

SUPRANATIONAL PARLIAMENTARY AND INTERPARLIAMENTARY ASSEMBLIES IN 21st CENTURY EUROPE



SENAT RZECZYPOSPOLITEJ POLSKIEJ



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SUPRANATIONAL PARLIAMENTARY
AND INTERPARLIAMENTARY ASSEMBLIES
IN 21st CENTURY EUROPE

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CHANCELLERY OF THE SENATE

SUPRANATIONAL PARLIAMENTARY
AND INTERPARLIAMENTARY ASSEMBLIES
IN 21ST CENTURY EUROPE

Proceedings of the ECPRD seminar

Warsaw, 8 - 9 May 2006

CHANCELLERY OF THE SENATE

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Introduction to the Programme
of the seminar on
“Supranational Parliamentary
and Interparliamentary Assemblies
in 21st Century Europe”
under the patronage of the European
Centre for Parliamentary Research
and Documentation (ECPRD)
Warsaw, May 8-9, 2006

Origins of the Seminar

On May 18th and 19th, 2004, members of the European Conference of Presidents of Parliaments met at the seat of the Council of Europe in Strasbourg. Parliament presidents and secretaries general deliberated among other things on the directions of the development of cooperation between national parliaments, the Parliamentary Assembly of the Council of Europe and other European parliamentary assemblies. The Conference demonstrated the need to survey and systematise the existing supranational parliamentary and interparliamentary cooperation in Europe.

On July 3rd, 2004, a question of rationalisation of interparliamentary cooperation in Europe was raised by the Conference of Speakers of EU Parliaments, which was held in The Hague. The President of the Italian Chamber of Deputies, Mr. Pier Ferdinando Casini, and the then President of the German Bundestag, Mr. Wolfgang Thierse suggested the need for a debate which would examine “the development of interparliamentary structures, assemblies and institutions at the European level and review their effectiveness”. Mr. Thierse was appointed rapporteur on the issue and was asked to prepare a report for the following Conference of Speakers that was to take place in Budapest in May 2005.

In December 2004, the Secretary General of the German Bundestag, Mr. Wolfgang Zeh – with a view of compiling the Report by the President Thierse, circulated a questionnaire to the EU parliaments, focusing on the functioning of the six interparliamentary organisations: the Parliamentary Assembly of the Council of Europe (PACE), the OSCE Parliamentary Assembly (OSCE PA), the NATO Parliamentary Assembly (NATO PA), the Assembly of WEU, the IPU and the Euro-Mediterranean Parliamentary Assembly (EMPA).

Earlier, on October 15th, 2004, at the annual Conference of ECPRD Correspondents held in Berlin, the correspondent of the Polish Senate Chancellery proposed that ECPRD prepare a survey of the existing permanent forms of multilateral cooperation between the Council of Europe member state parliaments – particularly a survey of interparliamentary assemblies in which these parliaments participate. To this end, she came forward with the initiative

to organise a seminar in 2006 in Warsaw, which would lead to creating such survey and systematising its findings.

On March 4th, 2005 the ECPRD Executive Committee added the above seminar to the 2006 agenda of ECPRD meetings.

On May 6th and 7th, 2005, the Conference of the Speakers of European Union Parliaments deliberated in Budapest. During the Conference – in accordance with the conclusions from the Hague Conference in 2004, President of the German Bundestag, Mr. Thierse reported on the results of the mentioned above poll among the EU parliaments. He noticed that the overwhelming majority of parliaments had indicated that the six interparliamentary assemblies, which were the focus of interest in the questionnaire [PACE, OSCE PA, NATO PA, A WEU, IPU and EMPA], were conducting their tasks satisfactorily. However, there were three areas where reforms seemed possible and necessary, namely: a) Cooperation between the Council of Europe and the OSCE Parliamentary Assemblies, b) the role of the WEU, c) the Mediterranean region.

The Conference decided that the discussion on interparliamentary cooperation in Europe would be continued at its successive meeting held in 2006 in Copenhagen. Materials and main points for the discussion will be prepared by a working group on rationalisation of interparliamentary cooperation in Europe appointed by the Danish Presidency of the Conference.

In mid-May 2005, preliminary consultations were held concerning the possible inclusion of the Warsaw seminar on multilateral parliamentary cooperation in Europe, planned for 2006, to the schedule of the working group on rationalisation of interparliamentary cooperation in Europe appointed by the Conference of the Speakers of European Union Parliaments.

In late June early July 2005, we received the following information:

- The next European Conference of Presidents of Parliaments will be held in Tallinn on May 30th – June 1st, 2006;
- The next the Conference of the Speakers of European Union Parliaments will be held in Copenhagen on June 29th – July 2nd, 2006.

In August 2005, it was decided that the ECPRD seminar in Warsaw would take place on May 8th-9th, 2006 on the following topic: Supranational parliamentary and interparliamentary assemblies in 21st century Europe.

On September 2nd, 2005, Request No. 456 to answer the following two questions was dispatched to ECPRD correspondents:

- To which interparliamentary assemblies, conferences, associations, organisations, etc. does your parliament presently belong as a member, associate member, observer, etc.?

- Which interparliamentary assemblies, conferences, associations, organisations, etc. does your parliament plan to join as a member, associate member, observer, etc. in the foreseeable future?

So far we have received replies from 35 out of 58 correspondents. They have been compiled into a single review to which we are preparing an introduction.

In early October 2005, a preliminary programme of the ECPRD seminar in Warsaw was proposed.

On October 12th, 2005, secretaries general of the parliaments of the Troika (Hungary, Denmark and Slovakia) of the Conference of the Speakers of European Union Parliaments met in Copenhagen. In conclusion it was decided to circulate to the EU parliaments a questionnaire compiled by the Danish parliament concerning the number of parliamentarians participating in interparliamentary meetings and the time they are away on business. It was agreed that a working group at the expert level on the rationalisation of interparliamentary cooperation in Europe would be set up at the end of 2005. It was indicated that further consultations as to the above question and following the meeting of the working group, would be conducted at the meeting of the Secretaries General of the Parliaments of the EU in Copenhagen, on February 9th and 10th, 2006, and at the European Conference of Presidents of Parliaments in Tallin, on May 30th – June 1th, 2006. The interest in the ECPRD seminar in Warsaw and as to details of its program was expressed.

On November 15th, 2005, Secretary General of the Folketing, Henrik Tvarnø, dispatched to secretaries general of the EU parliaments a questionnaire on the actual participation of parliamentarians from the EU parliaments in interparliamentary meetings.

The meeting of the working group on the rationalisation of interparliamentary cooperation in Europe took place in Copenhagen on February 9th, 2006. The survey conducted by the Folketing on the actual participation of parliamentarians from the EU parliaments in interparliamentary meetings was discussed. The program of the ECPRD seminar in Warsaw on the subject of Supranational parliamentary and interparliamentary assemblies in 21st century Europe was presented. Conclusions of the Working Group confirmed that a report on the rationalisation of European Interparliamentary Cooperation would be prepared by the Danish presidency for the forthcoming Conference of EU Speakers in Copenhagen at the end of June and the beginning of May. The report should be based on the Thierse Report submitted to the Conference of Speakers in Budapest, results of the questionnaire prepared by the Danish Presidency and the conclusions of the ECPRD seminar in Warsaw.

Objectives of the Seminar

To date it has been agreed that the ECPRD seminar on the topic Supranational parliamentary and interparliamentary assemblies in 21st century Europe to be held in Warsaw in May 2006 should meet the following objectives:

Preparation within the ECPRD framework of a review of the existing forms of permanent multilateral interparliamentary cooperation, which involves the Council of Europe member state parliaments¹, which should include:

- Compiling an exhaustive and up-to-date list of the existing forms of permanent multilateral interparliamentary cooperation, which involves the Council of Europe member state parliaments;
- Categorising the listed forms of permanent multilateral interparliamentary cooperation along the lines of the legal and organisational bases of their functioning;
- Sketching out a brief history of the creation and existence of the listed forms of permanent multilateral interparliamentary cooperation, as well as their achievements;
- Describing formal and informal functions and competencies of the listed forms of permanent multilateral interparliamentary cooperation, as well as the organisation of work therein;
- Preparing a summary that will include an assessment of the listed forms of permanent multilateral interparliamentary cooperation, particularly from the perspective of their separation, complementariness, or overlap (duplication) in their functions and tasks, and in the case of the European Union, an assessment of that cooperation from the perspective of democratic legitimisation of the individual areas of activities of the Union's executive bodies;
- Creatively participating in the activities of the working group on rationalisation of interparliamentary cooperation in Europe, which in accordance with the decision made at the meeting of the Conference of Presidents of EU Parliaments in Budapest on May 6th and 7th, 2005, has been appointed by the current Danish Presidency of that Conference.

¹ It would be best if the review was posted on the ECPRD website and regularly updated.

Importance of achieving seminar objectives

Since the beginning of the 1990s, multilateral interparliamentary cooperation, which involves the Council of Europe member state parliaments has been developing at a very brisk pace. At the same time, information about already existing (but transforming) forms of this cooperation and those that are being developed is limited and at times difficult of access. A review of the existing forms of permanent multilateral interparliamentary cooperation, which involves the Council of Europe member state parliaments:

- Would fill that information gap and thus facilitate communication and cooperation between these parliaments. That would be helpful not only to parliamentary functionaries but also to parliamentarians;
- Would facilitate planning and day-to-day coordination of the activities of these parliaments;
- Would provide a possibility for mutual adaptation of the forms of permanent multilateral interparliamentary cooperation that already exist and that are under development, thus reducing the overlap in their functions and tasks;
- In the case of the European Union, would facilitate shaping the forms of permanent multilateral interparliamentary cooperation that already exist and that are under development in a manner ensuring the most effective reinforcement of democratic legitimisation of the individual areas of activities of the Union's executive bodies.

By S. Puzyna

Opening of the Seminar

EWA POLKOWSKA

Secretary General of the Chancellery of the Polish Senate

Ladies and Gentlemen, I welcome you warmly in the Polish Senate. I am pleased to see such large representation of the national, supranational and interparliamentary services. Your interest in the seminar confirms the importance of its selected topic. This topic is object of a debate currently taking place in Europe – a lively debate I might add. It is lively because taking action aimed at rationalising interparliamentary cooperation in Europe is a great challenge indeed.

I expect that we will take up this challenge and that the outcome of this seminar will be an example of rationalised and functional cooperation at which we are aiming. Such dignified group of participants promises a very interesting discussion and, I hope, also an animated exchange of opinions.

Please allow me to add a brief personal comment. More than 10 years ago, when I was a public servant here at the Senate, the Senate Chancellery had a wonderful boss who was my role model. That boss was Wojciech Sawicki.

Today, as I give him the floor, I would like to congratulate him warmly on his promotion to the post of Director General of the Secretariat of the Parliamentary Assembly of the Council of Europe.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much for your kind words. In fact, after such an introduction I'm not quite sure what I should say. Thank you very much indeed for your words of welcome. I have to say, it's a very special feeling being here in this room in the Senate, where for, I think, seven years I had a privilege to be a Secretary General. So you can easily imagine that for me it's like coming back home.

Mr Speaker of the Senate, Madame Secretary General, Dear Colleagues,

It's a pleasure to welcome you here in Warsaw at the seminar organised by the Polish Senate on the supranational parliamentary and interparliamentary assemblies in the 21st century Europe.

I wish to tell at the beginning that this is not for the first time that the Polish parliament organises a seminar in the framework of ECPRD, European Centre for Parliamentary Research and Documentation, activities. To remind you, two years ago, in March 2004 the Polish Sejm organised a seminar on the role of parliamentary legislative services in the legislative process. Earlier, in 2000, there was a seminar on the approximation of laws and parliamentary support to Central and East European countries. Again, in 1995 – on the role of parliamentary services in processing of state budgets, in 1996 – a seminar on EUROVOC, and in '93 and '94 – a series of seminars organised by the Sejm and Senate in Pułtusk.

So you see that the Polish parliament plays a really active role in the ECPRD activities. And I would like to thank wholeheartedly the authorities of this parliament for the active participation in our activities, for their commitment, for their support, openness and readiness to share with others information and experience.

This seminar is one of seminars co-organised by ECPRD. If you ask what the ECPRD is about, there are several answers which could be given. One of them would be "It's about sharing parliamentary information, about developing parliamentary cooperation". But another one might be also "ECPRD is about networking parliamentary staff". In fact, via our activities, via our seminars we allow staff of national parliaments to meet together. And we allow people dealing with usually similar, sometimes the same issues and the same tasks in

different national parliaments to meet, to talk to each other and share their experience. This is in fact as we, in the ECPRD Executive Committee, see our role – to network people. I see today's seminar as an integral part of this process.

We are supposed to talk today and tomorrow about international / interparliamentary assemblies in Europe. We know that there are a lot of them. I think, there are between 15 and 20 which operate in Europe. If we take into account those which operate in the world outside of Europe, we can easily reach some 20-30 more. Most of them – of those international assemblies – in fact, if I'm not wrong, with an exception of the European Parliament, address directly members of national parliaments. It means that members coming from your parliaments are supposed to play active role in several international assemblies. It takes their time, it takes your money, the money of taxpayers, and sometimes we can ask questions what this is all about, what kind of profits we in the national parliaments get in return from all those international assemblies. What's their role in today's Europe? Is there any kind of duplication as far as their activities are concerned? We can look at all of them and consider in a serious way the questions: Do we need all these assemblies? Are all of them really important and necessary?

As you know, I come from one of these international assemblies, Parliamentary Assembly of the Council of Europe, which is probably, among all the assemblies we talk about today, the oldest one in Europe. There are also several other colleagues from international assemblies present in this room. We have our thinking, our feelings, we have our arguments as far as activities of our assemblies are concerned. We believe we know how to argue about their activities, about their, in our view, important role in today's Europe. Now, the perspective of many colleagues here in this room coming from national parliaments might be different. You could see those assemblies in a different way than the staff working directly with them. So it would be extremely interesting to have – during our two days' discussion – a kind of confrontation, if I may say so, of these two approaches: of those coming from the international assemblies and those colleagues who come from national parliaments – to see how these two perspectives work together. Is there a common point, a link between these two perspectives? I believe it does exist but let's try to prove during these two days that this indeed is the case.

We have received from the Polish organisers, and I'm very grateful for this, a detailed paper on the origins, the background and objectives of this seminar. I'm not going to repeat all of what is put in this paper. I hope that all of you had a chance to read this document. Just one short statement on this. The very origin

of this seminar dates back to May 2004, to the previous conference of speakers, of presidents of European parliaments which was organised in Strasbourg. On the margin of each of these conferences there is always a meeting of secretaries general who discuss an activity report of ECPRD. And it was exactly during that meeting when the then secretary general of the Polish Senate came with the proposal to have a seminar on these issues, on questions of many international assemblies existing and working in Europe. There were subsequent events which followed this initiative and you can find a description of these events – the EU Speakers Conference, Thierse report, working group created by the EU Speakers Conference following a discussion of the Thierse report, and, coming in July this year, the next step – I mean a discussion at the EU Speakers Conference about the findings of the working group. You have all the background in the document so I'm not going into details, but I'm quite sure that elements of this background will be constantly coming into our discussion.

Ladies and Gentlemen,

Having said all this I welcome you again to this seminar. I believe on behalf of all us I express again my thanks to organisers of this seminar, to the Secretary General of the Polish Senate, to the staff of the Senate who is behind organisation of this seminar. Thank you very much indeed for the invitation to Warsaw and for all the preparatory work which you have done before the seminar has started.

Now having said all that, this is my real pleasure to give the floor to the Deputy Speaker of the Polish Senate, Mr Marek Ziółkowski.

MAREK ZIÓŁKOWSKI

Deputy Speaker of the Polish Senate

Thank you very much Mr Chairman.

Mr Chairman, Ladies and Gentlemen,

My role was made very easy by the previous speaker because he told you almost everything I wanted to tell. I don't want to repeat all those details about the real target of the seminar but just to repeat some elements. I would like to say once again that we are welcoming all of you on behalf of the Polish Senate. We are happy that you are here.

Today's seminar has been organised in response to a need that was repeated by successive conferences of leaders of the Council of Europe and European Union parliaments, because we all know that there is a sort of something that is indispensable to review the system of cooperation between European and national parliaments from the perspective of its effectiveness and potential rationalisation. There are plenty of fora and plenty of debates going on since 1980s – naturally the situation has completely changed since 1989 – we could mention here the reports of John Priestman and Heinrich Klebes and others. And naturally it was decided by the conferences mentioned by Mr Sawicki that the Danish presidency would draw up a report on rationalising interparliamentary cooperation in Europe. Its draft is to be brought up for consultation at the European Conference of Presidents of Parliaments in Tallinn in late May which I will be attending. I hope to be present at the discussion on the final report during the meeting of the Conference that will be held in Copenhagen. So the Warsaw seminar is a step in the effort to help prepare that report. Your role, therefore, is to achieve the following two objectives:

- first of all to review the current forms of interparliamentary cooperation pursued by the Council of Europe member state parliaments
- secondly, elaborate theses relative to rationalising interparliamentary relations in Europe for the purpose of making a creative contribution to preparations for the Copenhagen Conference of Speakers of the EU Parliaments.

