement in the declaration of war or a state of emergency;
- good governance, the rule of law and political neutrality as a basis for the security sector;
- civil and criminal law accountability of security sector staff.

Source: [Parliamentary oversight of the security sector](#), European Parliament study, 2013.

regard to parliamentary control of the security budget, the study points out four difficulties, namely: inadequate legal framework, security budget secrecy, weak internal audit capacity and absence of independent oversight bodies.

Western Balkan parliaments in the security sector: country overview

Since the end of the 1980s, Western Balkan countries have witnessed a series of events, such as the collapse of communism, the dissolution of former Yugoslavia and the outbreak of armed ethnic conflicts, all of which have had a profound influence on them and have shaped their new realities. Today, on their path to EU membership, they have to fulfil a [set of criteria](#) in the framework of the [stabilisation and association process](#). The key political criteria are the existence of stable institutions guaranteeing democracy, the rule of law, and respect for human and minority rights. One of the measures of progress toward democracy is the establishment of [civilian and democratic control](#) over the security sector, where parliaments have a prominent role.

Table 1 – Western Balkan parliaments and their security oversight bodies

Country	Parliament	Chamber	MPs	Parliamentary oversight committees	Committee members	
Albania	Albanian Parliament	Unicameral	140	National Security Committee	18	
Bosnia and Herzegovina	State level: Parliamentary Assembly of Bosnia and Herzegovina	Bicameral	House of Representatives	42	Joint Committee on Defence and Security	9
			House of Peoples	15	Joint Security and Intelligence Committee on Supervision of the Work of the Intelligence and Security Agency	8
	Entity/cantonal level: Parliament of the Federation of Bosnia and Herzegovina	Bicameral	House of Representatives	98	Security Committee of the House of Representatives of the Parliament of FBiH	9
			House of Peoples	58	Security Committee of the House of Peoples of the Parliament of FBiH	5
	Assembly of the Republika Srpska	Unicameral	83	Committee for Security of the National Assembly of the Republika Srpska	7	
Assembly of Brcko District	Unicameral	31	Committee for Security and Oversight over the Police Forces of the Assembly of Brcko District	4		
former Yugoslav Republic of Macedonia	Assembly of the Republic of Macedonia	Unicameral	123	Committee on Defence and Security	12	
				Standing Inquiry Committee for the Protection of Civil Freedoms and Rights	8	
				Committee for Supervising the Work of the Security and Counter Intelligence Directorate and the Intelligence Agency	8	
				Committee on oversight of the implementation of the special investigation measure interception of the communication by the Ministry of Interior, the Financial Police Management, Customs Management and the Ministry of Defence	4	
Kosovo	Assembly of the Republic of Kosovo	Unicameral	123	Committee for Internal Affairs, Security and Supervision of the Kosovo Security Forces	6	
				Committee for Supervision of Kosovo Intelligence Agency	6	
Montenegro	Parliament of Montenegro	Unicameral	81	Parliamentary Committee for Security and Defence	13	
Serbia	State level: National Assembly	Unicameral	250	Security Services Control Committee	9	
	Province level: Assembly of the Autonomous Province of Vojvodina	Unicameral	120	Defence and Internal Affairs Committee	17	
				Security Committee of the Assembly of the Autonomous Province of Vojvodina	11	

Source: Western Balkan national parliaments' websites, 2016.

Despite many resemblances between them, the parliaments of the Western Balkan states have some significant differences with regard to their role in security, both in structural and statistical terms (see Table 1). For instance, BiH is a federal state, whereas the other five are unitary states. In the case of Serbia, the special autonomous status of the Province of Vojvodina is an exception. The relevant parliamentary committees have a varying number of members in proportion to the number of Members of Parliament (MPs) in the country. Moreover, the number of committees can vary depending on the country's specific needs. Consequently, Albania and Montenegro have one committee each, Kosovo and Serbia two, and FYR Macedonia four. Regarding the committees' competencies, there are general similarities related to enacting security sector legislation, controlling the sector budget and overseeing the executive.

Albania

Since the fall of communism in 1990, security sector reform in Albania has constantly improved in line with the rule of law and human rights principles. The most visible evidence of this is Albania's NATO integration in 2009. The legal basis of the security sector's accountability was provided by the [1998 Constitution](#), which prescribed democratic control over the military.

The main parliamentary body in charge of security sector oversight is the standing [National Security Committee](#). It is responsible for organising the country's national defence and armed forces, but also for military cooperation, internal affairs, civil emergencies, public order and security services. Within its jurisdiction, the committee holds debates on legislation and on the budget of the security institutions, and monitors the implementation of laws and the activities of ministries and other bodies. The Economy and Finance Committee ([CEF](#)), responsible for the budget and oversight of its execution, and the Committee on Legal Issues, Public Administration and Human Rights ([CLIPAHR](#)), responsible for organisation of the judiciary, independent institutions and human rights, also have competencies in this area.

