



GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF
ARMED FORCES (DCAF)

WORKING PAPER SERIES – NO. 75

**EXPERIENCE OF WESTERN-EUROPEAN
PARLIAMENTS IN DEMOCRATIC CONTROL
OF ARMED FORCES**

Senator Mario Palombo

Member of the Italian Parliament

Geneva, August 2002

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EXPERIENCE OF WESTERN-EUROPEAN PARLIAMENTS IN DEMOCRATIC CONTROL OF ARMED FORCES¹

Senator Mario Palombo

Before elaborating on the subject I was invited to speak on, please allow me to underline that Italy's foreign and defence policy is and has very often been bipartisan, and agreements have often been reached by a nearly unanimous consent in Parliament.

Italian political parties, both in Government and in Opposition, have always shared, even before the end of the Cold War, the main values and principles underlying the Republic's foreign and defence policy. Throughout the several Governments and Parliaments that Italy has had since World War 2, such policy has unfolded within the North Atlantic Alliance and the Western European Union, in line with Italy's democratic and pro-European nature.

The end of the bipolar world, which saw the confrontation between the U.S. and Western Europe on one side and the U.S.S.R. and Eastern Europe on the other side, has put an end to the static confrontation of the world's main powers. The end of this confrontation has opened up cooperation and dialogue between all European countries and America, and has led to the growth of a multipolar international scenario, where new international actors are emerging.

This has brought about crises and regional international instability since the last decade of the past century, which have involved Europe itself, in the Balkan region. In this scenario, civilians have often suffered grave human rights violations and the main international interests have often been jeopardised. The United States and Europe have intervened with a number of different tools, and often with troops, to maintain or restore balance and peace, for the benefit of the international community.

¹ Paper presented at the workshop on the "Experience of South East European States in the Parliamentary Control of Armed Forces: Achievements and Problems", organised by the National Institute for Strategic Studies, Kyiv, Ukraine, and the Geneva Centre for Democratic Control of Armed Forces (DCAF), 26-28 September 2001. The views expressed in this paper are those of the author and do not necessarily reflect the position of the Geneva Centre for the Democratic Control of Armed Forces.

I take pride in saying that over the last few years Italy has given her political, economic and military contribution and has become the third largest contributor of peace-keepers abroad. Some 10,000 troops from the Army, the Navy, the Air Force and the Carabinieri are presently on secondment abroad.

It think it is clear, on the basis of what I have said so far, that Italian armed forces have contributed to and participated in international peace missions, in Italy and abroad, exclusively by virtue and under the control of Parliament.

In Italy, the houses of Parliament (Chamber of Deputies and Senate) may actively surveil the armed forces by virtue of the provisions of the Constitution, establishing in the first place that Italy is a parliamentary democracy; secondly, Articles 10 and 11 of the Constitution of my country state that "Italy shall comply with received rules of international law, reject war as a means to solve international controversies and foster international organisations pursuing peace and justice among the peoples". This justifies and legitimates Italy's active role in the military actions abroad promoted by the international organisations of which Italy is a member, and which are finalised to the prevention of international crises and the fight against violations of humanitarian law.

I would like to underline that, in the case of the participation of Italian armed forces to international peace-keeping or human rights protection missions, a practice has emerged over the last few years, whereby Government decisions are bound by the relevant decisions of the two houses of Parliament (although such procedure is strictly required only for a declaration of war).

Such practice, which envisages Parliamentary approval also for peace-keeping and peace enforcement missions, has emerged from the political need to assess the motivations and the international political legitimacy of each operation, the adequacy of the technical decisions made by the Executive, the operation's compliance with the international obligations Italy has taken, and also to make provisions for its cost.

Italian armed forces usually take part in the peace support operations promoted by the international organisations of which Italy is a member.

In these cases, the participation of our forces in the theatre is agreed between the country involved and the international organisation (UN or NATO), which has called for the operation. In cases of international policing or peace-enforcing missions, the deployment of contingents may be decided without the consent of the country involved, but still under the aegis of an international organisation.