Naturally, plenty of elements could be taken into account, but in order to be brief and in fact to conclude I would like to wish all of you and in fact all of us

fruitful deliberations. And in the case of the seminar the fruits of the debate are particularly important and desired. Let us all contribute to the effect that interparliamentary relations within Europe, within the European continent, would be at the same time committed and rational, democracy strengthening and policy effective, regular and not too time-consuming, and, last but not least, interesting, intellectually stimulating and pleasant. Thank you for your attention.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much Mr Speaker for your introductory speech to our seminar. It's quite important what you have said about the Copenhagen meeting of Speakers. We believe that you could transmit to the Speakers a message including our conclusions, and that what we shall discuss during these two days. We shall do our best that you receive a good, concise and concrete report of our seminar, which you could possibly use during a debate with the Speakers in Copenhagen.

MAREK ZIÓLKOWSKI

Deputy Speaker of the Polish Senate

I'll try to be up to the expectations.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much indeed. Mr Speaker, you are most welcomed to stay with us and to follow our debate. It takes two days, we know that you are busy, that there are many political developments going on in Poland at the moment. Please remember that you are most welcome to stay, but we shall understand that you have also other duties.

MAREK ZIÓLKOWSKI

Deputy Speaker of the Polish Senate

With your kind permission, I'm going to stay for an hour and a half and then I have to put flowers at the Unknown Soldier Tomb in Warsaw to celebrate the victory in the World War II.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much.

Dear Colleagues, at this morning session we have the opening address by Kjell Torbiörn who is sitting on my left. He is the Head of the Office of the Secretary General of the Parliamentary Assembly of the Council of Europe and a long experienced member of the staff of the Parliamentary Assembly of the Council of Europe. He will present and in fact overview a historical background of supranational parliamentary assemblies which exist in Europe after 1945.

His address will be followed by two keynote speakers, Mr Puzyna and Mr Kieniewicz from the Polish Senate and Sejm. They will present their speeches under the heading of the first of our sessions, namely "Supranational parliamentary and interparliamentary assemblies in 21st century Europe: systemisation proposal".

And after these three presentations we shall have a joint debate, a discussion, and questions addressed to keynote speakers by those who will exchange views, among all of us about what we have just heard during these three presentations. So, with your permission, it is my pleasure to give the floor to Kjell Torbiörn.

Opening Address

KJELL TORBIÖRN

Head of the Office of the Secretary General
of the Parliamentary Assembly of the Council of Europe

Supranational parliamentary
and interparliamentary
assemblies in Europe between
1945 and 2005:
after the Cold War and détente
(1989-2005) and before 1989

Thank you very much Mr Sawicki.

Mr Speaker, Madame Secretary General, dear ECPRD Colleagues, Ladies and Gentlemen, I would like to thank our Polish hosts for excellent welcome they have arranged.

Mr Chairman, the subject today that you asked me to address is highly interesting and I immediately accepted to try to approach it when it was suggested to me. Only, when the title suggests that I should deal first with the post-cold war period and then with the cold war period, I have chosen to reverse the order as this seems more logical. I can see that the thought was that I should first cover the period more close to us, to the one in which we live, and only after that with one remote from us and hence of more theoretical interest. However, if we want to know how and why things develop, then we have to deal with them in chronological order. For, unless we have access to a time machine, the present can never influence the past. Only what precedes can influence what follows.

I shall restrict myself to Europe with only brief outlooks for comparison to areas outside Europe, such as North America. I shall deal with the whole ECPRD membership area.

First of all, a few definitions. The word “supranational” means “above nations or countries”. This is a little bit strange, because there are no examples

of a “supranational assembly” in the real world. Indeed, a “supranational assembly” is an impossibility for once an assembly is supranational, then the nations or countries composing it would have entered into confederation or federation. And it would cease being supranational and instead become confederal such as in Canada, or federal such as in the United States or Germany. I know what the words “supranational assembly” bring to mind – the European Parliament, of course. Indeed, the European Parliament’s publicity makes this claim for itself. However, I would argue that. From the strict point of view, the EP is not truly, or at least not completely supranational, because it has no complete legislative power, sharing this power, as it does, with the European Union’s Council of Ministers, which many commentators would agree still has the upper hand in the legislative process. After all, there is the Council of Ministers which finally decides on legislation at the end of the so called co-decision procedure.

Turning to a definition of the word “interparliamentary”, this one is easier. “Inter” means “between”, that is, an assembly organised between parliaments acting in cooperation. We have many examples of interparliamentary bodies: the European Parliament as it used to be until the first direct elections in 1979, the Parliamentary Assembly of the Council of Europe, the OSCE Parliamentary Assembly, the NATO Parliamentary Assembly, and outside Europe, the Andean Parliament, for example, or regional assemblies such as the Parliamentary Assembly of the Black Sea Economic Cooperation, the Nordic Council, and so on.

However, let us ask ourselves how the so called supranational assembly, if we accept this term for the European Parliament and its forerunners, and the various interparliamentary assemblies have fared and developed over all these years.

In 1945, at the end of the Second World War, there were four groups of countries. The first was that consisting of what we might call surviving democracies, such as the United Kingdom, Switzerland, and Sweden, which had managed to avoid German or Italian occupation and preserved democracy even in the war years. Here, we had more or less grand coalitions during the war. Political life in a way came to a halt as the populations rallied around the leader to ensure national survival. There were no real elections. In the United States Franklin D. Roosevelt was actually given a third, unprecedented presidential term. Government was strong and parliament was weak.

A second group were the countries that had been occupied during the war by the European Axis power. Here a cleansing procedure, often called the de-nazification, took place. In the elections people just wanted peace, rebuilding and strong governments. So strong people, essentially men, were

elected, such as de Gaulle in France who never truly appreciated party politics and parliamentary power and who later on would create the Fifth Republic, combining the strong presidency with a relatively weak parliament. For the governments it was also a matter of reasserting themselves and their countries' national identity, or in other words, the right of their country to be a subject of international law.

A third group can be said to have consisted of the so called people's democracies in Central and Eastern Europe. At first there were more or less free elections, soon however followed by communist takeovers such as in our host country Poland. So these countries were dominated for a long time by a communist party. Other parties had only a symbolic role, a kind of window-dressing function and the parliaments as such only served as rubber-stamping bodies. Characteristically, neither the Comecon, the Council of Mutual Economic Assistance, nor the Warsaw Pact had parliamentary set-ups within their structures.

In a fourth group there were countries like Spain or Portugal, still dictatorships, meaning that there was no real role for parliaments, even though they existed as purely advisory bodies, rubber-stamps and were not democratically elected.

Forgetting for a moment the Soviet-dominated central and eastern parts of Europe, where nothing really happened of relevance in this context, let us turn first to Western Europe, where indeed things started to happen relatively soon after the war. Here were the two factors. The first was the dream about a united federated Europe, at least in part modelled on the United States. This dream dated from long before the war. In fact, it had become prominent in the aftermath of the terrible experience of the World War I. This dream was accentuated by what happened during the World War II. If such a united, federated Europe would have come about, then of course there would have to be a powerful parliament – as strong as in the United States, where the power is strictly divided between the President, the Congress, i.e. the Senate and the House of Representatives, and the Supreme Court.

A second factor was that those who came to lead the movement, such as Sir Winston Churchill, were often the people who had been in power during the war, but were now out of power since the populations wanted to see new faces, not those associated with the dreary time of the war. Very often those people were or had become, as a result of their experiences, idealists. They joined together in the so called European Movement. Clearly, they wanted a strong role for parliaments, especially as Europe would now be one country, or at least a federation or confederation.

However, those in government were not quite so keen on this. The result was a Western European Union with only a consultative assembly. The same with the Council of Europe's Consultative Assembly, today called the Parliamentary Assembly. NATO with at first no assembly and then only one with consultative, deliberative powers and not formally connected to NATO. And finally, the Common Assembly of the European Coal and Steel Community.

Even the efforts, nearly successful, in the 1950s to shape a European Union of sorts, the European Political Community and European Defence Community, foresaw a leading role for governments, leaving parliaments in far less, legislatively speaking, powerful position than the one national parliaments enjoyed in the member states.

In Western Europe the interparliamentary bodies themselves never really asked for more powers, especially since they were also national parliamentarians who only really had this interparliamentary function as a sideline to their national duties, whether it was the Common Assembly of the European Coal and Steel Community, the Consultative Assembly of the Council of Europe or the Western European Union Assembly. Maybe they also felt that there was no real need at this time, when economies grew quickly and there was nothing really to complain about.

It was only by the mid 1970s, with the Helsinki Final Act of 1975, slow economic growth in the wake of 1974 energy crisis and the beginnings of a waning enthusiasm for what was at this time the EEC project, that people began to take a parliamentary role in the construction of Europe more seriously. The idea to have a European Parliament directly elected by the people of the at this time 9 members of the EEC, was essentially launched by the then French president Valéry Giscard d'Estaing and the then German chancellor Helmut Schmidt. The first direct elections to the European Parliament took place in 1979, but it should be noted that this body did not at first receive any truly increased powers. It was still strictly consultative.

However, the newly elected MEPs, or members of the European Parliament once installed started saying to themselves and others: "Hey, look, we are the only ones elected in this EEC set-up. The Council of Ministers is governmental body they are only indirectly representative of our people. The Commission is appointed, not elected at all. Why should we not have legislative, budgetary and political powers commensurate with our directly elected status and the democratic pretensions of this Community?"

However, governments as represented in the European Communities' Council of Ministers and the newly created European Council of Heads of State and Government – in the case of France this is head of state – this body resisted

this pressure. More power to the European Parliament would mean less power to the Council of Ministers, who had become used to running things pretty much alone over decades.

The European Commission in a way at this time shared power with the Council of Ministers so it might also have been reluctant to share any of it with “new kid on the block”, that was the European Parliament.

However, the Commission also had difficulties with the Council of Ministers such as over the “empty chair” policy of France of the 1960s, so it also felt that the European Parliament could serve as an ally in order to push unification forward.

There now began a long process whereby, inch by inch and EU summit by EU summit, the European Parliament was gradually to acquire a kind of power position it enjoys today, as a form of “semi-supra-national assembly” or parliament, if you forgive me that ugly neologism. The process accelerated in the 1990s via the Maastricht Treaty on European Union of 1992 and the Amsterdam Treaty of 1997, and would have reached its fulfilment, if you like, with the EU Constitutional Treaty if it had come about, that is if it had not been rejected in the French and Dutch referenda in 2005.

So, what happened meanwhile with the interparliamentary assemblies? Well, to the already established interparliamentary assemblies, the Parliamentary Assembly of the Council of Europe, WEU Assembly and the NATO Assembly, came another, namely the OSCE Parliamentary Assembly, established in the early 1990s, as the Conference on Security and Cooperation in Europe (CSCE) was transformed in the Organisation of Security and Cooperation in Europe (OSCE).

In these interparliamentary assemblies there was no similar push in the direction of supra-nationalism since the organisations of which they formed part were intergovernmental, and since you cannot have a supra-national assembly within international or intergovernmental organisation.

This being said, there were certain moves, especially in an organisation with a strong and vocal parliamentary dimension, such as the Council of Europe, where there were calls for the assembly to be able to decide its budget itself via the national parliaments rather than have it decided by the intergovernmental Committee of Ministers.

The attitude in the interparliamentary assemblies then stood in contrast to the situation in the European Community becoming the European Union, for in the EU the directly elected parliament, which saw the organisation as such as becoming increasingly supra-national, felt itself to be the odd-man-out in having so little power in spite of its being the only EU body directly elected by

the citizens. But there were other factors at work explaining why the European Parliament felt it right and proper to be more truly supra-national. Firstly, there was the very process of EU unification. As countries integrated economically and politically more and more issues had to be dealt with jointly. Since the Council of the EU seemed to be dictated largely by national interests, the European Parliament felt it had a growing duty to serve the overall European Union cause. This was exacerbated as the result of the development of European party movements among the European socialists, liberals, conservatives and others.

A second factor explaining the European Parliament's push towards supranationalism was the ongoing, indeed accelerating process of globalisation. Increasingly, problems came to be seen as having to be solved at EU level or beyond, that is at world level, whether it was climate change, fighting terrorism, common approach to migration or trafficking in human beings.

A third explanation is that governments, as represented in international organisations, including the EU, realised that they needed a strong parliamentary voice in order to gain added legitimacy for their decisions. In the EU this has happened even as voting in the European Parliament elections has gone considerably down over the years to reach the present level of only slightly more than 40 per cent.

In the organisation like the Council of Europe, the Parliamentary Assembly plays an increasingly important role as what I would call, an "oxygen tank" for the organisation. Indeed, organisations like the OECD and the European Bank for Reconstruction and Development (EBRD), which have no parliamentary structure within their own walls, have actually asked the Council of Europe's Parliamentary Assembly to fulfil that role in annual reports and debates via the Parliamentary Assembly's Committee on Economic Affairs and Development.

Interestingly enough, the OECD and EBRD were formed in 1960 and 1991 respectively, indicating that neither in 1960 nor in 1991 was it considered necessary by these institutions to have a parliamentary structure within their walls. This is in contrast with the WEU established in 1949, the European Coal and Steel Community formed in 1951 and the Council of Europe created in 1949. That is to say, the belief that the parliamentary structure was necessary for any international or intergovernmental organisation worthy of the name seems to have been stronger in the immediate post World War II era than in the period between 1960-1990.

So in conclusion, what may we expect in the future as far as a parliamentary role in European cooperation or integration is concerned?

Again, I would list two factors of importance. Firstly, there is no common threat from outside, such as that which Western Europe felt during the Cold War from the Soviet Union. Terrorism is not enough to provide such a perception of a dangerous outside threat. It is always more difficult for countries to unite in the absence of an outside danger.

The second factor is again globalisation. In a world of instant communication and limitless transmission across the globe of massive amounts of information there is practically no distance between any countries in the world. If the United Kingdom was closer to France in centuries past, is Britain today any closer to France than to, say, Australia and South Africa, countries with which Britain in addition shares a language? At the time of horse transport, of course England was closer to France. Even at a time of television and cable and radio, geographical proximity between countries counted for a lot. However, in an era of the internet, with the World Trade Organisation constantly lowering barriers to trade, capital flows, services of which many are electronic, geographical proximity counts for less and less.

It seems to me that in this situation the voice of interparliamentarism, whether in the form of interparliamentary assemblies or “semi-supra-national assemblies” such as the European Parliament, needs to be strengthened and will be strengthened. For in the absence of the real drive for integration, while in the same time so many problems need to be solved jointly, there will be a need to hear the voice or voices of people in order to find ways of tackling these challenges. Furthermore, as people realise that democracy is not something that you can attain once and for all and then forget about, but rather something that every generation has to fight to preserve and perfect, then it will be generally realised that strong interparliamentary voices are indeed vital both to preserve what is becoming increasingly a pan-European democratic system and to be able to solve joint problems effectively.

Mr Chairman, Mr Speaker, Madam Secretary General, thank you for your attention and look forward to our debate. Thank you.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much indeed for your presentation. Well deserved applause. I think that you rightly mentioned a difficult process of development of – I don't know how to say – supranational, international, interparliamentary assemblies from sometimes purely consultative status at the very beginning to

the situation when they became more powerful. You also mentioned the situation of those assemblies – in fact all of them – which are in fact constantly searching, looking for what their role should be – within Europe, but also for the number of them also within intergovernmental organisations they are part of. This is a constant process and probably a never ending story, which will be constantly developed as long as these assemblies exist. I think that you agree with me that in some parts of Kjell's speech we can also easily find his background – Kjell for a number of years was the head of the Secretariat of the Economic Affairs Committee in the Parliamentary Assembly of the Council of Europe, and you could trace these elements in his speech – of globalisation, of the important role of economic development also as far as the functioning of interparliamentary assemblies is concerned.

Kjell, thank you very much indeed and I look very much forward to our discussion, our debate with reference to what Kjell has just said.

I would like to invite now Mr Puzyna from the Chancellery of the Polish Senate, who will present a subject “Assemblies of the Council of Europe and OSCE member state parliaments; description and attempt at systemisation”.

Session I
Supranational parliamentary
and interparliamentary assemblies
in 21st century Europe:
systemisation proposal

STANISŁAW PUZYNA

Expert in the Chancellery of the Polish Senate

Assemblies of the Council of Europe and OSCE member state parliaments: description and attempt at systemisation

Mr. Chairman, Ladies and Gentlemen:

Today's seminar brings to mind a debate on national parliaments in light of the enlargement of the European Union and Intergovernmental Conference 2004 that took place between spring and fall of 2001 at the then Senate Foreign Affairs and European Integration Committee. The discussion at that time was also proceeding within an international group of experts and politicians – from Poland, Germany, Sweden and Belgium – who deliberated on the position reserved for national parliaments in the rapidly changing international environment. That debate, however, was meant to diagnose the current situation and find a way for a further rational development of parliamentary democracy at the European Union level, whereas the scope of today's seminar is broader and covers all European countries – members of the Council of Europe.