According to a 2012 [almanac](#) on security sector oversight in the Western Balkans, published by the Belgrade Centre for Security Policy, full implementation of the existing laws and policies remains the main problem in Albania in this regard. It also identifies the lack of political will, expertise and resources as the main obstacles to efficient parliamentary oversight.

The European Commission's 2016 [report on Albania](#) provides the most recent assessment of security-related issues in the country. It acknowledges Albania's commitment to the EU's positions as regards CFSP. It also notes that the legal framework on public procurement, including for defence and security, is not yet fully harmonised, but points out the progress made in reorganising the police force and the launch of the re-established Security Academy, which will contribute to a professional police force. A European Parliament [resolution](#) of April 2016 considered it essential that Albania develop a specific rule on a law-based approach for intelligence and law enforcement agencies.

Bosnia and Herzegovina

BiH's security sector reform is complex and quite unique compared to other Western Balkan countries. The four-year war in the 1990s, the Dayton peace agreement that ended it and still serves as a constitution, the country's complicated [federal structure](#), and not least the role of the international community, at present embodied by the High Representative in Bosnia and Herzegovina, are all contributing factors. Under pressure from the international community, BiH has adopted the relevant legislation, formed a unique national military

force, and transferred control over the security sector from the [two entities](#) – the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska – to the state. As a result, the security sector is now [centralised](#) and entirely under state-level control, with the exception of the police, which is still under the control of the entities.

Within the BiH Parliamentary Assembly, two committees were set up to deal with security issues. The Joint Committee on Defence and Security monitors the implementation of the national security and defence policy and performs parliamentary oversight, inter alia, by analysing sector legislation, reports, proposals and petitions. It also oversees the activity of the armed forces. The Joint Security and Intelligence Committee on supervision of the work of the Intelligence and Security Agency oversees, among other things, the said agency, conducts investigations on its work, studies reports, gives opinions on the appointment of directors and on budget proposals and analyses budget spending.

The protection of human rights and freedoms of soldiers and cadets in BiH's armed forces and Ministry of Defence is overseen by the [Parliamentary Military Commissioner](#) (PMC). In line with the Law on the PMC, the commissioner investigates specific issues on the request of the Assembly and the Joint Committee for Defence and Security.

In addition, there are entity-level committees. In the FBiH parliament, both chambers have a Committee for Security. Republika Srpska's [Committee for Security](#) is responsible for parliamentary oversight in the area, whereas in the Assembly of the Brcko District, this function is handled by the [Committee](#) for Security and Oversight of the Police Forces.

The above-mentioned almanac assesses the establishment of state-level parliamentary security sector oversight committees as the most significant achievement for ensuring democratic control of this sector, yet points out that their administrative capacities are deficient. Another shortcoming is the failure to adopt a law on parliamentary oversight of defence and security, as proposed by the joint committee in 2012.

The European Commission's 2016 [report](#) on BiH acknowledged the active role of the joint parliamentary committee for security and defence in ensuring democratic control over the armed forces. It also stated that the Parliamentary Military Commissioner continued to oversee the protection of human rights and freedoms in the armed forces, and that progress had been made in disposing of the most unstable ammunition. However, like the European Parliament's [resolution](#) of April 2016, the report voiced concern over the widespread illegal possession of weapons by the population.

Kosovo

After Kosovo declared independence in 2008, its security sector was built from scratch with direct support from the international community. So far, the national institutions have invested great effort in developing the sector's institutional and legal aspects. Kosovo's [Constitution](#) contains a special chapter devoted to the organisation of the security sector, that is, to the positions and roles of the main security institutions (the security forces, the Security Council, the police, the intelligence agency, and the civilian aviation authority). It stipulates, inter alia, that civilian and democratic control over security institutions shall be guaranteed and that the Assembly oversees the security institutions' budget and policies and gives consent to the president's decree announcing a state of emergency.

Parliamentary oversight of the security sector was first introduced towards the end of 2006, but was not consolidated until after 2008. The main parliamentary oversight bodies are the [Committee on Internal Affairs, Security and Supervision of the Kosovo Security Force](#) and the [Oversight Committee for the Kosovo Intelligence Agency \(KIA\)](#). The first is a standing

committee that is in charge of budget control and the sector's legislation review; the second is a functional committee that monitors the Intelligence Agency, reviews and adopts its budget and reviews the reports of the prime minister, the agency's director and the general inspector.

