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An Assessment of Parliamentary Roles on Security Sector Governance in Cambodia

Chap Sotharith

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Cambodian Institute for Cooperation and Peace, CICP
Pum Paung Peay, Sangkat Phnom Penh Thmey, Khan Russey Keo,
Phnom Penh, Kingdom of Cambodia
P.O.Box 1007, Phnom Penh, Cambodia
Phone: 85512 819953
Tel/Fax: 855 23 982559
Email: cicp@everyday.com.kh
Website: <http://www.cicp.org.kh>

Abstract:

Security sector governance is a new concept for Cambodia. Not many persons understand the terminology. As a country ravaged by a long civil war and political strife, Cambodia has to start promoting security sector governance if it needs to be supported and trusted by the people. This paper focuses only on the parliamentary roles in oversight of security governance sector in Cambodia and finally presents some recommendation to promote the parliamentary roles in oversight defense and security sector.

About the Author:

Dr. Chap Sotharith is Executive Director and Senior Research Fellow of Cambodian Institute for Cooperation and Peace, CICP, Phnom Penh, Cambodia. He holds a Ph.D. in Economics from University of Sydney, Australia (2006) and a Master of Science in Regional and Rural Development Planning from Asian Institute of Technology (AIT) Bangkok, Thailand (1994). After many years in joining CICP, Dr. Chap Sotharith has participated in international regional and local conferences on many development issues and has contributed many researches including International Relations, Strategic and Defense Studies, ASEAN, WTO, Greater Mekong Subregion and Socio-Economic Policies and others. He has published many books and papers both in English and Khmer.

He can be contacted by Tel: 855 12 900 484, Fax: 855 23 982 559 or
Email: chapsotharith@hotmail.com

An Assessment of Parliamentary Roles on Security Sector Governance in Cambodia

by Chap Sotharith*

1. Introduction: What is Security Governance

Security governance is a new concept for Cambodia. Not many Cambodians understand the terminology. If the widened and deepened concept of security is combined with the multi-actor, multi-level concept of governance, one may expect to arrive at an understanding of security governance which is devoid of any analytical utility. However, this will not be the case if we accept the perspective that every issue-area, including security in all its dimensions, is subject to certain systems of governance characterized by more or less fragmented political authority, whether it be on the national, subnational or international level. Consequently, it is the context of security governance which matters most.¹

Security governance is observable at the different levels of analysis discussed above: at the global, regional, national and local levels. At the *global level*, the frame of reference is the UN system which provides the most universal structures for dealing with security issues, ranging from arms control, disarmament and non-proliferation of weapons, to conflict prevention, peacemaking, peace enforcement, peacekeeping and post-conflict peacebuilding. Global security governance is clearly dominated by state and intergovernmental actors although the role and influence of nongovernmental organisations appears to be growing in ‘new’ security issues, particularly in areas such as disarmament and nonproliferation of *Approaching Peacebuilding from a Security Governance Perspective* smaller weapons (SALW, anti-personnel landmines), complex peacekeeping and post-conflict peacebuilding. At the *regional level*, security governance refers to broad dynamics in the development of security arrangements in a given region. Measured by the degree of fragmentation of

* Dr. Chap Sotharith is Executive Director and Senior Research Fellow of CICP. The author would like to thank Mr. Im Sithol for assisting preparing this paper. This paper is also stipulated from Workshop on Parliamentary Accountability and Security Sector Governance in South East Asia, 7-10 February 2006, Siem Reap, Cambodia.