This seminar is taking place at a time when, on one hand, the European Parliament is hosting a conference on the systemic future of the European Union, attended by representatives of national parliaments of EU member and candidate states. On the other hand, tomorrow we will be celebrating Europe Day commemorating the first step made toward creating the European Union, namely the declaration by the then French foreign affairs minister Robert Schuman calling on France, Germany and other European states to embark on joint production of coal and steel as the first “concrete foundation of the European Federation”. Without Schuman's declaration, the Council of Europe,

which was established a year before, would have been left to hang in the void. Without that declaration, our seminar would probably not be taking place.

Whereas the fact that today's seminar is proceeding parallel to such important debate in the European Parliament is responsible for the absence of many individuals who wanted to participate in the seminar but could not as they were involved in the organisation of the conference in Brussels. I regret that things have happened this way.

Ladies and Gentlemen,

The issue of assemblies of parliaments of the Council of Europe member states is a part of a wider problem, namely of the internationalisation of national parliaments on a global scale. The Canadian expert Robert M. Cutler goes as far as noticing – perhaps in a somewhat overstated manner – the appearance of international parliamentary institutions as networks of influence within the world community.

Two conferences of the Association of Secretaries General of Parliaments (ASGP) were devoted in the past to the internationalisation of national parliaments on the global scale. They concluded with reports which are important to our deliberations today:

1. The report by the Secretary General of the Parliamentary Assembly of the Council of Europe John Priestman on relations between national parliaments and international parliamentary assemblies (1980), and;
2. The report by Heinrich Klebes, also Secretary General of the Parliamentary Assembly of the Council of Europe, on the development of international parliamentary institutions (1990).

Both authors attempted to describe and organise the field of interparliamentary relations: they produced a list of international parliamentary institutions existing at that time, classified them and standardised their terminology.

Both the European Conference of Presidents of Parliaments and the Conference of Presidents of Parliaments of the European Union have been discussing the issue of the assemblies of parliaments of the Council of Europe member states for many years. For example:

1. At the European Conference of Presidents of Parliaments in April 2000, the then President of the Parliamentary Assembly of the Council of Europe, Lord Russell-Johnston, introduced that topic to deliberations on the mutually complementary role of national parliaments and European parliamentary assemblies in shaping a greater democratic Europe;
2. At the Conference of Presidents of Parliaments of the European Union in May 2003, the then President of the Italian Chamber of Deputies Pier

Ferdinando Casini presented a report on the role of European parliaments in the institutional and political dimension of enlarged Europe;

3. At the European Conference of Presidents of Parliaments in May 2004, the then President of the Parliamentary Assembly of the Council of Europe, Peter Schieder, introduced the topic to the debate on cooperation between national parliaments and European assemblies in the area of democracy advancement;
4. At the Conference of Presidents of Parliaments of the European Union in May 2005, the then Bundestag President, Wolfgang Thierse, presented a report on rationalising cooperation between interparliamentary assemblies.

In some of these reports or presentations at both pan-European and EU conferences of parliament presidents, their authors attempted to describe and categorise selected areas of interparliamentary relations in which European national parliaments have been participating. However, these attempts were of a fragmentary nature. Therefore, the Priestman report of 1980 and the Klebes report of 1990 are the only comprehensive and standardised works of this type to date. Nevertheless, both need updating and expanding.

Ladies and Gentlemen,

Interparliamentary cooperation in which national parliaments of the Council of Europe member states participate has been developing at a very brisk pace since the beginning of the 1990s. However, information about the existing (but transforming) and developing forms of that cooperation is limited, dispersed and often difficult to access.

This is why ECPRD correspondents were asked in September 2005 to answer two questions:

1. To which interparliamentary assemblies, conferences, associations, organisations, etc. does your parliament currently belong (as a full member, associate member, observer, etc.)?
2. Which interparliamentary assemblies, conferences, associations, organisations, etc. is your parliament contemplating to join (as a full member, associate member, observer, etc.) in the foreseeable future?

Responses to the survey came from 36 out of 60 chambers of parliaments of the Council of Europe member states (over 60%). They served as a foundation of a report on the participation of European state parliaments in interparliamentary assemblies and conferences, associations, organisations, networks, unions, councils, fora, joint committees, etc.

ECPRD correspondent responses indicated that the Council of Europe member state parliaments were involved in a total of 76 more or less formal

types of interparliamentary relations on the political level and 8 in the area of parliamentary administration.

Responses to the question concerning current involvement of national parliaments in interparliamentary cooperation were sorted out according to a bi-dimensional classification based on two criteria: legal/organisational and geopolitical.

The first classification criterion groups responses on interparliamentary cooperation set along the legal/organisational framework thereof.

It has been divided into six categories:

1. Conferences or meetings of parliament presidents;
2. Interparliamentary unions, councils, assemblies, joint committees, associations, conferences, fora;
3. Conferences or meetings of chairmen or representatives of corresponding standing committees;
4. Interparliamentary or parliamentary organisations, associations, conferences, meetings, networks [for members of parliament];
5. Associations or meetings of secretaries general of secretariats or parliamentary chancelleries;
6. Meetings and networks of secretariat or parliamentary chancellery officials.

The first four categories in this classification cover the political aspect of interparliamentary cooperation; the last two cover the administrative aspect.

Re. 1: Conferences or meetings of parliament presidents are autonomous or take precedence over other forms of interparliamentary relations. They often serve as a forum for a debate on developmental directions of these relations. Sometimes they take initiative in these matters. Although their conclusions do not have a binding force, they are important because of the political weight they carry. In principle, meetings between parliament presidents are separate from intergovernmental relations. Such meetings can be reserved only for parliament presidents or stipulate that presidents will be represented by deputy presidents or other authorised members of parliament.

Re. 2: The distinctive feature of this category of international parliamentary institutions which groups interparliamentary unions, councils, assemblies, joint committees, associations, conferences and forums is that they are composed of delegations – most often appointed and standing for the duration of the given member parliament's term. Their composition usually reflects political parities. The political representativity of these delegations is a consequence of formalised organisation and procedures characterising institutions that belong to this category: their activities are based on multilateral or bilateral international or interparliamentary treaties and agreements, as well as internal

operating regulations. Most often these institutions are established as tools of supranational integration meant to serve specific interests or values. Some constitute the parliamentary dimension of international government institutions appointed to scrutinise their performance.

Re. 3: This form of interparliamentary cooperation covers conferences or meetings of representatives of corresponding parliamentary standing committees. It has developed in the past twenty or thirty years in connection with the deepening and expanding of the integration process within the European Communities and, subsequently, in the European Union.

In recent years, in connection with the work accomplished by the European Convention, there has been growing cooperation between European Parliament committees and corresponding national parliament committees. Currently, the European Parliament pursues it in two ways: by way of Joint Parliamentary Meetings (JPMs) and Joint Committee Meetings (JCMs). Since the mid-2005, the European Parliament is promoting the concept of the Corresponding Committee Network (CCN) of EU member state parliaments.

Cooperation is also often taken up directly by EU member or candidate member state parliamentary committees – usually European integration committees – at the subregional level, as in Central Europe (Visegrad Group, Regional Partnership) or in the Balkans.

Re. 4: The distinctive feature of this category of parliamentary (or quasi-parliamentary) institutions which group interparliamentary or parliamentary organisations, associations, conferences, meetings, networks (for members of parliament) is that their meetings are attended by individual parliamentarians selected not on the basis of political parity but on the basis of their personal traits, interests or qualifications. These institutions are often characterised by laxer operating rules and less formalised organisation and procedures, and it is often difficult to access information about their activities. Parliamentary scrutiny of the executive of this type of institutions is usually non-existent as they lack political representativity.

This type of parliamentary (or quasi-parliamentary) institutions have started to appear within the past dozen or so years. Both their appearance and their growing number are associated to a large extent with the globalisation process, technological revolution and crystallisation of a post-industrial or post-modernist society. This type of institutions includes: Parliamentarians for Global Action (PGA), International Parliamentarians' Association for Information Technology (IPAIT), etc.

Some forms of this type of parliamentary cooperation are created in areas of international tension and conflict to stabilise the political situation and construct

the foundation for further socio-economic development. In such cases, they often assume the form of various interparliamentary meetings at the presidential or committee level, etc. Examples of these organisations include the Cetinje Parliamentary Forum or the Parliamentary Dimension of the South-East European Cooperation Process (SEECP). These forms of cooperation can be temporary and exist only during the period of transformations, or become permanent, as in the case of the parliamentary dimension of the Visegrad Group.

The second class in the adopted classification covers survey responses about interparliamentary cooperation according to its geopolitical framework.

We have divided interparliamentary relations between European states based on their geopolitical framework into ten categories:

1. Global relations;
2. Transatlantic relations;
3. Pan-European relations;
4. Sub-regional cooperation on the European continent;
5. External relations of European states or their groups;
6. Relations or governance within the European Union;
7. Sub-regional cooperation within the European Union;
8. External relations of the European Union;
9. Internal relations within the Commonwealth of Independent States (CIS);
10. Relations of non-European states or their groups with European states.

This classification reflects the picture of international relations in 2006. In general, these relations have a historical basis and are dynamic in nature. Until the end of the Cold War (1989), interparliamentary relations in Europe were developing essentially only in its western part: within the European Communities and the European Free Trade Association. After 1989, parliamentary democracy expanded *en masse* eastward and southward, both in the national dimension and in the dimension of supranational interparliamentary relations. The logic of that expansion in Europe at the supranational level reflected the natural dominance of governments in international relations, hence interparliamentary cooperation was usually secondary to intergovernmental and often constituted its parliamentary dimension. Sometimes it also served the purpose of mediating conflict resolutions or managing conflicts, as, for example, in the Balkans.

These geopolitical frameworks of interparliamentary relations in Europe correspond presently to areas of European integration propelled by the European Union and the Commonwealth of Independent States.

Interparliamentary relations have been most vigorous within the European Union, which is partly due to the loss by national parliaments of a major part of their powers in national matters. Their current activeness at the EU level can be

viewed as a search for a new place in the new European structure or a new type of European governance.

The attached summary of responses to the question about participation of national parliaments in interparliamentary cooperation is based on an intersection of both aforesaid classifications: according to the legal / organisational and geopolitical cooperation frameworks.

In the legal / organisational cross-section, the number of forms of political interparliamentary relations between European states was the highest in the following areas:

- Interparliamentary or parliamentary organisations, associations, conferences, meetings and networks (for members of parliament);
- Interparliamentary unions, councils, assemblies, joint committees, associations, conferences and forums.

The number of parliament president conferences or forums was three times lower than in the first form of interparliamentary relations between European states and two times lower than in the second. The number of conferences or forums of corresponding standing committee chairmen or representatives was four times lower than in the first form and three times lower than in the second.

In the geographical or geopolitical cross-section, the number of forms of political interparliamentary relations between European states was the highest:

- At the subregional level within the European continent;
- At the level of external relations of European states or their groups;
- At the level of global relations;
- Within the European Union as a whole and at the subregional level;
- At the level of EU external relations.

The attached summary of responses to the question about participation of European national parliaments in interparliamentary cooperation, based on the intersection of the aforesaid classifications, shows that the number of forms of political interparliamentary relations between European states was the highest in areas at the crossing of the following categories:

- *Interparliamentary or parliamentary organisations, associations, conferences, meetings and networks (for members of parliament) AND external relations of European states or their groups (11 forms);*
- *Interparliamentary unions, councils, assemblies, joint committees, associations, conferences and forums AND subregional cooperation within the European continent (10 forms);*
- *Interparliamentary or parliamentary organisations, associations, conferences, meetings and networks (for members of parliament) AND global relations (10 forms).*

Ladies and Gentlemen,

We had to cope with the following problems when we were compiling a synthesis of responses to questions on multilateral interparliamentary cooperation in Europe:

1. Translation of the names of certain types of interparliamentary cooperation (e.g. from Russian to English) was at times imprecise, which made their identification and checking difficult;
2. Terminology problems:
 - Absence of unified nomenclature;
 - Distortion of the names of certain types of interparliamentary cooperation forms (the same forms were at times given different names);
 - Presence of similar names for different types of cooperation forms (e.g. in relation to Mediterranean cooperation);
3. Impermanence of some interparliamentary structures;
4. Vague status of some forms of interparliamentary cooperation (even when a given form of cooperation has existed for many years, it can suddenly expire as it is not at all institutionalised);
5. Absence of clear criteria for assessing which forms of interparliamentary cooperation can be already recognised as permanent and which not yet;
6. Vague mandate of some forms of interparliamentary cooperation: whom or what they represent – what is the type of their legitimacy (calling it “democratic legitimacy” can be non-operational);
7. Casual membership in some forms of interparliamentary cooperation (casual assemblies of parliamentarians treated casually by national parliaments);
8. Meagre effects of the performance of some forms of interparliamentary cooperation;
9. Applying one collective name to designate different forms of interparliamentary cooperation (meetings of parliament presidents, committees, women parliamentarians, etc.). This happens particularly often in South-East Europe. For example, all above forms of cooperation are grouped under the name *Cetinje Parliamentary Forum* or *Parliamentary Dimension of the South-East European Cooperation Process*).

The following conclusions can be formulated based on the material collected within the framework of the survey:

1. The survey confirmed the need to juxtapose and classify the existing forms of interparliamentary relations between European national parliaments as a starting point for a future assessment of the rationality or functionality of these relations owing to two factors: the aforesaid multitude and diversity of

these relations, particularly in the category of international parliamentary (or quasi-parliamentary) institutions with a laxer operating rules and less formalised organisation and procedures, and in connection with the fact that information about them is often difficult to find or widely dispersed. This task should be performed at the parliamentary administration or expert level;

2. Terminological problems that propped up at the time of processing survey responses indicate the need to standardise the names of all existing forms of interparliamentary cooperation. In addition, we should adopt the principle of using English as the standard language in which names of interparliamentary cooperation forms are provided and of translating these names into other languages from their official English version;
3. Owing to the difficulties encountered in accessing information needed to process survey responses, it seems justified to request that websites of all international parliamentary institutions in Europe contain compulsory information about the legal grounds of the institution's operations (including its objectives or mission), operating regulations, membership criteria, history (when and why it was established) and the effects of its work. This would make their activities more transparent;
4. Owing to the aforesaid multitude and diversity of interparliamentary relations between European states, it is essential to select appropriate classification criteria which will allow to ascribe the correct weight to their particular forms. These criteria should be adapted to the new international and geopolitical situation in Europe, and take into account new interparliamentary structures established after 1989;
5. It also seems important to work out the standards of supranational parliamentary democracy based on those often formulated in respect of national states. The debate on European democracy has been taking place within the framework of the European Convention and is taking place now in the Parliamentary Assembly of the Council of Europe, in the European Conference of Presidents of Parliaments and in academic circles. However, it seems to circumvent national parliaments, it is not translated into recommendations or guidelines, and it is not clear which parliamentary body should be signing such guidelines off;
6. It is necessary to determine which political European interparliamentary assembly should play the co-ordinating role in respect of other interparliamentary cooperation structures. Since July 2004, based on the Guidelines on Interparliamentary Cooperation in the European Union, the responsibility for "supervising the co-ordination of EU interparliamentary

activities” is in the hands of the Conference of Presidents of Parliaments of the European Union. It seems sensible to decide whether such co-ordination is needed in respect of interparliamentary relations on the pan-European scale and which parliamentary institution should play this co-ordinating role.

In the light of what I have said so far, the following issues of multilateral interparliamentary cooperation in Europe need further clarification:

1. Survey information must be supplemented by responses from parliaments which have not yet replied so as to get a full picture of interparliamentary cooperation between European national parliaments;
2. Survey respondents must check if their responses have been correctly classified in the attached collective summary;
3. In reference to conferences or meetings of parliament presidents, it seems important to obtain information on the status of parliament presidents within their respective parliaments: in which parliaments do they continue to function as political leaders and in which have they been placed apart from political divisions;
4. Flow of reports from interparliamentary forums to national parliaments and impact thereof on parliamentary work and decisions;
5. Manner of selecting parliamentarians to participate in interparliamentary forums;
6. Legal grounds and regulations of specific interparliamentary forums.

Thank you for your attention.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Let me first thank you for reminding us about the important dates we meet in Warsaw – May 8 and 9 – are really important days in Europe’s contemporary history. Thank you very much indeed for reminding us about this. Before I give the floor to Mr Kieniewicz, just one short comment to your statement, or maybe to your conclusion. When you said that there was a need to prepare a detailed description of existing interparliamentary fora, relations etc. and that someone should prepare such a elaborate and quite detailed report, my immediate question is: Would the Polish Senate be ready to proceed with such a report after such a good start with the questionnaire, i.e. replies received from national parliaments? By the way, thanks to all of you who replied to this questionnaire. So, the next step in this procedure, my immediate question is to the Polish Senate whether you wish to continue.