After participation of our contingents to any such mission has been decided, the Government shall go before Parliament to promote a parliamentary debate, which shall focus on: the overall profile of the mission; whether participation is appropriate; the ways in which the mission should be performed; appropriation of the financial means to provide for its cost. The political level of such debates is always very high and relevant sittings are followed with a keen interest by the Italian public.

Parliamentary decisions on the funding of individual missions are an essential primary source of legislation, since the funds to put in place a military response to international crises and their unpredictable consequences – which require the deployment of military forces – are not provided for in the yearly budgets passed by Parliament for ordinary Government spending.

An Act of Parliament to deploy military contingents abroad authorises the mission, sets its time limits and costs, and lays down that participating troops shall comply not with wartime, but with peacetime military criminal code. This is meant to stress that Italy's military presence abroad is wholly finalised to peace-support operations.

The practice I have hereby shown emerges from the dialogue between the Executive and Parliament, which in Italy is essential in order to link Government activity with the constant and renewed confidence of Parliament.

I would like to point out that Parliament performs its functions of democratic control of the armed forces also while a mission is in progress and with reference to the outcome of a mission, through the submission of questions and even, if necessary, through the establishment of a parliamentary committee of enquiry, to be vested with the same powers as the judiciary. Furthermore, delegations of Members of Parliament may visit and inspect Italian military personnel abroad.

Finally, I would like to mention that the Italian Parliament keeps the armed forces under constant check through the approval of modernisation, research and development plans for weapon systems and the procurement of equipment for the individual armed forces. This is done under Law no. 436 of 4 October 1988 ("An Act to simplify and surveil procedures for defence procurement at central level"), enabling Parliament to pass every year the implementation of each procurement plan submitted by the Government. In other words, Parliament controls that the capacity of the armed forces is constantly in line with the primary defence requirements of the Republic, which rejects, as I already mentioned, war as a tool to solve international controversies.

I may therefore say that, in my country, democratic parliamentary control of the armed forces is a deeply-rooted and efficient practice.

Before concluding, I need to recall the tragic and cowardly attacks which unexpectedly hit the United States of America on 11 September. These attacks have shocked and alarmed public opinion worldwide, regardless of the political stances of Governments or the religious faith of peoples. This happened because the wounds inflicted on the US public without a previous declaration of war are so horrendous and despicable that they appear to be directed against all mankind.

The reaction of consciences this week has been followed by the actions of the United Nations, the US Administration and the Atlantic Alliance, which have registered the support of the leading world powers and most Islamic countries.

Action must be taken against fanatical criminals who aim at poisoning relations amongst the peoples of the earth and bring them back to a state of primeval barbarism. No crusades and holy wars are involved. There can be no doubt that, if we are to move from planning to implementing actions to capture terrorists and dishevel their operational networks, such actions need to be finely targeted and the lives, properties and interests of innocent people must needs be safeguarded.

As a member of the ruling coalition in Italy, I will say to you that the Government of my country will follow this policy in a bipartisan spirit with the Opposition, engaging –

if necessary – personnel and equipment of the armed forces with the consent of the public opinion and the political parties represented in the Parliament and under the aegis of the international organisations of which Italy is a member.



Established in 2000 on the initiative of the Swiss government, the Geneva Centre for the Democratic Control of Armed Forces (DCAF), encourages and supports States and non-State governed institutions in their efforts to strengthen democratic and civilian control of armed and security forces, and promotes international cooperation within this field, initially targeting Euro-Atlantic regions.

The Centre collects information, undertakes research and engages in networking activities in order to identify problems, to establish lessons learned and to propose the best practices in the field of democratic control of armed forces and civil-military relations. The Centre provides its expertise and support to all interested parties, in particular governments, parliaments, military authorities, international organisations, non-governmental organisations, academic circles.

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