authority in security policymaking, Europe is certainly the region which has witnessed the greatest transformation of the security system in terms of a development from government to governance.² Not only have national governments and regional organisations such as the Organisation for Security and Cooperation in Europe (OSCE), the North Atlantic Treaty Organisation (NATO) and the European Union (EU) expanded their security functions in the post-Cold War period, but also a variety of private actors, ranging from charities to private security companies, have emerged in local, regional and transregional security governance.³ At the *national level*, security governance refers to the organisation and the management of the security sector. The security sector includes all the bodies whose main responsibilities are the protection of the state and its constituent communities— ranging from the core structures such as armed forces, police and intelligence agencies, to those institutions that formulate, implement and oversee internal and external security policy such as executive government and parliament. More often than not, non-state actors, armed groups as well as civil society organisations, also play an important role in national security governance – the former by providing or jeopardising security, the latter by strengthening governance mechanisms. In the emerging literature on the subject, security governance at the national level is generally referred to as “security sector governance”. Finally, at the *local level*, security governance refers to the relevant internal security arrangements which may be dominated by national security forces, local police, or – in failed and war-torn states – by armed non-state actors such as rebel groups or forces controlled by warlords.

In sum, security governance is an analytical perspective which helps to capture complex governing mechanisms in a given issue-area characterised by a constellation of different types of actors operating at different levels of interaction. As will be discussed below, post-conflict peacebuilding exhibits the typical features of security governance: in most cases it is multi-layered, with a broad range of security actors participating in formal and informal governing arrangements and activities.

¹ Alan Bryden and Heiner Hänggi (eds.) (2005) *Security Governance in Post-Conflict Peacebuilding*, Geneva Center for Democratic Control of Armed Forces (DCAF), p.9

² Ibid.

³ For more see Webber, M., Croft, S., Howorth, J., Terriff, T., Krahnemann, E., ‘The Governance of European Security’, *Review of International Studies*, vol. 30, no. 1, 2004, pp. 3-26

As a country ravaged by a long civil war and political strife, Cambodia has to start promoting security sector governance if it needs to be supported and trusted by the people. This paper focuses only the parliamentary roles in oversight of security governance sector in Cambodia.

2. Roles of National Assembly in Cambodia

In democratic society, powers separation into three bodies (the legislative, executive and judiciary power) and check-and-balance of powers are the foundation of national building. In Cambodia this is also stimulated in the new constitution. The role of parliament on security and national defense system is indispensable because this is of crucial importance for strategic decision of the country.

The National Assembly has its power to check and balance with the Government. According to Article 96 of the Constitution, the deputies have the right to put a motion against the Royal Government. The motion shall be submitted in writing through the Chairman of the National Assembly. The replies shall be given by one or several ministers depending on the matters related to the accountability of one or several ministers. If the case concerns the overall policy of the Royal Government, the Prime Minister shall reply in person. The explanations by the ministers or by the Prime Minister shall be given verbally or in writing. The explanations shall be provided within 7 days after the day when the question is received.

In case of verbal reply, the Chairman of the National Assembly shall decide whether to hold an open debate or not. If there is no debate, the answer of the minister or the Prime Minister shall be considered final. If there is a debate, the questioner, other speakers, the ministers, or the Prime Minister may exchange views within the time-frame not exceeding one session. The National Assembly shall establish one day each week for questions and answers. There shall be no vote during any session reserved for this purpose.

In the parliamentary monarchy regime with the principles of liberal democracy and pluralism, the National Assembly of the Kingdom of Cambodia is the founder of the Royal Government of Cambodia and reserves rights and powers to control the government affairs. The main power of the parliament on the executive power is that the Assembly shall dismiss a member or members of the Royal Government or the whole Cabinet by the adoption of a motion of

censure by a simple majority.⁴ The motion of censure shall be proposed to the Assembly by at least 30 assembly members in order for the entire Assembly to decide.

In practice, the overthrow of the government by the motion of censure shall be difficult because the National Assembly members are much politicized under the direction of the political party leader. The Prime Minister or head of government is appointed by the party with top ranking and powerful status. Therefore, the need of a simple majority for “No confidence motion” is almost impossible. On other hand, if the government shall be dissolved in two times during twelve months, the assembly shall be dissolved.