You also raised the question of terminology and problems with terminology. You made an interesting proposal that the origin of foreign names, I would say, the initial proposal for all names should be English. Well, in the era of globalisation, when we say “globalisation” we immediately understand English, but I’m not quite sure if everybody, even in this room, might be happy with such a proposal. We should be rather careful when we say that English should be origin of everything. I just would like to draw your attention to the fact that there are also other languages and it doesn’t necessarily mean that we all have to speak and communicate only in English.

As regards standards for supranational parliamentary democracy, who could establish these standards? Who should be the origin of this basic information given to everybody? Again, an interesting question. I hope you will make a reference to this proposal, whether these standards should in a way be centralised, whether we should continue with the centralisation process when we have no real established standards, which are valid for every existing parliamentary assembly in Europe. To be discussed, to be seen, I hope you will raise these questions, these problems in our discussion.

Mr Puzyna, thank you very much indeed for your presentation, for fulfilling not an easy task of putting all existing assemblies together and making comparisons among them.

Now, it’s my pleasure to give the floor to Mr Kieniewicz from the Chancellery of the Polish Sejm.

LESZEK KIENIEWICZ

Head of the European Union Division,
the Chancellery of the Polish Sejm

Supranational parliamentary
and interparliamentary
assemblies in the European Union
as instruments of
EU member states' foreign policy
and EU's foreign relations policy:
description and attempt at systemisation

I would like to thank you very much for having invited me to this conference – a conference which, I think, may not be as important as today's meeting of parliamentarians in Brussels devoted to the future of Europe but may prove to be more interesting, at least for us here.

I am in a very comfortable position because, after the excellent presentation by Kjell Torbjörn of the historical outline of interparliamentary assemblies in Europe and presentation of the incredible work done by Stanisław Puzyna, I can afford to approach this vast subject in a more relaxed way.

I am expected to describe and systematise, so this will be a combination of a critical description with my own attempt at systematising.

Let us first take a look at what is really supranational and at the same time parliamentary: of course, that can be parliaments and it is the European Parliament after 1979. Then we have assemblies, that is entities that come to life as a result of formalising groups of national parliament delegations. The third type is made up of horizontal structures, i.e. congregations such as COSAC or the Committee of Regions – possibly the most interesting sort. Finally we have associations, that is conventions which escape categorisation because they often constitute a sphere of completely individual activities by certain

parliamentarians or parliaments. International parliamentarism is in general a very easy and willing object of derision, from all sides. Perhaps only the European Parliament, with its monthly escapades to Strasbourg, is ridiculed more often.

Parliamentary assemblies are extremely easy to initiate. It is enough to add a point about the place and date of the next meeting at the end of the agenda of a more or less successful conference – and there we have it. Sometimes even conference initiators forget about these creations, but they continue to live their own lives. Anyway, after all, their maintenance does not cost very much. It seems that the creation of interparliamentary assemblies or appointment of a parliamentary dimension of an organisation is something that can be done at a drop of the hat. Government institutions and international organisations look at it as something completely harmless.

There are multitudes of international organisations with a more or less formalised status and, what is worse, their number continues to grow. For example, we have the United Nations and we have the World Trade Organisation. We have the Interparliamentary Union which, luckily, is meeting the expectations vested therein, to the point that even the European Parliament recognises its right to be involved in interparliamentary matters, as testified in the recent report by Deputy Georgios Papastamkos.

Then there are organisations that seem to be important and serious, such as the parliamentary dimension of the Euroasiatic Partnership, the existence of which is not indicated either in the Thierse report or in any of the countless ECPRD questionnaires. Meanwhile, the fourth meeting of that very organisation, held under the slogan *Asia-Europe Parliamentary Partnership Meeting*, has just taken place in Helsinki on May 4th and 5th. I seem to recall getting an invitation to the preceding meeting, I think, and I suspect that there were parliamentarians who did not resist going there as it took place in the capital of Vietnam.

Moving on for a minute to the description – as I have said, it is clear that from the psychological point of view we are dealing with two types of cases in interparliamentary assemblies. On one hand, they are an outlet for frustrations of national parliamentarians in the European Union who recognise that more and more issues are escaping them, more and more problems are solved at the Community level. On the other hand, they are an outlet for ambitions of parliamentarians in the countries that are not yet in the European Union. Indeed, many competent – even outstanding – parliamentarians prefer to satisfy their ambitions at the supranational level or are delegated to that level because of their political, substantive or linguistic competencies.

In one of the replies to Wolfgang Thierse's questionnaire there was a suggestion from Luxembourg to the effect that as many as possible parliamentarians should be exposed to interparliamentary assemblies, that it would be useful and have a good effect on them. In other words, according to that viewpoint, the entire supranational parliamentarism should be brought down to some sort of huge project similar to Erasmus or a youth exchange program.

But there exists an even darker side to this issue and it is that national parliaments are somewhat paralysed by this supranational dimension. It is simply that permanent delegations and numerous conferences which soon will become cyclical take away very valuable parliamentarians. That applies particularly to those forums or organisations which for budgetary or other reasons do not provide language interpretation. Parliamentarians who know foreign languages often go abroad or are simply always travelling. As it stands, the same parliamentarians would be very useful in their own parliaments but, unfortunately, they just happen to be out of the country. What is worse, some large parliaments are in practice very small. One would think that a parliament made up of several hundreds deputies is able to service all possible parliamentary assemblies, but when we count the number of deputies who can freely discuss or negotiate in a foreign language it turns out that the given parliament is smaller than that of Luxembourg.

Are there any attempts at taming this situation, at taking control of this myriad of initiatives and activities?

The first thing that I observe as a practitioner is that parliamentarians wear two and sometimes even three hats. For example, today in Brussels, at the meeting on the future of Europe, the head of the delegation of the Council of Europe Parliamentary Assembly is at the same time the head of the delegation of the Turkish National Assembly. In other words, one person is doing the work of two.

Another saving method consists in combining several events, as at the end of the current month, between Tallinn and Helsinki, the same team is sent to at least two important interparliamentary meetings (that of the Council of Europe Parliament Presidents and the celebration of Eduskunta's 100th anniversary). Combining meetings at the highest level, i.e. of parliament presidents and chancellery heads, also serves saving purposes as both types often travel together anyway. A great way of economising on both time and resources.

Another method is to predetermine the level or scale of the given initiative. Thus there are certain supranational initiatives, especially regional ones within the Union, which are reserved only for the highest level, for example the

Conference of Parliament Presidents of the European Union or the Regional Partnership, or only to the committee level. Here we have the Visegrad Group or meetings of European Union Affairs Committees of the three Baltic States and Poland.

I am trying to present here the whole tangle of issues and show that we must take the bull by the horns, because to be able to speak about Europe, to ponder on where we are heading, we must work out certain categories which will allow us to put these things in order. For right now we have a situation where either all this makes no sense or we just cannot grasp it.

Therefore, going back to systematising, I would like to propose two parallel systems. One according to the composition of assemblies, the other according to the theory of representation that stands behind them. Of course, such initiatives, assemblies, supranational parliaments or conferences can be grouped along the line of their competencies, of the mandate given to their members. The problem is that, as a rule, that mandate is unclear or very weak.

I leave aside all individual initiatives – individual in the sense that they serve the interests of a single member state, usually a European Union member state, which simply wins its position of choice among non-EU and non-European states. For example, there is the Commonwealth Assembly, which is a totally separate entity even though it is a large assembly, as well as various parliamentary assemblies of orthodoxy, francophony, Portuguese language speaking populations, etc.

As for the composition, we have four possibilities: there are assemblies in which all European Union members participate, such as the Parliamentary Assembly of the Council of Europe, OSCE or the Interparliamentary Union. Then we have assemblies in which EU members participate but not the EU itself (indeed, the EU itself does not participate in any assembly – I will return to that later). And so, EU members participate in the NATO Parliamentary Assembly, Assembly of Western European Union, Nordic Council, Baltic Sea Parliamentary Conference, Parliamentary Assembly of the Central European Initiative and, finally, Polish-Ukrainian Deputies' Assembly, Lithuanian-Ukrainian Deputies' Assembly, etc.

The third case are assemblies composed only of EU member states. These are for the most part regional initiatives, such as the assembly of Benelux parliaments, meetings of various committees of Visegrad Group member states, Baltic Assembly (Lithuania, Latvia and Estonia), also the Regional Partnership and Polish-Lithuanian Deputies' Assembly.

There are two special cases worthy of a closer look. The first is the Euro-Mediterranean Parliamentary Assembly, which is atypical for having three

types of participants: EU member state parliaments, national parliaments outside the EU and the European Parliament. Three interests are represented in that assembly: that of the EU, of the Arab countries and of Israel. In this composition, the assembly is expected to settle two issues important to the EU: that of relations with the Moslem world, particularly as concerns migration, and peace in the Middle East. So far, none have been very successful.

The other interesting case is the Baltic Sea Parliamentary Conference. It is interesting because it includes parliamentary or sometimes quasi-parliamentary or local government representations of five different levels – starting with interparliamentary assemblies and the supranational parliament, through national parliaments, to local elected government bodies such as the representation from Karelia or Kaliningrad.

What is the contribution of all these activities, all these efforts, to the foreign policy of the European Union? Of course, we all know what that contribution is. They serve primarily the debate on co-creation of the EU foreign policy. The characteristic feature is that the main object of parliamentarians' focus is always that member of the assembly who is not an EU member. OSCE contains primarily the component of the presence of two (or rather one and a half) superpowers. It includes both the Americans and the Russians. In the Euro-Mediterranean Assembly, we have primarily the Arab world, i.e. the southern shore of the Mediterranean Sea. In the Joint Parliamentary Committee of the European Economic Area, MEPs work mainly on the Norwegians and the Icelanders. In turn, the Baltic Conference is an attempt to draw into the European cooperation, or rather to exert pressure on, Russia and the former Soviet republics, which have the observer status therein.

European assemblies serve the purpose of testing the cooperating ability of future EU members or present EU neighbours. That is slowly becoming a part of the new accession criterion – the criterion of the ability to integrate. Obviously, the European Union can accept and absorb only those states which demonstrate an elementary ability to cooperate.

Finally, supranational and interparliamentary assemblies in which the EU participates play on an offer that the EU has for all countries that are not its members. It is an offer of association, i.e. structuralised relations or downright membership.

It is characteristic that many assemblies established within the EU are trying to go beyond it. The initiatives of the Polish Sejm and Senate are particularly worthy of mentioning in this context. We have started with a Polish-Lithuanian Assembly and now both countries are going outside the EU establishing similar deputies' assemblies with Ukraine, and then a trilateral

Polish-Lithuanian-Ukrainian assembly. Perhaps in the future Belarus will also participate in such assemblies.

What methods of co-ordination can we see from the EU point of view within the framework of all these assemblies? In the responses to the questionnaire sent out by chairman Wolfgang Thierse I came across a Hungarian proposal that the leading role in assemblies should be played by parliamentarians or the delegation of the country which is currently presiding the European Union. I must say that from what I can see this has been a long-standing practice. When it is a global conference or assembly, such as the 1994 population conference in Cairo and then in Beijing, or a World Summit, European parliamentarians are at ease – they proceed with their tourist or private affairs knowing that the presidency will do the talking for them. And that's not all: all other delegations are greatly impressed with how well we are organised and how much trust there is between us – trust that grows proportionally to our distance from home.

The second method of co-ordination is obviously the one that pleases the European Parliament most – one along the lines of political parties. Recently, Deputy President of the European Parliament, Edward McMillan-Scott, suggested that members of the Euro-Mediterranean Assembly should also sit in accordance to their political affiliations hoping that it would somehow help that assembly to get out of the impasse and give impetus to its work.

What is characteristic to parliamentary assemblies? First of all, everybody dreams of the existence of some executive or government power which would be accountable to them politically. Unfortunately, there is none. Of course, the Council of the European Union is not politically accountable to anybody either. The great European Parliament also suffers defeats in this area, for example when its representatives are not allowed to participate in the activities of various agencies of the World Trade Organisation, such as deliberations of the 133 Committee in Geneva.

What is the greatest attraction for parliamentarians as concerns the political side of participation in such meetings? It is the opportunity for parliamentarians coming from one country to crossfire questions at ministers of another. That is precisely the circumstance, or rather the possibility, that representatives of the executive power like the least as they have no control over a parliamentarian coming from another country who attacks them with sudden, unexpected, impertinent questions. That's the great value of parliamentary assemblies. Of course, conference organisers, when conferences take place in successive parliaments, are usually able to assure the presence of representatives of their own government, particularly when that government is presiding the European

Union. But the European Commission tries already to duck the line of fire and, for example, at the last COSAC, the highest ranking European Commission official was a deputy director general, who limited his presentation to reading out a statement and left the conference without giving anyone the opportunity to ask him questions.

Another important issue resides in basic co-ordination – one that, for example, would prevent creation of two Euro-Mediterranean assemblies. For there are two Euro-Mediterranean assemblies: one within the framework of the European Neighbourhood Policy and the Barcelona Process, and the other within the system of the Interparliamentary Union. If you ask me, that's pure folly indeed.

It seems in the light of what I have said – or maybe rather of what I have brought back to mind, as I believe we are all aware of what's going on – that it will not be possible to change or reform the existing assemblies. This observation can be best illustrated by the powerlessness of the working group in Copenhagen, which was perfectly aware that, even if specific solutions were suggested, they would never get any political support, and that nobody at a political meeting would risk proposing that something should be closed or merged with something else. These matters are far too delicate and serious.

It also seems that, despite all this, there is merit in banning establishment of additional interparliamentary assemblies the same way that there is merit in banning the printing of worthless money.

As for the reform, it is difficult to expect a reform of interparliamentary assemblies when the European Union cannot even come to agreement on one common seat for its members on the Security Council. When the European Parliament cannot do anything about having to relocate to Strasbourg every month, it is difficult to expect a reforming effort from bodies that are much smaller and less important than it. I do think, however, that there is a way of breaking the impasse and doing something about those monthly parliament sessions in Strasbourg. If MEPs just stopped going there, there would be no quorum and those sessions would then die a natural death.

The entire system of foreign relations is built around the European Parliament. If I am not mistaken, we are talking about some 35 permanent delegations, from the Euro-Mediterranean Assembly we have referred to earlier, through joint parliamentary committees, to meetings with African, Caribbean and Pacific Rim countries. It is possible that soon we will be getting a parliamentary dimension to Schengen as well.

What purpose do all these delegations serve? Of course, often they are parliamentary dimensions of some form of structural relations with given

countries or organisations. They serve the purpose of discussion, reconnaissance of the political situation, expansion of influence, also construction of the foundation for establishment of political parties based on the European model, particularly in countries aspiring to access the European Union or countries neighbouring thereon. However, political effects of these efforts are not great. The European Parliament delegation will never go beyond the current position of the European Parliament. It is a boundary which these bodies will never overcome, at least not in their written documents, for, after all, they were all co-founded by the European Parliament.

It is interesting that the European Parliament arguably assures a more effective compliance with the interests of former colonies of the EU member states than the Commonwealth itself. The national element, which one would think should be absent from the European Parliament by definition, can be found in it as well. By appointing all these delegations, the European Parliament behaves as if it were a parliament of a state that appointed bilateral or multilateral parliamentary assemblies in the traditional meaning of the term. And speaking of the national element in the European Parliament, there exists a phenomenon that comes to life at field sessions. For example, at the meeting of the Economic Committee of the Euro-Mediterranean Assembly in Lisbon, there was a delegation from the European Parliament and delegations from EU member states, yet for some strange reason these delegations complemented each other nationally. In other words, when a member state was represented in the European Parliament delegation, then that state did not bother any more to send a national delegation. Here we have those two hats I spoke about at the start and that is how participation in this types of initiatives is being rationalised.

To complete the part about systematising, please note two things: we have a system of interparliamentary assemblies, which have blossomed after 1989, particularly because the lifting of the Iron Curtain and new members joining the Union. Many of these members are newly established states, but many are also states that are perfectly able to participate in international parliamentary cooperation that meets European political and civilisation standards. At the same time, we have another system, this one started in 1979, which is based on supranational representation and bilateral relations.

Now a few comments about the division of supranational initiatives along the line of their forms of representation. We have indirect representation, according to some guiding principle, i.e. horizontal structures, and we have direct representation, i.e. such as the one in the European Parliament. There are several mixed types of representation, but let us not bother about them at

this moment. A characteristic and primary feature of indirect representation is the presence of permanent parliamentary delegations, which consider themselves special because they maintain the political parity present in the parliamentary chamber that appoints them. This said, the European Parliament also appoints delegations to deal with non-EU entities, which in the internal workings and life of the European Parliament play the role of quasi subcommittees in charge of a given country or region without at the same time being organs of the European Parliament.

