

Committee on Foreign Affairs

Tasks and Powers

Nurturing relations with foreign states is a matter for the Federation, and more specifically for the Federal Government. However, regarding both the transfer of sovereign powers to international organisations, and treaties that regulate the political regulations of the Federation or relate to subjects of federal legislation, the Basic Law (Germany's constitution) stipulates that Parliament must be involved. In practice, this involvement takes place via the Committee on Foreign Affairs.

The Committee on Foreign Affairs is one of the largest and most prestigious of the German Bundestag's committees. It is one of only four of the twenty-two specialised committees to be anchored in the constitution. Article 45 a of the Basic Law clearly states that the Bundestag must appoint a committee on foreign affairs, and thus recognises Parliament's involvement in shaping foreign policy. The very fact that it is enshrined in the constitution ensures that the Committee on Foreign Affairs has a high standing among the German Bundestag's committees. Anyone who wished to abolish the Committee on Foreign Affairs or even change its name would need to amend the constitution, which would require the support of two thirds of the Members of the Bundestag as well as two thirds of the votes in the Bundesrat.

The tasks and powers of the Committee on Foreign Affairs match its status and significance. The Committee on Foreign Affairs is the only committee of the German Bundestag to scrutinise, monitor and guide the Federal Government's actions in the field of foreign policy. Naturally, international crisis areas are at the forefront of this: currently, the situation in Iraq, Iran and Afghanistan, as well as the Middle East, but also in Kosovo and Africa, the conflicts in the Caucasus, in North-East and South-East Asia, the situation of countries in transition in the territory of the former Soviet Union, but also of Russia itself, and the impact on regional and global stability of the rise of new centres of power like China and India.

In addition, the Committee on Foreign Affairs is responsible for the ratification of important treaties under international law. For these to apply in Germany, an "instruction relating to the national application of law", as the Federal Constitutional Court put it, is needed; these instructions are prepared for the plenary by the Committee on Foreign Affairs.

It was the Federal Constitutional Court, in particular, that in several fundamental decisions significantly expanded the importance and the scope for action in foreign policy of the German Bundestag and Committee on Foreign Affairs. Germany's highest court referred in 1994 to a "parliamentarisation of foreign policy" and in 2001 to the Bundestag's right to "participate in foreign relations". The court has made the most important foreign-policy decision of all, namely whether to deploy the armed forces, contingent on the "– in principle, prior – constitutive consent of the German Bundestag". Deliberations on whether to grant, modify or extend the Bundeswehr's mandates now occupy a great deal of the Committee on Foreign Affairs' time, whether for the operations in Afghanistan, Kosovo, in African states or, as was recently the case, in Lebanon. These important decisions, which can carry risks to life and limb for Bundeswehr personnel, cannot be made by the Federal Government alone. They must be taken in a transparent and democratic process by the constitutional body with the most immediate democratic legitimacy, namely the German Bundestag. Only in this way is a link between these decisions and the people ensured.

The Committee on Foreign Affairs is the committee responsible for carrying out the preparatory work on these decisions for the plenary, following detailed deliberations. To date, the plenary has not once deviated from a recommendation by the Committee on Foreign Affairs.