Members of the Royal Government shall be collectively responsible to the Assembly for the overall policy of the Royal Government. Each member of the Royal Government shall be individually responsible to the Prime Minister and the Assembly for his/her own conducts. Members of the Royal Government shall not use the orders, written or verbal, of anyone as grounds to exonerate themselves from their responsibility. The Royal Government shall lead the whole affair of State in accordance with political platform and State plan adopted by the parliament.

With limited capacity, the National Assembly never drafts any law, except the Law on Monogamy and Anti-Corruption Law, which has not yet approved.⁵ Most of laws are drafted by the Government only.⁶ Besides adopting law, the NA has right to summon the government to clarify or explain irregularities or sensitive decisions. As example, during the third session of the third legislation of the National Assembly, on 1th September 2005, with the permission of prime minister Hun Sen, Mr. Keat Chhun, minister of Economy and Finance and his colleagues presented the explanation and clarification in the parliamentary session to answer the written question by opposition MP, Mr. Keo Ramy, on the rising price of petroleum on 15th September 2005. It was an active debate which attracted many attentions. Finally, there is no remedy action to contain the rise of petroleum price due to the limited national budget and the strong tendency of petroleum price in international markets.⁷

⁴ Due to many pot-election deadlocks in forming the new government, the two third (absolute) majority was abolished in 2005.

⁵ Passed in 2006, Law on Monogamy (i.e. the practice of having a sexual relationship with only one partner during a period of marriage; the law allowing Cambodian to have only one husband and one wife), was initiated by women members of parliament. The Law was passed without public hearing and creates many controversial views.

⁶ The Government has resources including human resources and expertise with available funding from donor community to draft new laws.

⁷ See Im Sithol (2006).

In the other case, in 2005, Mr. Tea Banh and Mr. Nhek Bunchhay, co-ministers of national defense and their colleagues presented to parliamentary session to clarify the question of opposition MP, Mr. Sun Chhay, concerning the four issues in national defense fields. First, the demobilization of the arm forces programme. Second, the military uniform supply, patrol, and rice procurement to the Royal Cambodian Arm Forces. Third, the sale, change of some military bases or buildings of the ministry of national defense such as the sale of a military Garage at Toul Kork, the sale of a military supply warehouse at Samnong 12 and the transfer of a piece of land around the Old Stadium to build flats. It was a long debate. However, there was no change of the actions conducted by the Ministry of National Defense.

The national assembly has the other important roles. It shall approve law on the declaration of war. This is the key work related to the whole national security and fortune of the country and its people. The Kingdom of Cambodia adopts a policy of permanent neutrality, non-alignment, non-invasion, non-interference and peaceful co-existence with its neighbors and with all other countries throughout the world with mutual interests, but it still reserves this right to self-defense and keeps security for its people.

The National Assembly can participate in shaping the roles and responsibilities of government agencies including the national defense and national security agencies through adopting the Laws on the Establishment of the Government and creation of all ministries including Ministry of National Defense and Ministry of Interior. However, the details of functions and structures of each ministry are entirely adopted by the Council of Ministers (or Government) by Royal Decree or sub-decrees only.

Administration and control of the import, production, sale, purchase, distribution and use of weapons, and explosives of all types has been run by the Ministry of National Defense or Ministry of Interior empowered by a sub-decree. The import and production of weapons and explosives of all types is competence of the Royal Government upon proposal of the Ministry of interior if the weapons and explosives of all types served for the national security fields and the Ministry of National Defense if the weapons and explosives of all types served for national defense. Whereas transport, management, the use and control of weapons are the responsibilities of the Ministry of interior if the weapons and explosives of all types served for the national security fields and the Ministry of National Defense if the weapons and explosives of all types served for national defense.

However, the Parliament and deputies still have the rights and powers to control on this implementation through proposing questions, motions or investigations on the government to clarify to the assembly committees, standing committee of the assembly, entire Assembly for clarifications and explanations.

For effectiveness and efficiency of its duty, the Assembly has formed its structural organization such as the entire assembly, the Permanent Standing Committee of the assembly, the nine assembly committees and general secretariat responsible the general administration of the Assembly.