The question arises whether Joint Parliamentary Meetings – forums initiated by the European Parliament jointly with the parliament of the presiding country according to the formula of 25 delegations + European Parliament + delegations of associated, candidate and accessing states – are not, in fact, *ad hoc* interparliamentary assemblies? Of course, they are. It is only because they are weaker than those best known, standard, old-time traditional assemblies that they are not made up of permanent delegations.

Again I will refer to the deputy president of the European Parliament in charge of relations with national parliaments, Edward McMillan-Scott, who proposed last week to establish yet another interparliamentary conference – between the European Parliament and the neighbouring countries, and not only the countries waiting to access the EU but all the neighbouring countries. He got support of Polish deputies but others – socialists – protested, so we do not know how this initiative will end. That happened at the session of the European Parliament Constitutional Committee on May 2nd.

One last brief comment about the national element in the European Parliament. There is one moment when MEPs are treated as national groups even though that clashes with political correctness of the European Union. It happens at the mailbox area. Indeed, there is sneaking suspicion that MEPs have a preference for using their native tongue after all. Consequently – and obviously to facilitate the task of the support personnel tasked with stuffing documents into deputies' mailboxes, German or French speaking delegations meet precisely at the mail distribution area. It is the only place where the Parliament is divided along linguistic rather than political lines.

As I reach the end of my presentation I would like to say a few words about horizontal structures, namely COSAC, which first met in November 1989. There is no doubt that COSAC is the child of the second Springtime of Nations, the miracle of 1989. It was a flash of courage and common sense, possible only because of the euphoria of those times.

COSAC was appointed by the Conference of Parliament Presidents, which itself had been established just a little time earlier and which in itself is a

horizontal structure – provided that one can speak of a summit being horizontal.

What is important is that COSAC is made up of delegations that operate autonomously within their own parliaments, have their own mandate and tasks to accomplish within the framework of their parliaments, exist on their own and do not need to be appointed specially to take part in COSAC's bi-annual meetings.

COSAC's very existence evokes aversion in the European Parliament, veiled to a smaller or larger extent, and the latest meeting of the Constitutional Committee, associated with COSAC's forthcoming regular meeting in Vienna, was its best example. Like any institution that threatens democratic centrism – and, unfortunately, we have it in the European Union – COSAC is a target of criticism.

I am using the category, or term, of “horizontal structure” with respect to COSAC (and to the Committee of Regions, but here the situation is a little more complicated), which in Poland has rather good connotations, but I could also call it a “network structure”. Ironically, the European Parliament could also have appointed this type of horizontal or network structure. Approximately one year before the grand enlargement, there appeared the idea to assemble the presidia of 12 joint parliamentary committees – that would have been a horizontal structure *par excellence*. But it was not pursued. I think that political circumstances which stood behind that initiative or concept simply disappeared. I am possibly the only person who still remembers it.

There also exist horizontal meetings of specialised parliamentary committees, not those in charge of European affairs but others, modelled on COSAC – Foreign Affairs, Defence, Environment, Internal Affairs, Agriculture – however not organised by European Parliament committees but by relevant national parliament committees, with the European Parliament being, of course, invited to participate. The COSAC structure is thus cloned or, in other words, its mechanism is transferred onto other dimensions. The formulas of the reform of the Western European Union Parliamentary Assembly which are currently on the table are moving in this direction – to grant the same competencies to a body that would be something like COSAC within the Defence Committee. A proposal to diffuse and come to terms with this network type of the second chamber was presented by Sejm President Marek Borowski at the Conference of Speakers of the European Union Parliaments in Madrid in 2002.

To conclude, what type of co-ordination or way out of this situation can we imagine? I think that an important message was provided in the report of the prime minister of Luxembourg, Jean-Claude Juncker, who said that, in his

opinion, by the end of 2010, i.e. after the elections of 2009 and adoption of the European constitution or new treaty, the EU should join the Council of Europe. This way, from the EU point of view, the Council of Europe would cease to be some kind of a non-governmental organisation and become an outer circle of the European Union, one of many concentric circles around it. I believe this to be the intention hidden behind Juncker's proposal.

At this point we must recognise the fact – and come to terms with it – that we have the European Parliament which is a supranational parliamentary assembly where one permanent delegation replaces the entire interparliamentary assembly. A single delegation made up of 15 individuals. Anyway, in European (or Community) affairs we are dealing with a similar situation in each of our parliaments, where we often have a single specialised and competent organ, a single committee, which only deals – at least in the Polish Sejm – with European matters and has a monopoly therein, while the rest of the parliament, if it deals with European matters at all, has to content itself with what falls into its lap after two years as a result of transposing by co-decision.

Therefore, in the 21st century or, let us say, in the first twenty years thereof – as I do not believe we should be looking any farther – interparliamentary assemblies will continue to blossom and the European Union will remain an aparliamentary creature, which it has been from the beginning. And that despite all our best efforts in the area of the broadly understood parliamentary scrutiny, best possible application of the Hague directives and monitoring compliance with the principles of subsidiarity and proportionality. Because, after all is said and done, the democratic deficit rests in the fact that the European Union will continue to be aparliamentary for as long as Europe is not federal.

Thank you very much for your attention.

DISCUSSION

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you, Mr Kieniewicz. You raised in fact a number of questions. Some of them I would consider even provocative. I believe that a number of colleagues will intervene in reaction to your statement. You asked a question whether the creation of new assemblies could be forbidden. Who could do it and in which way? You said that in fact the existing assemblies are impossible to modify and to reform. It would mean that in fact all the work done by the working group as a follow-up to the Thierse report is useless, because it's impossible to change anything. We will just continue with the situation which we face now, which to my mind is far from globalisation but is rather a picture of a global chaos, in a way, in Europe with several initiatives, several assemblies existing and it is not clear what their functions are. In fact, I think, for a number of them it is clear what their functions are.

I hope that we can also discuss this issue because we should start from that – what these respective assemblies do, what they should do, what their role is. The next point are only technicalities in a way, participation or parliamentary tourism, if you wish, which is linked with these existing bodies. You said that a number of people, members of national parliaments very often disappear from national parliament because they go to the international assemblies they are members of. And in fact national assemblies very often suffer because of the absence of members who are somewhere else. I can just tell you, from the perspective of the Parliamentary Assembly of the Council of Europe, that we also face the problem which might surprise you. You said that your members disappear from your parliaments and go, let's say, to Strasbourg to participate in the work of the Parliamentary Assembly of the Council of Europe. But at the our end we also face the problem of the low level of participation, which means that very often we do not see your members at our debates. What does it mean? They disappear somewhere between your capitals and Strasbourg? This is also an interesting question, but probably the technical question rather than the question of the background. You raised the question of the European Parliament in Strasbourg. I'm sure that colleagues from the European Parliament and also French colleagues will

react to your statement about this issue. Thank you Mr Kieniewicz again for this presentation.

Ladies and Gentlemen, the floor now is opened and you are kindly invited to intervene, to react to the three statements we have just heard by Mr Torbjörn, by Mr Puzyna and Mr Kieniewicz. We have some 30 minutes for this part of discussion which, if you agree, should be more general because if you look at the programme of the seminar we'll go later on to more detailed debates about several assemblies, their roles etc. So, if you could limit your interventions to more general aspects rather than detailed functioning of particular international assemblies, this would help at this stage since we go to more detailed discussions at the later parts of our seminar. And for the purpose of the debate, before you start your speech could you please say your name and the assembly or parliament you come from so that for the record all is properly noted? Let's go ahead.

PAUL COOK

Director of the Economics and Security Committee, NATO Parliamentary Assembly

It was a very provocative presentation and I'm sure we got a lot of thinking about some of these ideas. One point I did want to respond to. I mean, the idea of reorganisation from the top is implicit in the remarks, but in fact parliaments have the option of voting with their feet, they don't have to participate in everything. I think of the example, if I'm not mistaken, the US Congressional delegation pulled out of the IPU, because they felt they weren't getting bank for their buck and it wasn't worth their time and effort in resources so they simply withdrew. I don't think any parliament in general is obliged to participate, probably with few exceptions depending on the treaties, in all of these. So in a way these things become sovereign decisions of the parliaments themselves and maybe that's where you need the focus, the energy, and the discussion rather than decision from above. That would be the first point.

And the second point, the small point on language. I've seen cases when members had been motivated to learn languages because of their participation in these assemblies and I've seen it many times, and their language skills actually improved. So it shouldn't be a limiting factor in participation. In fact, it can be a vehicle for making members more international but it can also be seen in linguistic terms.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you. I'm responsible in the General Secretariat of the European Parliament for interparliamentary delegations and I will make a small comment on what you said on this issue. I would like in the beginning just to make clear that I present my personal point of view. I cannot speak for the European Parliament. This is a brain-and-drain exercise and we should try to find some approaches for creative thinking and maybe provocative for the future looking hypotheses on how to improve the work of interparliamentary assemblies.

I would like to make small remarks to all the speakers and I would like to start with Kjell. Thank you very much for your historical presentation. I've learnt a lot from you and all the presentations. Actually, if I may say that right now, already here after two hours, it was worthwhile for me to come to Warsaw just to profit from the knowledge of the three experts who have talked so far. However, I don't agree with all that has been said and here I come to Kjell. Your definition of supranational – as you can imagine, I cannot agree if you say that the European Parliament is only a semi-supranational assembly. In the European Parliament we consider ourselves as a supranational assembly and indeed, as you pointed out, the only one which exists on the global level. Supranational – because the European Parliament since 1979 has been elected directly and here there is a slight difference between the assessment of the two of us. I would say that the European Parliament is the full player in the co-legislation, co-decision procedure. You said the Council has the last word, the Council cannot legislate without the European Parliament and vice versa.

Something else about the terminology. We talk about "supranational" here, we talk about "interparliamentary", "international", I haven't heard the term "transnational". When I was a student of political sciences we made a clear distinction between supranational – European Parliament, international, which is loose, and transnational – meaning assemblies which gather encompassing parliamentary delegations from individual member states of the institution or the organisation at stake.

Small remark to Stanislaw. Here again, thank you, I've learnt a lot from your presentation. I took note, among others, about one quotation you made. Peter Schieder, the former president of the Parliamentary Assembly of the Council of Europe, said: "What is it about, the interparliamentary cooperation? It is cooperation for more democracy". And this, I think, should be the common denominator for our considerations these days on how to improve the

performance and efficiency of the interparliamentary assemblies or transnational parliamentary assemblies.

Fortunately, I know Leszek for about ten years, otherwise I would be angry with some of the remarks he has made. But as always, you have been extremely thought-provoking. I agree on the whole with your analysis, including the third point which was picked up by Wojciech Sawicki concerning parliamentary tourism. OK, why do the members of national parliaments disappear? They disappear from national parliaments because they have to go to Strasbourg, to the Parliamentary Assembly of the Council of Europe. They may have a triple mandate, they may be members of the WEU Parliamentary Assembly. So, if you have three different hats and you also have your constituency work to be done, you disappear. Of course, some of them disappear in the corridors and have some nice tourism abroad because nobody can control them. But they disappear because they have too many mandates in parallel and it is simply impossible to exercise these responsibilities fully, because there are too many of them.

Another point, Leszek. You were quoting our vice-president Edward McMillan-Scott concerning his proposal referring to the Euro-Med Parliamentary Assembly to have the deputies sitting in party lines. This may facilitate transnational communication. If you're sitting next to your colleagues from the same political family, you can talk to them. I think it may be better to have such an arrangement than to have the national delegations sitting in a block delegation from whatever country of the European Union or the Mediterranean partners and the European Parliament. And I'm simply interested in what you think about this proposal to sit deputies along the party affiliations.

Another element I would like to briefly correct. You said that the European Parliament delegations will never go beyond positions already taken by the EP. This is a tendency but it's not entirely correct. I'm dealing now with the interparliamentary delegations in Europe, that means the relations between the European Parliament and all European parliaments outside the Union. We've 17 delegations. I'm just back from Armenia where we had our parliamentary cooperation committee meeting. Indeed, the delegations never pronounce themselves in contradiction to positions taken by the European Parliament. We have to stick to what has been adopted by the institution, but very frequently delegations make proposals which are picked up later on by EP and transformed into position taken by the EP. So creative thinking and taking positions is possible in this context.

Again, briefly back to Edward McMillan-Scott. You quoted him twice and you brought up or referred to his idea to create an interparliamentary conference

between the EP and all the neighbourhood countries, i.e. the eastern neighbourhood countries and the southern neighbourhood countries. I'm surprised, I've never heard about it. We know about Edward McMillan-Scott's Democracy Initiative, where indeed he would like to cover the whole range of southern and eastern neighbourhood countries, but – my colleague Dionyz Hochel may comment on that – I have never heard about the idea to create a parliamentary assembly in this context. I think I've covered the points I wanted to raise towards all of you, and again thank you very much for your contributions.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you, Thomas. Just a comment on what you said about the sitting order in assemblies. The Parliamentary Assembly of the Council of Europe sits in the alphabetical order since the very beginning, I mean alphabetical order of names of the parliamentarians. The historical reason behind that is that the members who come there in fact come from member states' parliaments, but they do not represent their member states, their parliaments – they are all Europeans. So we are not even seated by political groups – they are Europeans. Mr Laurence Smyth, yes.

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

Thank you very much. I wanted to thank the organisers particularly for a very stimulating morning and three very different approaches in the papers, all of which were very valuable, I think. I found a thought provoking remark that in the 1940s and 1950s no intergovernmental organisation was complete without parliamentary dimension and it seems in a way we are returning to that era now. I very much appreciate the hard work put in synthesising the results of the questionnaire and the way that demonstrates the difficulty of collecting and comparing information. I think this is a good example of the practical work that the ECPRD does. And I found that very helpful. There were so many points raised and provocative remarks by Leszek Kieniewicz, I don't really know where to start.

So can I go back to what you were saying, Mr Chairman, about the importance of this group as a network and launch a kind of general appeal to colleagues. I'm very interested to learn more about the Asia-Europe meeting in

Helsinki and about the work of the Euro-Med Assembly, looking forward to Valeria's paper. If over the next two days anybody sees me having a cup of coffee or a drink or something, if they can come and talk to me about these two assemblies, I'd be very grateful. Thank you.

WOJCIECH SAWICKI
Co-Director of the ECPRD

Thank you very much. I'm sure that colleagues will inform you correctly. European Parliament.

DIONYZ HOCHEL
Directorate General of Internal Policies, European Parliament

I would like to follow up what Thomas said concerning a proposal to set up a parliamentary meeting with neighbourhood countries' parliaments. In fact, this idea arose at the COSAC meeting in London last year, when French senator Mr Haenel suggested that the EP should organise the parliamentary meeting with neighbourhood parliaments. It is somehow connected with the situation, which was also discussed in COSAC that Ukraine and Western Balkan parliaments should get the status of countries associated with COSAC and should take part in its work. The proposal was agreed and was also put into the contribution and conclusions of the COSAC meeting. It said that the EP will organise not a parliamentary assembly but a parliamentary meeting with neighbourhood countries during the Finnish presidency. The practical arrangements are to be discussed between the EP and the Finnish parliament in the second half of the year. This is just for the clarification.

WOJCIECH SAWICKI
Co-Director of the ECPRD

Now the colleague from WEU. But could I also ask colleagues from national parliaments to contribute to this debate and to tell us how you see – from your perspective of the national parliaments – this extremely high number of interparliamentary assemblies and how these assemblies help you to contribute to your national debates, whether it is useful to try to look at their

functioning also from your national point of view. Because my feeling is that we, on the side of interparliamentary assemblies, can – as I already have said – argue for a long time how useful we are, but it would be very important to have also a national perspective of the functioning of these international assemblies, their role and in which way you can profit from their existence. In which way do parliamentarians profit from their existence? What is our – interparliamentary assemblies – contribution to your national politics? WEU, please.

MICHAEL HILGER

Head of Unit for External Relations, Assembly of Western European Union

I will make just a quick point so that colleagues from national parliaments might come in. I think many times national parliaments ask the question: “What do these parliamentarians that go to the interparliamentary conference really do?” And the natural question to ask would be: “Why don’t we ask them?”. So the point I’m trying to make is that what is important is how we organise the feedback about the work of all these delegations and individuals that go to interparliamentary assemblies, to conferences. How do we organise the feedback from them to national parliaments? Do we make sure that members of the delegations are at the same time members of the relevant committees in national parliaments? Do we make sure that there is speaking time reserved for the head of a delegation in the plenary or at least in relevant committees? I think this is a natural question and I wanted to bring this aspect. Thank you very much.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much for raising it. This is indeed an important issue.

Colleagues, so far it is just only English and Polish. Please remember that we have also two other languages available in this room thanks to the interpreters who are in their booths – Russian and French.

C’est avec plaisir...

MICHEL ANTOINE

Chief of the European Research and Comparative Law Unit, National Assembly, France

Thank you very much. The fact that my statement is in French has a symbolic significance. It symbolises the defence of linguistic and cultural diversity.