In addition, the Budget and Finance committee, the Committee on Rights, Interests and Returns, and the Committee on Human Rights, Gender Equality, Missing Persons and Petitions, oversee their respective areas of the security sector.

However, according to the [Kosovar Centre for Security Studies](#), the committees' oversight capacities are limited and depend on international assistance because of their lack of professional capacity and understaffing. Except for the regular six-month and annual reports, parliamentary oversight has been absent with regard to public procurement, implementation of laws, public funds expenditure and control in the field of security. Overall, it is suggested that the activity of the Security Committee has slowed down recently. This has been attributed, inter alia, to the political crisis from mid-2014 to the first quarter of 2016.

The European Commission's [2016 report](#) on Kosovo noted the impact of the political impasse and parliamentary boycotts on the work of both oversight committees, which had seen limited progress. Moreover, it stated that existing close ties between parliamentarians from the relevant committees and the leadership of the Kosovo security forces continue to be a hurdle for independent oversight. As a positive sign, the report acknowledged that the vetting process continued to improve, despite the fact that it was still carried out by the Intelligence Agency instead of a separate body, and that the Kosovo Security Council met 'with increased regularity'.

Montenegro

Since Montenegro regained independence in 2006, security sector reform has intensified. Pursuant to the country's [Constitution](#), the army and the security services are subject to democratic and civil control. Additionally, it stipulates that, inter alia, the parliament proclaims a state of war and a state of emergency, adopts the national security strategy and defence strategy, decides on the use of Montenegrin army units in international forces, supervises the army and security services, and ratifies international agreements.

The most significant improvement related to the security sector's democratic accountability was made possible with the adoption of the 2010 law on parliamentary oversight of the security and defence sector. This empowered the standing parliamentary [Security and Defence Committee \(CSD\)](#) to oversee the work of the entire security sector. In line with the law, the committee, inter alia, monitors the activities of bodies and institutions, conducts consultative and control hearings and initiates parliamentary inquiries in the area of security. It examines the annual reports produced by the Ministry of Defence, the army, the National Security Agency, the police administration, the Ministry of the Interior and the Ministry of Public Administration, as well as bills, other regulations and general acts, and related information on the execution of the budget. It also monitors the political, ideological and interest neutrality of their work, considers nominations for managerial positions, and gives opinions, proposals and suggestions in the preparation of the security budget bill.

The CSD also cooperates with civil society, as in the case where it accepted some of the [comments](#) made by the Institute Alternative NGO regarding the draft law on parliamentary oversight of the security and defence sector. As pointed out in the 2012 almanac, the work of the CSD is primarily hindered by its increased political focus which overshadows its efforts to create a transparent and accountable security sector.

The European Commission's [2016 report](#) on Montenegro, although noting the overall need to strengthen the parliament's follow-up on recommendations from oversight hearings, does not make particular reference to the security sector. It does, however, emphasise the country's 100 % alignment with EU declarations and positions on the CFSP, its continued participation in CSDP civil and military crisis management missions, and its participation in the NATO Warsaw Summit as a prospective member of the Alliance.

Serbia

According to the country's [Constitution](#), the army is subject to democratic and civil control and may operate outside the national borders only upon the decision of the National Assembly. As with other parliaments, the National Assembly ratifies international agreements, decides on war and peace and declares a state of war or emergency, supervises the work of the security services and adopts the defence strategy.

The terms and conditions for exercising effective parliamentary control and oversight of the security sector are set out in the [Law on the National Assembly](#) and the 2010 [rules of procedure of the National Assembly](#), which decreed the establishment of two committees responsible for oversight in the security and defence area.

The [Assembly](#) of the **Autonomous Province of Vojvodina** has a [Security Committee](#) that considers issues concerning citizen security in the province and cooperates with the relevant units of the Ministry of Internal Affairs.

The [Security Services Control Committee](#) supervises the constitutionality and legality of the security services' work and its conformity with the national security strategy, the defence strategy and the security and intelligence policy. Like its Montenegrin equivalent, it supervises the political, ideological and interest neutrality of the security services' work, examines reports on their work and proposals for the budget, supervises the budget and other resources to ensure that they are spent legally, and considers bills, other regulations and general acts of relevance to the security services' work.

The [Defence and Internal Affairs Committee](#) considers bills and proposals for other general acts in this field, examines issues related to the exercising of parliamentary control of the armed forces and the defence system, studies budget proposals related to their activities as well as reports produced by the Ministry of Defence and Ministry for Internal Affairs, and dispatches national defence forces to external multinational operations.