The nine assembly committees responsible in various fields and specializations are:

- 1- The Committee on Human Rights, Complaint Investigation, and Relation with the Parliament and the Senate.
- 2- The Committee on Economy, Finance, Banking and Audit.
- 3- The Committee on Planning, Investment, Agriculture, Rural Development, Environment and Water Resources.
- 4- The Committee on Interior Affairs, National Defense, Investigation, Clearance and Civil Service.
- 5- The Committee on Foreign Affairs, International Cooperation, Campaign and Information.
- 6- The Committee on Legislation and Justice.
- 7- The Committee on Education, Youth, Sport, Cult, Religious Affairs, Culture and Tourism.
- 8- The Committee on Health, Social Affairs, Veteran Soldiers, Youth Rehabilitation, Employment, Vocational Training and Women Affairs.
- 9- The Committee on Public Works, Transport, Telecommunication, Post, Industry, Mines, Energy, Commerce, Land Management, Urbanization and Construction.

All Committees members are Members of Parliament (MP) from ruling parties: Cambodian People Party, FUNCINPEC and opposition party Sam Rainsy Party. Each party appointed MPs head committee according to divisions of powers.

3. Structure and Roles of the Committee No.4

The committee No.4 consists of 9 members (MPs) including a Chairman and a Vice-Chairman.

Followings are compositions of members of the committee:⁸

1. H.E.Mr. Yim Sovann, (SRP) Chairman
2. H.E.Mr. Pall Samoeun, (CPP) Vice-Chairman
3. H.E.Mr. Som Chen, (CPP) Secretary
4. H.E.Mr. Hul Savoin, (CPP) member
5. H.E.Mr. Koy Douk, (CPP) member
6. H.E.Mrs. Chem Savay,(CPP) member
7. H.E.Mr. Sim Soly, (FUNCINPEC) member
8. H.E.Mr. Sin Pin Sen, (FUNCINPEC) member
9. H.E.Mr. Chrea Sochenda, (SRP) member

The operation of the Committee is adopted by the internal rule of the National Assembly. With only 3 supporting staff, there are only 2 small rooms for working in old building of the National Assembly. The new building is expected to finish by the middle of 2007 and the committee is expecting a better space for working.

The Roles of the Committee on Interior Affairs, National Defense, Investigation, Clearance and Civil Service (Committee No. 4) are as follows:

- Monitoring the government affairs and law implementation and the policy related to the Ministry of Interior, Ministry of National Defense and Investigating and Clearing all levels of civil servants.
- Researching documents for the committee duties.
- Coordinating between the National Assembly and the Royal Government.

⁸ Source: the National Assembly website: <http://www.national-assembly.org.kh/parliamentarian.htm#>

- Studying and Researching bills, private bills and the other affairs under the competence of the Committee.
- General Organizing of the Army, cooperation policy and the army assistances, general administration of territorial authorities, investigating, and clearing corruptions.

The Committee has the Duties as follows:

- Control, study the bills or private bills from the Ministry of Interior and the Ministry of National Defense. According to the article 97 of the Constitution 1993, the Committee can summon members of the Royal Government or the ministerial representative to clarify or to make amendments all fields related to its responsibility.
- Receive proposals from people concerning the village, communal, district, provincial administration and national security in order to jointly study with the ministry of Interior by summoning the minister or his or her representative to explain and make report to the permanent committee or the National Assembly according to the necessity.
- Request and receive reports from the Ministry of Interior and the Ministry of National Defense about the investigation and clearance by summoning representative or responsible to eventually make clear. This committee has no direct clearance.
- Make private bills in relation with the Ministry of interior and the Ministry of National Defense if lack of information or necessary and make report to the National Assembly to decide on agenda.
- Communicate with the other countries in the fields of the committee responsibilities and report to the permanent committee or the National Assembly to decide by agenda.
- Monitor regularly the activities of the ministry of interior and the ministry of national defense about the implementing of the political platform of the Royal Government, the existing laws of the Kingdom of Cambodia and agreements with foreign countries on the works of the Ministry of Interior and the Ministry of National Defense.
- Investigate the irregularity (Laws breach) existed in the Kingdom of Cambodia and all cases relating the National Assembly in the responsibility of the committee of Interior Affairs, National Defense, Investigation, Clearance and Civil Service.
- Receive claims related to the competence or framework of the Ministry of Interior and the Ministry of National Defense. The committee monitors, considers, and make written intervention to the concerned ministries.