Indeed, I am convinced that we in Europe are living a breakthrough period, one that gives us a possibility to consider various possible development scenarios.

There may be a centralised development, focused in Brussels, around institutions that attempt to find joint answers to specific problems. This would be cause of certain frustration, as it was recently reflected in the French and Dutch referenda.

We can also imagine another scenario, one towards which I am inclined, that of diversified Europe: Europe that respects the sense of national identity; Europe where cooperation flourishes. And I want to stress that already today we can recognise encouraging signs of moving in that direction. For example, relations between national parliaments and the European Parliament have improved significantly. I wish to congratulate COSAC for its excellent work, which of course will spread into new areas as Europe becomes more than a political community. I believe that the important issue today is how to bring Europe closer to citizens. And I think that it is precisely the area where the role of European parliamentary institutions is particularly important.

Look at the situation from the viewpoint of a national parliament and ask yourself what purpose does an international or European parliamentary organisation serve? People who have worked in parliaments 10, 20 or 30 years – and I know many, I have met many in the Parliamentary Assembly of the Council of Europe – will tell you that working there has taught them respect for the position of their colleagues from other countries.

In fact, many discussions are taking place, sometimes they are discussions about ideals which seem to digress from reality. But there are also numerous discussions about issues that are close to us all and that will become even closer as time goes by. Let us take immigration, for example. I am astonished to see a great parliamentary debate about immigration taking place in France today and it may be the first time that such discussion includes examples taken from abroad. We are familiar enough with those foreign examples to recognise how interesting they are. I believe this is one of the dimensions of future European parliamentary cooperation. In other words, to bring about a situation where parliamentarians as well as parliamentary functionaries who participate

in this type of discussions recognise that different legal solutions can be found to every issue or problem. The great challenge in the years to come will be to find out if we can standardise our legal systems, bring them closer together, and achieve their greater compatibility. We will probably realise that there exist areas which do not require applying identical regulations but only certain common principles. I believe that, at the level of information exchange and research, ECPRD will be able to play a significant role. I believe in this as a person responsible for one of the groups within the National Assembly that conducts research, including comparative studies, of legal systems in other member states. And it is true that we often are faced with formidable difficulties in accessing legal regulations – not only information about their content, but also about the manner of their application. In many cases, to obtain information originating in other national parliaments, I had been able to take advantage of cooperation offered by ECPRD and I am convinced that we can expand these activities, for maybe by making our parliamentarians aware of the existence of various solutions to social problems that lie within the sphere of their interests we would be able to create that Europe of citizens of which we all dream.

Therefore, please allow me as a French citizen to express my sorrow in connection with attacks directed at Strasbourg. Let us remember that Strasbourg, the European Parliament in Strasbourg, is a consequence of treaty decisions. Let us remember first and foremost – and this is my final comment – that Strasbourg is a symbol, a symbol of France and Germany coming to terms with one another and, I am not hesitant to say this, also a symbol of cultural diversity.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much, sir, for your presentation. Indeed, I believe that in the case of Strasbourg the aspect referring to the Treaty is less important than the issue of symbolics. Well, one can say “why would a symbol matter? Political reality is the most important symbol.” But no, symbols encountered in life are as important. Strasbourg is a symbolic place for Europe, it is a symbol of agreement and peace. And I believe that this argument carries more weight than the Treaty, which is a political decision made by heads of state – and made a long time ago at that.

I also thank you for your comment about the functioning of international assemblies and their important role in enabling parliamentarians to get to know

each other better. In my opinion, Europe is being built through acquiring knowledge of issues, becoming familiar with reasons, learning development processes in individual countries, knowing positions of different countries. I am sure that Kjell will say the same thing tomorrow when he presents the Parliamentary Assembly of the Council of Europe. We also believe that the primary task of the Parliamentary Assembly is to provide an opportunity for parliamentarians from different countries to talk with one another and present political positions adopted by their countries, and that such exchange of information at the parliamentary level is extremely important.

MIKOŁAJ KARŁOWSKI

Expert in the Sejm Bureau of Analyses, formerly Bureau of Research

Among the presentations which we have had the opportunity to hear since this morning, three issues seem particularly interesting.

I have not been a so-called “expert” for long – during eight years prior to becoming one I have been the secretary of the Sejm and Senate delegation to the NATO Parliamentary Assembly – hence my approach to the issue was very practical. I believe that co-ordination of the functioning of parliamentary assemblies can be a difficult task. If one assumed existence of a free market of creations of this type, it would be best if they were able to adapt by themselves to the changing and dynamic environment. Anyway, we can see what happened after 1989 when assemblies flourished and moved into Central Europe, when countries in our region took advantage of the opportunity for change and vigorously began to collaborate with political structures of the West.

I believe that today’s meeting can contribute to attempting co-ordination or improvement of parliamentary cooperation to the same extent as a stock exchange can contribute to the improvement of the functioning of the market: by providing the participants with a possibility to exchange information. From this perspective, Mr. Puzyna’s study constitutes valuable comparative material. Assemblies that will be aware of their tasks and working environment will be able to adapt. Hence, the “market” or external conditions – the environment – will have a greater impact on their shape and functioning than attempts at their top-down or bottom-up co-ordination or standardisation of operations.

I would like to briefly refer to two other issues.

Network structures such as COSAC are an interesting form of work and, from my viewpoint of a Sejm Chancellery employee, have proven their

usefulness. After Poland's accession to the European Union (I was then working at the International Affairs Office), we started receiving a much greater number of invitations to participate in meetings between specialised parliamentary committees and their counterparts in EU member states national parliaments. My colleagues in Sejm committee secretariats were often surprised by the fact of the existence of such cooperation and its intensity. Some had thought until then that contacts between parliaments were an external matter belonging to the field of "foreign relations", something that only one office was dealing with, whereas "they in the committees" were responsible for legislation, issues related to the relevant branch of the economy or to the functioning of the state. Meanwhile, it turned out that interparliamentary cooperation was an area that benefited deputies who were involved in it as they could see that similar problems as those they were debating in their countries also existed elsewhere. They discovered that certain solutions which in Poland were only beginning to be discussed had been already implemented elsewhere and had had time to prove themselves. I would say that this situation was valuable to our deputies from the cognitive perspective.

The role of parliamentary assemblies – and I would like to say more about this tomorrow – is really education. I am glad to remind you at this point what Mr Leszek Kieniewicz said about the Luxembourg proposal – that the greatest possible number of parliamentarians should be engaged in the work of the assemblies. He is correct: after all, deputies are people like us (well, maybe not entirely as we are already "infected" by our work in administration), who must find their bearings in their peculiar public role and learn the world in which they function. They are citizens burdened with a task of a special sort. Our current reality (I do not want to use the term "globalisation", but the world is indeed becoming increasingly interdependent) is such that one must not restrict oneself to the framework of a single region or to problems concerning only one's country. Our task is to enable deputies to take a look at "outside" problems and reasons for their existence.

Finally, the third issue of a practical nature: in past years I have been engaged in the area of which Michael Hilger has spoken – day-to-day concerns of the so-called parliamentary diplomacy. Owing to the lack of time, to multitudes of meetings that deputies must attend in their national parliament (committee sittings, political meetings), it is difficult to encourage them to share with their domestic colleagues the experience acquired in foreign meetings, during their work in a parliamentary assembly. It is a very difficult task indeed. It is possible that they talk about their international activities with other deputies over a coffee or in informal chats – we do not always know how it is

done. What we do know is that it is extremely difficult to gather these deputies in Poland and encourage them to make a formal presentation of their foreign experience. I think that becoming familiar with your experience in sharing knowledge accrued as a result of interparliamentary cooperation would be very useful. I sometimes feel that I can work with parliamentarians, I can work for parliamentarians, but I need to ask myself where is the sense of that work when I realise that I work instead of parliamentarians. It does not make sense to organise a meeting and then be the only one who attends it. There must be people who want to meet and share their knowledge and viewpoints.

I hope that what I have said here can in a small way serve the discussion on the practical aspects and methods of parliamentarians' international and supranational cooperation benefits to national parliaments.

Thank you very much.

WOJCIECH SAWICKI

Co-Director of the ECPRD

What you said about networking, even though you said that in the context of COSAC, is a music to my ears, because in fact the ECPRD is exactly about this, about networking people and about creating as many as possible links between members of staff of national parliaments. This is one of our principle roles and duties. You also mentioned a question of free market of international assemblies. I don't know whether we can apply the rules of market economy to international assemblies. As Mr Kieniewicz said in his speech, it was relatively easy to create a new parliamentary dimension, new parliamentary assemblies. This is probably true – it's easy to create and it's almost impossible to abolish.

Now, Ms Brown from the House of Commons who wishes to speak. I also know that the coffee is available outside so I will soon proceed with the coffee break. Before the coffee break I would like – after the intervention of Ms Brown – to ask our three keynote speakers of this morning whether they would like to comment the questions and debate that have just taken place. I will give you the floor if you wish so. Ms Brown, the floor is your.

ADÈLE BROWN

Research Service, House of Commons, United Kingdom

I work in the House of Commons Research Service. The chairman asked if we might have some examples of where supranational bodies have had a positive impact on the work of national parliaments and have assisted parliamentarians. I'd like to make just a brief comment on this issue.

Towards the end of 2005 many MPs in the House of Commons, many people in the House of Lords were particularly concerned about the issue of extraordinary rendition and also allegations about secret detention centres within Europe. Although there was enough debate in the House of Commons and the House of Lords on this subject, the lack of information meant essentially that the debate ground to a halt fairly quickly. Fortunately for many parliamentarians within the UK there were two enquiries taking place, one in the Council of Europe and one within the EP. The reports of both organisations and their work have been instrumental in reigniting the debate within the House of Commons and essentially providing parliamentarians with additional information to allow them to continue to press the UK government for further answers on the issue of extraordinary rendition and also secret detention centres.

I think what they managed to do was to provide the information that was crucial, but also to provide an additional political focus, which parliamentarians found particularly useful. My own personal opinion is that this was probably a very good timing on the part of Council of Europe and European Parliament in initiating these enquiries, but also to do with focusing on the current issues. I think they were the important factors, less than the actual structure and make-up of the institutions in question. I hope that provides a little bit of insight in terms of how supranational bodies can make a positive impact on the very important issue. Thank you.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much for mentioning this very specific example. Just to let you know – the reports by both organisations – the EP and the Parliamentary Assembly of the Council of Europe – are under way. In fact the Parliamentary Assembly of the Council of Europe's report will be debated in June, at least we hope so. I can say it answers a number of questions, which I can believe are

raised also in national parliaments. But just to tell you that we immediately faced a critical problem with this kind of investigation. In fact, we do not have – and I don't know whether you in the EP have – real investigation power, which means we are looking for information, but it's not like committees you can establish in your parliaments, which are normally rooted in the constitution, where there is a special power given to parliaments, when on some occasions you can create special committees which have in fact more or less similar powers to courts, where people have to come and testify to these committees. This is not possible within the Council of Europe system. Our statute does not allow for something like this. There is no provision in the statute about this. We try to provide as much information as possible but there are also limitations. This is, I think, the case with you, Thomas.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Just to complement the information. Sorry, I was out when you made your remark, but my neighbour and friend from WEU Assembly briefed me. You must have said that in the UK there were problems with the parliamentary inquiry committee or whatsoever blocked by the government to look into the CIA affair.

Wojciech, the EP has similar limits to the Council of Europe. We have in our rules of procedure the possibility to establish enquiry committees. But that must be in subject areas which are under the competence of the European Union. Now, in the CIA case it's mainly national legislation, which is at stake of violation of national legislative elements. So the EP, after intense consideration, dropped the idea to establish an enquiry committee and we established a temporary committee, the other tool we have, to look into the affair. And indeed, it is an issue where international parliamentary cooperation, in my personal view, is of utmost importance. We cooperate within the OSCE framework or, thanks to our direct contacts with the US Congress, the EP associates or gets together with the representatives from the Congress to have a joint approach. But indeed, it is not about inquiry on legal violations, but to shed some more evidence on what happened and on what should be condemned.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Just to complement. This is also a very good example of good cooperation between our two institutions, because there is a good exchange of information between the works and findings of this temporary committee of EP and our Legal Affairs Committee dealing with this issue. That's how it goes.

Our keynote speakers. Do you wish to comment on that?

LESZEK KIENIEWICZ

Head of the European Union Division, the Chancellery of the Polish Sejm

I understand that I can now reply to questions and comments. First of all, who can prohibit creation of new interparliamentary assemblies? Nobody, of course, but I can imagine, for example, that parliament speakers in Copenhagen would decide that every subsequent conference or assembly would be paid entirely by their host. This, I think, would limit the number of new initiatives.

As concerns the taskforce that deliberated in Copenhagen in February, it was an extremely interesting meeting and the fact that it was decided that nothing new could be suggested to the presidents does not mean that it was useless. I was very pleased to write a large report about it and will be glad to share it.

Chaos. Indeed, chaos is something normal, chaos is life and there is nothing extraordinary about it.

As for those members who are neither in parliament nor in assemblies: indeed, they travel and often spend more time in travel than in session. And this is why I think that there was an error in the assumption of the Danish questionnaire sent out in the fall of last year. The realistic burden associated with participation in assemblies should have included travel time, because it is one thing for a Dutch person to participate in an assembly of the Western European Union and another for someone who flies from a country that may not be far away but does not have a direct connection. The difference is huge.

As concerns trans-national contacts, I believe that we have not been at all talking about Eurodeputies' participation in the work of national parliaments as that could be called trans-institutional contacts. I don't know what to call it, maybe we should find a name for it and pursue this topic.

As for the initiative to divide seats at the Euro-Mediterranean Assembly according to political parties, I think it is a very good idea, however I fear that

many groups from the south of the Mediterranean, political parties in that region, would have a great deal of difficulty finding counterparts on our side of the sea, but it surely would be very useful and would give an impetus to that assembly.

Of course, I agree with the reservation about the need to comply with the line of the European Parliament. Yes, joint committees often have something to say, pursue their activities, use the parliamentary privileges and simply stay out of criticising European Parliament policies. I agree, that's how it should be. I myself recall that the first date of EU enlargement, which turned out to be correct, was given by the European Parliament president in Sophia. He said that the next European election would take place already after the enlargement. I think it was in 1999 in Sophia, at his meeting with parliament presidents of the countries participating in the EU enlargement process.

As concerns the McMillan-Scott initiative – indeed, I wasn't referring to an assembly but to a conference. I used information provided in the *Agence Europe* bulletin and it was only a cursory. Indeed, thank you for reminding me, something like this was brought up at COSAC and that is maybe why another person, also a socialist, protested against it. I don't know. In any case, should such body meet only once, it would certainly be an *ad hoc* interparliamentary assembly. But I'm sure it would meet again, I don't believe there would be one meeting and that's it. Any way, perhaps such assembly is not very necessary.

Luckily, when these initiatives are realised in the European Parliament, they have the support of the existing infrastructure, translation services, a great part of the expenses does not need to be incurred and there is all this administration backup that is also priceless.

The Euro-Asiatic Assembly – what Liam was asking about – a fourth meeting of the Euro-Asiatic Parliamentary Partnership has indeed taken place. It must have been important as chairmen of both Sejm European Union Affairs and Foreign Affairs Committees have gone to it. I hope to find out more about it soon.

I think that I will be able to answer all other questions during lunch, dinner and coffee break.

Thank you very much.

KJELL TORBIÖRN

Head of the Office of the Secretary General of the Parliamentary Assembly of the Council of Europe

First, just two comments in my regard by Thomas Grunert of the EP. First of all, Thomas had slight reservations as regards my use of the term “semi-supranational” and he argued, convincingly, even though I wasn’t quite convinced myself, that that was actually a supranational body. If it is really a supranational body, then that would mean that the member states of the EU, without realising it, are actually part of a confederation or federation. But they are still independent countries. So, it must be a little bit of supranational, if you like, secretly. So in order to help us out of this terminological difficulty, maybe we could look through the Latin prepositions here. We have one rarely used Latin preposition which is “praeter”. And you spoke about something praeter-natural, that is not supranatural phenomenon, magical phenomenon, but just “beyond”, “praeter” meaning “beyond”. So we can call the EP “praeter-national” rather than supranational. You say that you are a full player in the EU legislative process, but unlike in the countries of the EU and the European countries in general it is the parliament which is the ultimate decider. The extreme case being the UK parliament, where it is the only real authority in the land, if I’m not mistaken, Liam and Adèle. Whereas in the EU process it is, if I’m not mistaken, the Council of Ministers which has the ultimate say and you are a co-player, but rather one of many players. You have to share with the Commission which has the right of initiative etc., and the Council of Ministers decides.