According to the almanac, parliamentary oversight of the security sector is not efficient due, among other things, to MPs' lack of initiative and the absence both of an annual plan highlighting the parliamentary committees' work priorities and a set of clearly defined procedures for performing field visits.

The European Commission's [2016 report](#) on Serbia noted that the Committee for Oversight of the Security Forces had only held occasional meetings and that it needed to take due consideration of the Ombudsman's recommendations in this field. It also warned of a potential for abuse of interception of communications and a legislation gap that still needs to be filled.

The former Yugoslav Republic of Macedonia

In 1991, FYR Macedonia became independent and commenced security sector reform with the support of the Organization for Security and Co-operation in Europe (OSCE), the EU and NATO. The reform intensified after the [internal armed conflict](#) of 2001 spurred demands for greater rights and autonomy of the Albanian minority, which accounts for roughly a quarter of the population.¹ A special chapter in the country's [Constitution](#) covers issues related to the state of war and emergency. Also, in line with the Constitution, the armed forces protect

the country's territorial integrity and independence, and any military or paramilitary associations that are not part of the national armed forces are prohibited. Inter alia, the National Assembly adopts and enacts legislation in the area of security and defence and scrutinises the activities of security sector actors, for example through hearings and consultations. It adopts the budget, ratifies international agreements, decides on war and peace and makes decisions concerning any changes in the country's borders.

There are four parliamentary committees in charge of the security sector. The [Committee on Defence and Security](#) considers issues regarding national and civil defence and the maintenance of public order, among others. The [Standing Inquiry Committee](#) for the Protection of Civil Freedoms and Rights reviews and takes positions on suggestions, signals and complaints received from citizens. The [committee for supervising](#) the work of the Security and Counter-intelligence Directorate and the Intelligence Agency oversees the methods, means and lawful execution of their work and the state of their financial, personnel and technical capacities. The [committee on oversight](#) of the implementation of the special investigation measure for interception of communication – as practised by the Ministry of the Interior, the Financial Police Management, the Customs Management and the Ministry of Defence – reviews how the measure is implemented by those institutions.

One of the major obstacles to the committees' work, as identified in a 2015 [Analytica](#) publication, has been the prolonged parliamentary boycott by the opposition and the overall [political crisis](#) in the country, exacerbated by a wiretapping scandal at the start of 2015, which was still outstanding following the December 2016 elections.

The European Commission's [2016 report](#) on FYR Macedonia stressed that the deep domestic crisis has further undermined the parliament's legislative and oversight functions. In the [Pržino agreement](#), reached in June 2015 with EU help, the main parties agreed, among other things, to constitute a committee of inquiry into the wiretapping scandal which had brought the political crisis to a peak in early 2015. The Intelligence Oversight Committee and the Interception of Communications Committee, both chaired by the opposition, were expected to start work and investigate democratic oversight failings in the functioning of the state intelligence services (UBK). These two committees did not carry out their mandate, while the inquiry committee, due to its boycott of hearings or refusal to answer questions from members of the main ruling party, was not able to take action on the political accountability regarding the illegal wiretaps. All three committees failed to submit the initial reports envisaged in the Pržino deal. Shortcomings in the inspection of the UBK and the work of the relevant committees were presented in the [Priebe report](#) and the European Commission made recommendations on oversight and reform of the intelligence services in its subsequent [urgent reform priorities](#).

The Commission's 2016 report on FYR Macedonia accentuated the need for active participation of all parliamentary parties; proper consultation and impact assessment prior to enacting legislation; credible functional oversight of the government and the intelligence services; establishing political accountability for the illegal wiretaps; and strengthening the capacity to monitor the protection of human rights and fundamental freedoms in the country. It acknowledged that, with external support, work on the intelligence sector reform had started in October 2016.

Main references

[Security sector reform](#), European Commission, International Cooperation and Development.

[Parliamentary oversight of the security sector](#), European Parliament, Office for Promotion of Parliamentary Democracy, 2013.

[Almanac on Security Sector Oversight in the Western Balkans](#), Belgrade Centre for Security Policy and Geneva Centre for the Democratic Control of Armed Forces, 2012.

Endnote

¹ The Ohrid agreement pledged to increase Albanian representation in the government, police and army. However, apart from the specially established [Committee for Inter-Community Relations](#), it did not envisage Albanian representation in any other parliamentary committees. According to the parliament's [rules of procedure](#), it determines the composition of working bodies and inquiry committees by a decision, subject to the number of members in parliamentary groups and those not organised in parliamentary groups, and in accordance with the law on equal opportunities between women and men.

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eprs@ep.europa.eu

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