- Visit the arm forces, control the irregularity and the need of the arm forces and make reports about their proposals to the National Assembly, the Royal Government and the related ministries.

4. Procedures and Practice of Committee No.4

The Committee holds its meeting in secret without open for the public. The Committee conducts its meeting less regularly according to the demand only when the draft laws are proposed for debate. All draft defense laws always first discussed in the Committee before deliberation in the Plenary Session of the Parliament. However, there are very few laws concerning defense and security in Cambodia. The specific knowledge on or experience with defense issues is a major criterion in order to select MPs to be members of the Committee.⁹

The Cambodian parliament has been supported in capacity building in oversight of the Government activities. As example, the second committee of the Assembly and Senate sponsored by UNDP, CCSSP in cooperation with EIC on 03 November 2005 in INTER-CONTINENTAL HOTEL organized a Conference on the Financial, Fiscal and Administration of a Successful Corruption Control in the Public Administration. The Conference aimed to strengthen good governance particularly in the income collection, organization of state budget and to find the way how to adopt the state expenditure in a proper way. The panellists who are members of the Senate and Parliament proposed participation of legislative power in state budget preparation especially the partaking of the National Assembly with the Government in the annual finance bill preparation that is considered as the vital law for state functioning. It is regarded as a new movement of the strengthening the capability of the Parliament because in the past, this bill has been prepared by the government and submitted to the National Assembly for only discussion and adoption. Hence, in the past, the Parliament has not enough time to profoundly study on the bill. In phase of the preparation, the Parliament especially the nine assembly committees can raise proposals related to fields of their responsibility. If considered as priority, the expenditure increase could be proposed, if not necessary, the expenditure could be lessened.

⁹ The author interviewed H.E.Mr. Monh Sophan in January 2006 when he was the Chairman of the Committee 4. The committee later has been chaired by H.E.Mr. Yim Sovan from the Opposition Sam Rainsy Party after his party lifted boycott to join the debate Session.

Concerning the expenditure of national defense, generally donor countries as well as international financial institutions proposed to reduce expense on defense and increase the expenses on social and economic development. But the Committee No. 4, which is responsible for these affairs, can propose to increase or decrease the budget drafted in the annual finance bill or can propose the private bill if needed. If explanation of this committee has sufficient reason, the entire assembly can approve this proposal.

5. Powers of the Committee No.4

Though the power of the Committee is clearly spelt out in the internal rule of the National Assembly, in reality the Committee still has limited function. With a legislative function, the Committee has oversight powers of military and enquiries only. During the process of budget preparation, the committee has no role. The committee has limited access to all defense budget documents, except the overall budget. The defense budget is usually lump sum without details.¹⁰

The Committee No.4 as well as other Committee of the National Assembly can summon ministers or any figure to clarify or explain about any things related to the fields of their responsibilities. Therefore, the Committee No. 4 can call upon co-ministers of defense or co-ministers of interior to explain the irregularities in the fields of security and national defense.

The Committee also has no role in Cambodia's participation in peace missions before the troops are sent abroad or decision over whether Cambodia should send its troop abroad or not. So far, Cambodia has sent some military personnel to the peace keeping and demining abroad including Sudan.

With defense procurement, the Committee has no right at all. Except with the whole budget package, the minister of defense has no obligation to provide the committee or the parliament with detailed information on procurement decision even with large amount of budget. All procedures and decisions of contracts and procurements in military and security are conducted by the Ministry of Defense and Ministry of Interior themselves.