Then turning finally to Mikołaj Karłowski. You talked about free market and I would say there is in a way a market for interparliamentary assemblies. It’s not a perfect market like for chewing gums or shampoos, but it is an imperfect market and the deciders there are the national governments and national parliaments, because ultimately they have to make ends meet, they are worried about budget deficits, and especially nowadays when the budget deficits are really pressing. Would you find actually a market response in a way on the part of the Parliamentary Assembly of the Council of Europe, because very recently we had really tried in the Parliamentary Assembly to concentrate on what we call “the core activities”, i.e. human rights, rule of law and democracy. And this has now led to priorities being adopted by the Assembly, and the Bureau of the Assembly is going to be very strict when it comes to actually permitting committees to take up reports and debates to be held at plenary assembly. So I think that there is a market and as an economist I would actually side with you. Thank you.

MIKOŁAJ KARŁOWSKI

Expert in the Chancellery of the Polish Sejm

As far as market is concerned, I must admit that it is a 100% state subsidised market, isn't it?

STANISŁAW PUZYNA

Expert in the Chancellery of the Polish Senate

A couple of words relating to scepticism expressed by Leszek Kieniewicz in reference to the performance of the working group on rationalising interparliamentary cooperation in Europe.

I partly share that scepticism, particularly because the working group on rationalising interparliamentary cooperation on the pan-European level is being created within the structure of the Conference of Presidents of Parliaments of the European Union whose powers are essentially limited to the territory of the European Union and do not cover the entire European continent. In general, the Conference of Presidents of Parliaments of the European Union has been lately taking up issues which to date were within the domain of the activities of the European Conference of Presidents of Parliaments associated with the Parliamentary Assembly of the Council of Europe. Consequently, one may wonder whether the taskforce is being established within the proper framework and whether this will not restrict the effectiveness of its activities.

I also share Leszek Kieniewicz's scepticism as concerns limited possibilities for rationalising interparliamentary cooperation in areas where it constitutes a parliamentary dimension of intergovernmental cooperation. This applies in particular to the call for rationalising such cooperation within the competencies of Parliamentary Assemblies of the Council of Europe and OSCE. Both these assemblies constitute a parliamentary dimension of international intergovernmental institutions. Therefore, the rationalising debate should first and foremost, if at all, refer to the intergovernmental level regulated by appropriate treaties or international agreements. In this case, the parliamentary dimension is of a secondary nature in relation to intergovernmental.

To sum it up, it is evident that neither the taskforce on rationalising interparliamentary cooperation in Europe nor a seminar devoted to this issue will perform a miracle by suddenly rationalising that cooperation. However, it is possible to initiate a certain process of which the starting point should consist in

placing the extremely diversified current forms of interparliamentary cooperation at the European level within the framework of a proper classification. This will make interparliamentary cooperation more transparent and allow taking rationalising measures both at the expert and, subsequently, political level, particularly on the forum of the Conference of Presidents of Parliaments of the European Union or the European Conference of Presidents of Parliaments.

Thank you for your attention.

EUGENIY BOROVIKOV

Expert, Analytical Department, Council of Federation, Russian Federation

I would like to say a few words about the process of international communication. Some members of the Russian Duma delegation did not come to this seminar – and that is connected to what my colleagues were saying before me – i.e. restricting parliamentary tourism. That is important.

It is also important that parts of the issues which we discuss at seminars such as this one are detached from key international cooperation issues. The matter of expanding supranational parliamentary collaboration must not be separated from the issue of expanding the base to include all parties at equal terms.

Thank you.

Session II
Supranational parliamentary
and interparliamentary assemblies
in the European Union
tasked with scrutinising EU policies

LESZEK KIENIEWICZ

Head of the European Union Division, the Chancellery of the Polish Sejm

Ladies and Gentlemen, having had coffee plus, we can resume now with the next point on the agenda, which is monitoring EU internal policies by supranational parliamentary and interparliamentary assemblies of the EU. Our colleague Andreas Maurer has already landed and will be joining us soon. The first to take the floor is dr Robert Grzeszczak of the Wrocław University. You have the floor.

ROBERT GRZESZCZAK

Willy Brandt Centre, University of Wrocław

The role of cooperation between the European Parliament and EU member state parliaments in the Union's community and inter-governmental dimensions

I would like to thank the hosts for inviting me to this very interesting seminar. I am very pleased to be able to share some information about cooperation between the European Parliament and national parliaments in the European Union.

I was asked to base my presentation on two levels – the Community level and the intergovernmental level.

About the intergovernmental level – one can only say that the role of national parliaments in integration processes is based first and foremost on intrastate practices and legal solutions. This statement refers, of course, to being bound by documents created within the second and third pillar of the European Union. As for the European Parliament, its competencies within the framework of the second and third pillar – and I will return to this point later on – are miniscule, indeed downright non-existent. The European Parliament is only notified of the anticipated and current activities conducted within the framework of these two pillars. National parliaments, on the other hand, can in principle agree (or disagree) with legislation subject to ratification in their member states, with the understanding that their role in this respect boils down to a simple “yes” or “no”. They have no influence on the process of developing the content of second and third pillar legislation and cannot amend it. They can agree or disagree to being bound by legislation which requires to be ratified in all member states of the European Union.

At the Community level, practically from the beginning, i.e. for the past fifty years, the position of national parliaments has been on one hand marked by the statute of the founders of that organisation and co-creators of its political

will, and, on the other, by the role played by the executors of obligations ensuing from Community treaties. That role can be at times rather instrumental, subservient, since national parliaments have no real executive force, i.e. no power to say: “indeed, we want to implement this legal act,” or “no, it does not suit us and we will not implement it.” Hence “instrumental” in the sense that national parliaments are obliged to implement these legal acts based on treaty regulations. This refers primarily to directives, and in the context of the overall tendency to directivise Community law, i.e. to extremely frequently regulating Community policies precisely by way of directives, it is a task that substantially burdens parliaments; in the case of economic regulations – to an excessive degree.

I would like to remind you that cooperation between the European Parliament and national parliaments is no longer a consequence of good will, or at least not solely of it, but rather of the obligation written into the provisions of the Treaty establishing the European Community. As you remember, these provisions are set out in art. 5 and 10 of the Treaty. Art. 5, particularly point 1 thereof, contains the principle of conferred powers, whereas art. 10 treats of member states’ obligation to cooperate in Community matters. And these provisions directly affect the obligation to cooperate between parliaments and Community institutions, including the European Parliament. Moreover, the Amsterdam revision was expanded by two protocols imposing the obligation to carry out such cooperation, something about which I will talk later at greater length.

The shape itself of the implementation terms and procedures brings about the desirability of cooperation between institutions, particularly between the European Parliament and national parliaments. It determines, or rather influences, the role, but also the need, the necessity, of cooperation between national legislative bodies and the European Parliament in Community matters. That obligation is one of cooperation and loyalty. Without getting into the rather theoretical field of the division of national parliament duties in respect of Community institutions, it must be stated that such obligation undeniably exists. And it must be remembered that the overall foundation of parliamentary cooperation is based on an obligation established by treaty law, by general rules that govern the Community. On the other hand, however, the ultimate shape and scope of this cooperation depends to a great extent on nothing else than pragmatism, that is an effort to effectively influence the legislative process primarily at the Community level and impact the shape of individual EU policies.

As I have mentioned earlier, the terms of cooperation between national parliaments and the European Parliament ensue from practice more than from

treaty law provisions, which are simply lacking in this area. This fact is not surprising: one cannot expect the Treaty establishing the European Community or the Treaty on European Union to include provisions listing orders or prohibitions addressed to national parliaments. That would clash with the autonomy of member state legislative bodies and, at the same time, violate the principles of a democratic state of law.

Therefore, the treaty law of the 1950s does not include any division of competencies or new obligations of national parliaments in respect of their cooperation with the European Parliament and vice versa. Nothing of that sort has been added to subsequent treaty law revisions. However, as we well know, the Maastricht Treaty did contain such initial declarations which, while deprived of a binding force, clearly indicated that national parliaments, their role and significance in integration processes, were recognised anew after a period of having lost direct contact with the European Parliament, i.e. after national parliaments had stopped sending their deputies to Strasbourg or Brussels, in other words since the moment of first direct European Parliament elections (1979). The Maastricht Treaty, besides raising the issue of the role of national parliaments in the structure of the newly established organisation, placed the issue of the functioning of member state national parliaments in a different political and legal dimension.

In the past decade, the role of national parliaments in European integration processes, their mutual cooperation in this area and their cooperation with the European representative body (European Parliament) has become subject of regulations of a diverse binding force and rank. The Amsterdam Treaty of 1999 introduced regulations concerning cooperation between national parliaments and the European Parliament directly into the text of the treaties. The European Council decided to annex the protocol on the role of national parliaments in the European Union to the Amsterdam Treaty. The protocol is an integral part of the treaty and is divided into two main parts. The first part deals with the requirement to inform member state parliaments, whereas the second part describes the principal directions of the activities of the Conference of the European Affairs Committees (COSAC). The same path was taken by the Constitutional Treaty, which was expanded by protocols on the application of the subsidiarity principle and on the role of national parliaments in the European Union.

The roles that national parliaments and the European Parliament have to play are distinct and, at the same time, complementary in some areas. This sounds a bit like a truism since distinct and complementary means different and the same. Then where is the separation between distinct and common

tasks? We will see it quite clearly once we examine the three-pillar system of the European Union.

In the 1990s, the European Parliament opened itself up – so to speak – to cooperation with national parliaments and promoted its many more or less institutionalised or informal forms. As national parliaments were involved with Community policies to a varying degree, their cooperation with the European Parliament also advanced at an individual pace. Andreas Maurer, who is not with us yet, in one of the projects done at the University of Cologne correctly divided parliaments into quick and slow in adapting to the rapidly expanding Community law. Indeed, there exist parliaments like the Folketing in Denmark or in other Scandinavian countries that are “up on things”, effective in influencing policies of their government, hence their ministers, and doing it before they go to Brussels to meetings of the Council of the European Union. Scandinavian participants come to these meetings with more or less restrictive parliamentary instructions.

There exist parliaments which seldom deal with integration matters and parliaments where involvement with European affairs is evolving, as is the case of the Italian Camera dei Deputati and Senato della Repubblica Italiana, which after a period of stagnation seems to have come to life again. In the past it had not been adapting to developments in Community law very quickly.

I have no intention of assessing the performance of the Polish parliament – I think time will show how dynamic and effective it will end up being. We have not been present long enough in the European structures to get a full picture of it yet. So far, example was being shown by parliaments of the “old” member countries and this is probably not going to change. It takes time to groom civil service elites that know decision-making mechanisms in the EU and can take advantage of them, show the way to parliamentarians who, after all, change in regular intervals and often have no knowledge of these mechanisms in the least. Hence the heavy burden and formidable challenge placed on the functionaries who deal with these matters.

Another truism, granted, but one that needs stressing, is that the role of cooperation between the European Parliament and national parliaments is the reinforcement of the democratic legitimisation of European Union initiatives. And that is a fact. This democratic legitimisation will be and is reinforced by cooperation with the European Union. However, I am not at all of the opinion that improved cooperation between national parliaments and the European Parliament will lead to overcoming the crisis of democratic legitimisation of EU decision-making processes. To claim that a more effective cooperation between national parliaments and the European Parliament will lead to

overcoming the legitimisation crisis is just too simplistic. If that was the case, such improvements would have been already introduced – I hope.

As I said earlier, cooperation between national parliaments and the European Parliament is founded on specific legal provisions but, primarily, on pragmatism. As a large majority of governments, hence executive bodies, participates in integration processes, particularly in Community integration processes, national parliaments are also compelled to open up to new forms of cooperation with Community institutions, particularly with the European Parliament.

A particular attention should be paid to relations between the European Parliament and parliamentary European affairs committees, hence to relations between the European Parliament and national parliaments. This is why I would like to comment already at this early stage on Mr Chairman's remarks.

Indeed, European Union affairs committees or, as they were initially known – Community affairs committees – have been established. Less often this task is dealt with by other committees. They often do work of parliament plenary assemblies. There is nothing odd about that. A plenary assembly – i.e. a session of the entire parliament – is no longer capable of dealing with the entire gamut of integration matters, cannot cope with the huge flow of documents. One should also be aware of the fact that Community matters are not simple, refer to numerous specialised economic issues and some even extend beyond economy – as in the case of the EU second or third pillar and issues such as the adoption of the controversial European arrest warrant. Legislative policy, for example with respect to cooperation of courts and police forces in criminal cases, requires a great deal of specialised knowledge – not only expert knowledge of the civil servants working in the parliament, in its chancellery, but also of the parliamentarians who sit on these committees.

One must be aware that, as you have said Mr Chairman, in time of globalisation, when the dynamics of life is greater than ever before, it is not possible to discuss and vote on all important matters at plenary sessions. We are inevitably faced with a crisis of the principles of parliamentary representative democracy, which at this level is losing its importance. It is a common phenomenon that political parties are no longer mass movements but small groups and the substantive matters are dealt with at parliamentary committee level and not at plenary sessions. And so, that substantive work is done in small groups – Community issues are a perfect example of it. As a result, European Union affairs committees in national parliaments are the only ones with an opportunity to ensure effective cooperation and exert real influence on certain elements of integration policy pursued by governments

and institutions. This is one more reason why committee work should proceed in cooperation with the European Parliament.

That cooperation between the European Parliament and national parliaments is conducted on two levels – institutional and informal (informational), often of a personal nature. In practical terms, personal contacts between deputies (and between national parliament functionaries) play a very important role.

I will not list the institutional forms of cooperation with the European Parliament as they will be subject of a rational categorisation within the framework of this seminar. Nevertheless, allow me to mention them: Small Conference of the Speakers of Member State Houses of Parliament (Conference of the Speakers of European Union Parliaments) and COSAC – as a body that ensures effective cooperation between the European Parliament and national parliaments.

Still, I must admit and repeat after previous speakers that the role, importance, tasks and functions of the COSAC conference are assessed differently by different parliaments and by the European Parliament itself. At the beginning of COSAC's existence, the European Parliament was even against formalising COSAC's work, seeing therein a certain amount of threat to its powers. As the history of the European Parliament lies in a gradual expansion of powers, so there is no wonder that, at that early stage, the European Parliament was justified to worry about COSAC competition. Today, particularly in view of the reforms implemented to date and those announced in the Constitution for Europe, the powers of the European Parliament continue to expand and, consequently, it has no reason to fear competition from COSAC.

As I have said earlier, while COSAC is the forum of cooperation between national parliaments and the European Parliament, in my view the Conference of Parliament Speakers plays more a role of a co-ordinator of cooperation between national parliaments rather than cooperation between them and the European Parliament.

An interesting issue – and, I believe, an issue that the doctrine does not appreciate enough – is the role played by informal contacts with the European Parliament. As I have said, the European Parliament promoted a wide spectrum of forms of cooperation with national parliaments and most of them were not institutionalised.

An example of such informal practice is found in joint meetings of industry-specific parliamentary committees. Other examples involve frequent bilateral meetings of European Community affairs committees or meetings of

parliamentary caucus leaders. They are sort of round-table meetings – as they were once called in the literature – organised by various European Parliament committees for the purpose of meeting representatives of analogous national parliaments committees. They deal with specific issues, for example Sweden joining the Euro zone, or issues associated with the monetary policy or implementation of the Stability and Growth Pact (Lisbon Strategy).

The European Parliament also invites representatives of all monetary policy affairs committees from national parliaments to sessions of its own committees that deal, for example, with the issues connected with Economic and Monetary Union.

Another form of non-institutionalised cooperation is participation of European Parliament deputies in meetings of national parliament committees, hence a reversal of the preceding situation. Usually European deputies (MEPs) have the right to attend but not to vote at such meetings. European parliamentarians use this opportunity most often when they want to push through a position of the European Parliament that differs from that of other institutions. Therefore, these are cases of using national parliaments as a natural ally in disputes with the Council of the European Union. It is the best example of the complementary nature of the interests of the European Union and national legislative institutions.

The practice of Euro deputies participating in meetings of various national parliament committees is very interesting from the statistical point of view. Based on the so-called “standing invitation”, Euro deputies can participate in regularly scheduled meetings of European affairs committees in 19 member state houses of parliament. In 5 other houses of parliament, MEPs can also participate in such meetings, but based on the so-called “special” (hence renewable) invitation. 11 houses of parliament have no provisions for such participation. This does not mean that such type of contacts is disallowed, but simply that this practice does not exist or is very rare.

With respect to industry-specific committees, which also play an important role, MEPs have a standing invitation to attend their meetings in 8 houses of parliament, a special invitation is required in 7 houses of parliament, whereas MEPs are not entitled to attend such meetings in 20 houses of parliament. The attendance by MEPs of industry-specific committee meetings is limited to their right to speak thereat.

There are also one-time ad hoc meetings organised with Euro deputies to discuss very sensitive or problematic issues.

The next form of informal cooperation between the European Parliament and national parliaments has been initiated by the European Parliament itself. It

consists of informal joint committees that meet in the European Parliament, most often in Brussels, to discuss a specific report or study of a specific area.

Also frequent are meetings between reporting functionaries, i.e. between national civil service and European Parliament employees assigned to work in national parliaments. These activities constitute an effective method of ensuring a quick and to-the-point exchange of information between the European Parliament and national parliaments.