Except the review of the draft law on defense and security such as "Law on Conscription", and reviewing Conventions or Treaties, the committee has no role in preparing the security policy, the defense concept (white paper), the crisis management concept, force structure and

planning, military strategy, etc. The Committee has no power on the defense human resources management plan, deciding on the size of military or appointment of high ranking military officials.

6. Some Comparative Analyses

In Southeast Asia, the structures of the National Assembly are different according to the system and the specific needs of each country.

In the Philippines, there are two kinds of committee in the House of Representative: standing committees and special or ad-hoc committees. There are 57 standing committees and 16 special committees (see Table 1).

The Committee on National Defense and Security has its jurisdiction to control all matters directly and principally relating to national defense and national security, the Armed Forces of the Philippines, peace process, citizens army, selective services, forts and arsenals, military bases or reservations and yards, coast and geodetic surveys, and disaster relief and rescue. There are 85 Members in the committee.

In Thailand, there are 31 standing committees in which 2 committees: committee on Arms Forces and Committee on Police Affairs are supervising on security issues (see Table 2).

Table 1: Committees in the Philippines House of Representatives

STANDING COMMITTEES	CHAIRPERSON
1 ACCOUNTS	Barbers, Ace S.
2 AGRARIAN REFORM	Ipong, Gregorio T.
3 AGRICULTURE & FOOD	Macarambon, Benasing Jr. O.
4 APPROPRIATIONS	Andaya, Rolando Jr. G.
5 AQUACULTURE AND FISHERIES RESOURCES	Villafuerte, Luis R.
6 BANKS AND FINANCIAL INTERMEDIARIES	Lopez, Jaime C.
7 BASIC EDUCATION AND CULTURE	Reyes, Edmundo Jr. O.
8 CIVIL SERVICE AND PROFESSIONAL REGULATION	Nepomuceno, Francis 'Blueboy' L.
9 CONSTITUTIONAL AMENDMENTS	Jaraula, Constantino G.
10 COOPERATIVES DEVELOPMENT	Pablo, Ernesto 'Ernie' C.

¹⁰ Based on interviews conducted by the Author.

11 DANGEROUS DRUGS	Ablan, Roque Jr. R.
12 ECOLOGY	Acosta, J.R. Nereus O.
13 ECONOMIC AFFAIRS	Salceda, Joey Sarte
14 ENERGY	Badelles, Alipio 'Tikbong' V.
15 ETHICS AND PRIVILEGES	Cajes, Roberto C.
16 FOREIGN AFFAIRS	Cuenca, Antonio V.
17 GAMES AND AMUSEMENTS	Almario, Mayo Z.
18 GOOD GOVERNMENT	Defensor, Arthur D.
19 GOVERNMENT ENTERPRISES AND PRIVATIZATION	Jala, Eladio M.
20 GOVERNMENT REORGANIZATION	Dadivas, Rodriguez D.
21 HEALTH	Yapha, Antonio Jr. P.
22 HIGHER AND TECHNICAL EDUCATION	Villar, Cynthia A.
23 HOUSING AND URBAN DEVELOPMENT	Zialcita, Eduardo C.
24 HUMAN RIGHTS	Rosales, Loretta Ann P.
25 INFORMATION COMMUNICATIONS TECHNOLOGY	Kintanar, Simeon L.
26 INTERPARLIAMENTARY RELATIONS AND DIPLOMACY	Silverio, Lorna C.
27 JUSTICE	Datumanong, Simeon A.
28 LABOR AND EMPLOYMENT	Barinaga, Roseller L.
29 LEGISLATIVE FRANCHISES	Zubiri, Juan Miguel F.
30 LOCAL GOVERNMENT	Macias, Emilio II C.
31 MINDANAO AFFAIRS	Zamora, Manuel 'Way Kurat' E.
32 MUSLIM AFFAIRS	Arbison, Munir M.
33 NATIONAL CULTURAL COMMUNITIES	Chungalao, Solomon R.
34 NATIONAL DEFENSE AND SECURITY	Golez, Roilo S.
35 NATURAL RESOURCES	Banaag, Leovigildo B.
36 OVERSIGHT	Suarez, Danilo E.
37 PEOPLE PARTICIPATION	Nieva, Ernesto 'Banzai' A.
38 POPULATION AND FAMILY RELATIONS	Uy, Reynaldo S.
39 POVERTY ALLEVIATION	Mercado, Roger G.
40 PUBLIC INFORMATION	Remulla, Gilbert C.
41 PUBLIC ORDER AND SAFETY	Espino, Amado Jr. T.
42 PUBLIC WORKS AND HIGHWAYS	Singson, Eric D.
43 RAILWAYS AND RO-RO SYSTEMS	Baculio, Augusto H.
44 REVISION OF LAWS	Fua, Orlando Jr. A.
45 RULES	Nogralas, Prospero C.
46 RURAL DEVELOPMENT	Olaño, Arrel R.
47 SCIENCE AND TECHNOLOGY	Diaz, Antonio M.
48 SMALL BUSINESS & ENTREPRENEURSHIP DEVELOPMENT	Sy-Alvarado, Wilhelmino M.
49 SOCIAL SERVICES	Dumarpa, Faysah RPM

50 SUFFRAGE AND ELECTORAL REFORMS	Locsin, Teodoro Jr. L.
51 TOURISM	Chatto, Edgar M.
52 TRADE AND INDUSTRY	Cua, Junie E.
53 TRANSPORTATION	Puentevella, Monico O.
54 VETERANS AFFAIRS AND WELFARE	Dumpit, Tomas M.
55 WAYS AND MEANS	Lapus, Jesli A.
56 WOMEN	Joson, Josefina M.
57 YOUTH AND SPORTS DEVELOPMENT	Unico, Renato 'Kuya Jojo' Jr. J.
SPECIAL COMMITTEES (Adhoc)	CHAIRPERSON
1 BASES CONVERSION	Uy, Edwin C.
2 BICOL GROWTH AREA	Alfelor, Felix Jr. R.
3 EAST ASIAN GROWTH AREA	Malanyaon, Corazon N.
4 EDUCATION AND WELFARE OF SPECIAL PERSONS	Lacson, Jose Carlos V.
5 EXPORT PROMOTION	Hizon, Joey D.
6 FOOD SECURITY	Chavez , Leonila V.
7 GLOBALIZATION AND WTO	Teves, Herminio G.
8 METRO MANILA DEVELOPMENT	Biazon, Rozzano Rufino B.
9 MILLENNIUM DEVELOPMENT GOALS	Soon-Ruiz, Nerissa Corazon
10 MOUNT PINATUBO	Diaz, Antonio M.
11 NORTHWEST LUZON GROWTH QUADRANGLE	Estrella, Conrado III M.
12 OVERSEAS WORKERS AFFAIRS	Lagman, Edcel C.
13 PEACE, RECONCILIATION AND UNITY	Ocampo, Satur C.
14 PRIORITY PROVINCES	Espinosa, Edgar T.
15 REFORESTATION	Seachon-Lanete, Rizalina
16 SOUTHERN TAGALOG DEVELOPMENT	Mandanas, Hermilando I.

Source: Website of the Philippines House of Representatives

Table 2: The Standing Committees of the House of Representatives of Thailand (2002)

Names of Standing Committee

1. Committee On Administrative Affairs
2. Committee On Agriculture And Co-Operatives
3. Committee On The Armed Forces
4. Committee On Children, Youth, Women And The Aged
5. Committee On Commerce
6. Committee On Communications And Telecommunications
7. Committee On Consumer Protection
8. Committee On Corruption Prevention And Suppression
9. Committee On Economic Development
10. Committee On Education

11. Committee On Energy
12. Committee On Budget Administration Controlling
13. Committee On The Follow-Up Of The Implementation Of The Resolutions Of The House Of Representatives
14. Committee On The Follow-Up Of The Narcotics Prevention And Suppression
15. Committee On Foreign Affairs
16. Committee On The House Of Representatives Affairs
17. Committee On Industry
18. Committee On Justice And Human Rights
19. Committee On Labour
20. Committee On Monetary Affairs, Finance, Banking And Financial Institutions
21. Committee On Natural Resources And Environment
22. Committee On Police Affairs
23. Committee On Political Development
24. Committee On Public Health
25. Committee On Religion, Art And Culture
26. Committee On The Review Of The Minutes Of The Proceedings Of The House Of Representatives
27. Committee On Science And Technology
28. Committee On Social Welfare
29. Committee On Sports
30. Committee On Tourism
31. Committee On Transport

Source: Website of The Standing Committees of the House of Representatives of Thailand (2002)

Table 3: Name of Committees supervising Security Sector Governance in Selected Countries

Country	Name of Committee
Cambodia	Committee on Interior Affairs, National Defense, Investigation, Clearance and Inspection
Philippines	Committee on National Defense and Security
Indonesia	Commission for Defense, Foreign Affairs and Information
Thailand	Committee on the Arms Forces Committee on Police Affairs

Source: Compiled by the Author

7. Challenges in Security Sector Governance in Cambodia

The committee No. 4 has a crucial role in the oversight of the government on the national security and national defense fields. As defence and intelligence expenses are still considered top confidential matter for Cambodia, some data and information are not accessible by the committee members. Hence, the Committee is facing many challenges as follows:

Limited Power of the Committee

Though the Constitution clearly spells out the roles of the NA, the implementation and conducting of its power is still limited. There is no clear description of defense and security budget in the Budget Bill submitted to the committee. The procurement related to military and security including expenses in intelligence and purchases of weapons and military procurement are never revealed to the Committee.

Lack of shared information between NA and MND and MOT

The Committee No. 4 has a loose contact with the Ministry of Interior and Ministry of Defense. Some information required by the Committee is still considered confidential. Therefore, the Committee still has limited access to the information and database concerning national defense and security.

Limited Human and Financial Resources

With limited capacity of the MP and supporting staff, the committee is facing difficulty to conduct research and prepare comments or advice on defense and security aspect, especially in strategic decision. On the other hand, the Committee has no budget to conduct any research and travel to participate in regional or international workshops and conferences.

8. Conclusion and Recommendation

As defense and security budget including intelligence spending is top secret matter of the nation, Cambodian parliament has limited capacity to oversight security sector governance.

The security sector governance should be subject to the same standards of efficiency, equity and accountability as any other [public] service. Consequently, apart from the security apparatus, the security sector includes the elected and duly appointed civil authorities, such as the executive government, the relevant ministries (so-called ‘power ministries’, particularly the ministries of defence and the interior), the parliament and its specialised committees, as well as the judicial authorities and special oversight bodies such as human rights commissions and ombudsmen. The role of these bodies is to ensure that the security apparatus is managed in an efficient and effective way and is held accountable to current standards of democracy and human rights.

Following recommendations should be taken into account for legislative power especially the Committee of Interior Affairs, National Defense, Investigation, Clearance and Civil Service for strengthening the effective and efficient control and investigation on national security and national defense:

- The committee on Interior Affairs, National Defense, Investigation, Clearance and Civil Service should have its own package budget for working.
- The committee should employ experts who have expertise on the military affairs and national security especially expertise on international relation, foreign policies, defense studies and preparing strategies related to the fields.
- The committee could be allowed to participate in main process of the Ministry of National Defense and the Ministry of Interior such as military and national security strategy preparation, military procurement, weapons purchasing, mission of security force in peace keeping in framework of the United Nations etc., (But the participation for only monitor and transparency matter but not interference in the executive affairs).

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