This is a good moment to praise the Bundestag practice, where 15 MEPs have for a long time had permanent seats on the European affairs committee and, in addition, where there is permanent exchange taking place between Bundestag and European Parliament functionaries.

And the final issue of co-ordinating work with political groups, from the national parliament and the European Parliament. Here the practice varies greatly – co-ordination is ensured through political parties and parliamentary clubs, and translated into co-ordination of policies, opinions and positions presented by MEPs. I believe that this issue – i.e. the influence of political parties and their leaders on MEPs elected from those parties – will continue to evolve.

Generally, in my opinion and in the opinion of many others who said it before me, relations between national parliaments and the European Parliament should be based on two basic principles. The first one is that no institutional change or amendment is allowed to weaken existing institutions, in other words they must not hinder the efficiency of the European Parliament or, let us say, of the Council. So if something needs to be changed, such change should not be effected by the simplest practice of all reminding me somewhat of “commitology”, that is by appointing successive forums of formal and informal cooperation, which contribute nothing new. This said, I stay away from criticising this practice too severely as I am not an expert on whether they do contribute anything and, if they do, then what is it? However, I have the impression that their contribution is small and – I will use a severe term to make my point – they are becoming a form of parliamentary tourism. Either that or clear procedures; if we continue to add new links to this practice it will become a chain that will end up strangling the legislative process.

The other principle which should accompany relations between the European Parliament and national parliaments should be, in addition to refraining from adding new levels of cooperation, to take the fullest advantage of the existing possibilities. Let us take the example of COSAC. Interparliamentary cooperation within the COSAC framework gives great opportunities for development. Indeed, in contrast to, for example, the

Committee of the Regions, COSAC can express an opinion on every issue concerning the European Union, hence the great potential for action. Let us better use what we have rather than continue to create new structures.

Moreover, changing or rather rationalising current forms of cooperation should not obscure the EU decision-making process, which is already very complex. This is a grave problem indeed as, for example, new tasks put forth by the Constitution for Europe, such as the role of member state parliaments as guards who check if Community institutions act in compliance with the subsidiarity principle, are hard to reconcile with the need to maintain clarity and transparency of decision-making processes. There is no merit in continually raising the argument that the role of the European Parliament in decision-making processes must continue to grow. Or, at least, the argument must not be raised automatically, as it is often the case today. Indeed, the argument is that since there is a crisis of democratic legitimisation of European structures it suffices to increase the powers of the European Parliament to solve the problem. That is not so. Then the counter-argument quickly follows: national parliaments must have a guaranteed substantial input into the Community legislative process since they are also a guarantor of democracy. Indeed, there is a great deal of reason in that. After all, the European Parliament does not represent the European nation as there is no such thing (there is a European demos with 440 million European citizens and no ethnos). So, as there is no European nation or as it is only now emerging, for the time being individual nations integrating in the European Union are still represented by their national parliaments.

From time to time slogans appear about cooperation between the parliament in Strasbourg and national parliaments. They are rich in rhetoric but lack they substance – constantly returning to the need of raising the role and guaranteeing the importance of parliaments in integration processes. Therefore, it is important to focus less on showy slogans and more on the substantive side of the discussion of the terms of interparliamentary cooperation in EU matters.

I think it is evident that the interests of the European Union cannot always converge with the opinions and interests of national parliaments. While the European Parliament seeks to increase its role in respect of our governing bodies, particularly the Council of the European Union – which ensues from the competition between these two organs written into legislative procedures of the Community – national parliaments are more interested in expanding influence which they will or can have in respect of national governments in connection with the performance of tasks precisely within the Council.

Cutting short the debate on the competing nature of tasks performing by the European Parliament and national parliaments, the European Parliament stressed in its 2002 report that it did not consider itself the sole representative of the citizens and guarantor of democracy at the European Union level. I believe it was perfectly correct to stress that it had no formal grounds to recognise itself as the representative and guarantor of democracy of the European structures. To be able to call itself these names, it would have to represent the European nation and, as I have said, that nation has not yet developed.

It is not difficult to point at areas that are quite problematic in cooperation between national parliaments and the European Parliament. One of them is the budget of the European Union. Parliaments are naturally interested – and that is also a result of the nature of things – in maintaining the highest possible (exclusive) influence on creating national budgets. Whereas the European Parliament would like member states to increase membership contributions – and those happen to come from national budgets. That claim also increases the role that the European Parliament plays, next to the Council, in matters related to the EU budget. In turn, national parliaments try as they may to keep as many resources as possible in the national budget, over which they have absolute control.

Despite these somewhat critical statements about cooperation between the European Parliament and national parliaments, it is without doubt the European Parliament among all institutions that maintains closest contacts with national parliaments. This does not mean that all European Parliament proposals are advanced with the well-being of national parliaments in mind. Let us take, for example, the proposal to make the European Union a subject of international law. It is a justifiable and desired measure, but one also needs to be aware that it will change the role of national parliaments within the scope of the current second and third pillar. In other words, national parliaments may lose their power of consent to ratification of documents created within the framework of the current second and third EU pillar.

The question is whether the European Parliament will continue under such circumstances to be so interested in cooperation within the framework of common foreign and security policy. Presently it plays no role to speak of in that area and, being naturally interested in having some influence on the policy, limited as it is, it wants to maintain contacts with national parliaments and, consequently, stay close to the second and third pillar.

As we discuss mutual relations between national parliaments and the European Parliament we should tackle the key question whether

reinforcement of the role of the European Parliament leads to increasing the significance of national parliaments. After all, a contrary suggestion is also on the table. In the opinion of its proponents, and I am among them, widening the competencies of the European Parliament as the Community system accentuates and will continue to accentuate the particularism of national parliaments will end up reducing their political significance and possibility to impact Community law-making.

I would be interested in hearing your opinions on this subject as it is more a hypothesis than a proven point.

To sum up, cooperation with the European Parliament ensues on one hand from the good will and healthy pragmatism of national parliaments, and, on the other, it is based on well-grounded legal foundations. From pragmatism, because by being “closer” to the European Union through frequent formal and informal contacts national parliaments have a much better access to information and to so-called “best practices” which have already proven their worth. Cooperation between national parliaments and the European Parliament is important in areas such as scrutiny of compliance with the subsidiarity principle, exchange of European information and documents, access to “best practices”, exchange of experience in applying forms and procedures of monitoring the government in integration matters, and the practice of controlling second and third pillar policies.

Today the issue of cooperation between national parliaments and the European Parliament is returning stronger than ever, this time in the context of the debate on the future of the European Union. This is not accidental. Indeed, the role of national parliaments must be also assessed from the viewpoint of the relation between state sovereignty and the power of the European Community, which is viewed today – in a completely new manner – as a constructive cooperation between certain areas of state power and certain areas of Community powers. These areas cooperate one with another to a growing extent and national parliaments should become (and are becoming) institutions that function as bridges between such state-level areas and European Union level areas.

There is no doubt that EU is heading toward an increasingly complex political system, where traditional state instruments are used within a framework of an administrative structure that does not have the characteristics of a state. This is why national parliaments and the European Parliament are faced with several new challenges. These challenges question their institutional position in the community of EU citizens – directly legitimised and representative. This phenomenon requires the ability to take advantage of

opportunities and adapt to circumstances with a view to ensure appropriate parliamentary response to challenges put forth by Community legislation and EU activities.

The topic is vast and has many threads which I have not taken up here. Maybe they will become subject of our discussion. As for me, I would like to thank you very much for your attention.

LESZEK KIENIEWICZ

Head of the European Union Division, the Chancellery of the Polish Sejm

Our next speaker is doctor Andreas Maurer with the presentation on interparliamentary monitoring of the EU internal policies precisely. Mr Maurer, you have the floor. So, you have the floor, the seat and the chair. It's very nice to be upgraded. I was upgraded before the coffee break.

ANDREAS MAURER

German Institute for International and Security Affairs, Berlin

Interparliamentary supranational assemblies in the European Union tasked with scrutinising EU policies in the community dimension

Thank you very much, Mr Chairman.

Ladies and Gentlemen, dear colleagues. I am an outsider to your forum. I'm neither a member of parliament – European or national, nor clerk of national parliament, but simply a researcher working on the issue of national parliaments and the EP and cooperation between national parliaments and the EP in the EU area and the area of the World Trade Organisation.

I'm willing to present four ideas with you.

I will first touch upon some aspects concerning the guiding principles of interparliamentary cooperation in the Community area of the EU. Hence, there are principles that serve as guidelines at least for the majority of both the EP and national parliaments.

I will then move into some kind of a categorisation exercise, i.e. looking at the various formats of interparliamentary cooperation and trying to systemise them according to a set of indicators. The previous speaker already told you about joint committee meetings, COSAC and so on. I want to bring some systematisation into it.

In my third part I will present some empirical findings or my interpretation of the empirical findings, because the original data are mainly set up by the European Parliament, COSAC, the COSAC Presidencies, the ECPRD or IPEX.

Finally, I will present some proposals with regard to the actual debate about streamlining interparliamentary cooperation.

Firstly, the principles.

We are confronted with a large set of principles that serve as guiding lines for each part or level of interparliamentary cooperation, that is the European Union area with regard to the European Community field, but also with regard to the third pillar, the second pillar and so on. Basically, interparliamentary

cooperation should help parliaments to eliminate what we call the democracy deficit. That's clear for the Polish as for each national parliament, the European Parliament. However, the interpretation of what is meant by this democracy deficit differs largely. After the two "no" referenda in France and the Netherlands it seems that the interpretation of democracy and the democracy deficit in the EU in the Netherlands and the UK differs from the definition of the deficit in Estonia, Finland or in other countries which are actually running into ratification, knowing that there might remain an enormous problem with the ratification of the Constitutional Treaty in all EU member states.

Second principle – where the interpretation differs between the EP and national parliaments – is that interparliamentary cooperation should be commensurate with the EP's strategy of making European Community legislative activities more efficient and more transparent. Everybody is in favour of more transparency. However, if you speak to a German audience about interparliamentary cooperation or the EP in connection with efficiency, many people are wondering. According to popular perceptions, a parliament is to participate in legislation and this automatically means that policy-making becomes more democratic, more transparent but less efficient. As regards the European Parliament, several authors noted that the legislative procedures for shuttling draft acts between the institutions is too complex, lengthy, cumbersome and protracted. And indeed, the original co-decision procedure could well be interpreted as symptomatic for a "general trade-off" between the efficiency of EU decision-making on the one hand, and parliamentary involvement on the other. Of course, the original legislative procedures introduced by the Maastricht Treaty appeared cumbersome. Indeed, with regard to the impact of the EP on the EU's legislative output, and therefore its contribution to the "output legitimacy" of the EU's multi-level governance framework, the co-decision procedure itself was expected as being complex, lengthy and protracted. Moreover, the procedure could well be depicted as symptomatic for the "general trade-off" between the "problem-solving capacity" of EU decision-making on the one hand, and parliamentary involvement on the other. As Fritz Scharpf puts it: "Expanding the legislative (...) powers of the EP could render European decision processes, already too complicated and time-consuming, even more cumbersome". However, in contrast to this argument, co-decision did not significantly delayed the final adoption of EC legislation. The European Parliament always was aware of the original "trade-off"-argument. Hence, parliamentary efficiency became one of the favourite jingles of the EP. Kreppel's analysis on the evolution of the EP's rules of procedure underlines rightly that the "most frequently cited reason for

adopting a change, and often controversial changes were proposed in the name of greater efficiency". Empirical data show, however, at least with regard to co-decision that, bringing the EP into the process and bringing national parliaments as the EP into this process, the overall procedure is becoming more efficient than before. The EP is not hindering the European Community efficiency! On the contrary: The power extensions of the EP in its policy-making function led altogether to more efficient decision-making sequences, although the potential for interinstitutional conflict has increased between Council and EP. EU policy making is not only about democracy, it is also about parliaments that are helping the European Community to become more efficient and effective. There are not only the member states' governments which are the guarantors of efficiency, there are also parliamentarians.

With regard to this observation, I think there are two overriding organisational conditions, which are running into interparliamentary cooperation in the shadow of those two principles. One is that the interparliamentary cooperation should always help to make the European Community more efficient and effective, visible as a "player" and producer of "positive output" for the citizens. Secondly, interparliamentary cooperation must be based on the principle of reciprocity. Today the treaties and the Protocol of Amsterdam on national parliaments and cooperation between national parliaments in the EU do not speak any more about this principle of reciprocity. It was laid down in declarations nos. 13th and 14th of the Maastricht Treaty. These declarations are not legally in force because they are not binding. However, the principle of reciprocity is used and translated into what the previous speaker defined as the presence of the members of the EP in national parliaments and vice versa – the standing invitation for each level of parliaments.

If we now enter into the analysis of these criteria, we need to categorise each of them. I argue that there is a qualitative difference at two levels. One is the question "How far do we want to make contacts between parliaments official, formal, institutionalised?". There are different views governing the interpretation in the EP, in some national parliaments and also in another group of national parliaments and a minority of Members of the EP. The second problem is a very practical one; it refers to the systematisation of interparliamentary cooperation according to standards of parliamentary business. Interparliamentary cooperation is confronted with the question of officialisation: We can distinguish interparliamentary cooperation in the EC field by breaking down to five categories. The first is a set of completely

informal contacts between members of the EP and national parliaments without any written basis, rules and so on. The second is the conceptualisation of contexts, which means that participants designate actors which/who are joining interparliamentary cooperation without framing this cooperation through a code of conduct, rules of procedure etc. At a third level comes where COSAC is actually in – it's a stage between what I would call the formalisation and codification of contacts which means a circle where the COSAC has an officially recognised, interparliamentary format through its rules of procedure (the rules of procedure were amended during the last year several times). These rules are governing interparliamentary cooperation to a certain extent. The last stage would be the full institutionalisation of contacts, which means the official and formal recognition of these interparliamentary bodies at the treaty level. That happened with the Amsterdam Treaty in some way, because the treaty was the first that spelled out COSAC as a forum for the EP and national parliaments. However, if you ask members of national parliaments when the next COSAC meeting is, even members of the European Affairs committees do not know what COSAC really means. Overall thus, COSAC is recognised as a body but still to explain. Every newcomer to the Bundestag, every newcomer to the EP needs an introduction into COSAC and an explanation on why we need something like COSAC.

These are the categories of "officialisation".

The second category which, I think, becomes very important when we enter into the debate about duplication of interparliamentary work at the Council of Europe level, at the EU level, etc. is what I would call the "systematisation", to be broken down to three categories. The first covers the question of programming contacts and contents: (How far) Are interparliamentary actors really aware of some kind of forecasting contacts, planning, programming contacts according to different work schedules of parliaments, different paces and frequencies of parliamentary meetings and so on. Secondly, the trial-and-error process which is still going on about the specifications for establishing a hierarchy in the structure between different levels of controlling and control bodies. It makes a difference if you look at the Conference of Speakers and Presidents of Parliaments or at COSAC, or joint committee meetings, or conferences between rapporteurs, or conferences between clerks and so on. These questions are related to the problem of the specification of a hierarchy of phases of action. Views on this kind of hierarchy differ largely depending on the actor's perspective with regard to the nature of interparliamentary cooperation: What is it/should it be really for, what is the purpose of it? Realise the ideal policy cycle of the European Community. It then

makes a difference if interparliamentary cooperation starts with an annual work programme of the European Commission and goes through this working programme, translates this legislative programme of the Commission into annual debates of national parliaments and scrutiny on issues that might become important throughout the year, then feedback this at the level of COSAC or at the level of joint committee meetings in order to define items for further debate. This is one way of systematisation. But you can also argue that systematisation does not matter at all, parliaments meet anyway and speak about everything. This perspective leads to COSAC meetings that are concentrating, more or less, only on internal affairs, i.e. very interesting, but general debates on the role of national parliaments in the EU and endless debates on subsidiarity. COSAC is not focusing on policy issues, it is not focusing on issues which might be interesting to citizens. In other terms: COSAC misses to debate issues that are interesting to those who are to be represented by those sitting at COSAC, i.e. members of parliaments. The problem of COSAC is that it is not arranged according to the work and to the schedule of the European Community. It is not organised according to the policy cycle of the EU. But it could be done: The Commission, once elected, nominated, presents a five years programme, a very rough idea about its work, but it is a programme. Afterwards, the Commission presents annual programmes. In addition, parliaments are confronted with 6-monthly programmes of the Council presidencies. There are thus enough opportunities for interparliamentary cooperation to work on policy issues. But if you look to the history of the formalised bodies like COSAC, apart from this railway package exercise – I'll come to it afterwards – COSAC is still very much focusing on institutional issues.

How should the interparliamentary cooperation look like? The following remarks are not my idea. I will simply rephrase what a former Portuguese member of the EP, Mr Cavinho, presented in the early 1980s as an ideal type of interparliamentary cooperation in the Community field. To bring the parliaments closer together, the following procedure was proposed:

1. Before the legislative programme is adopted, the European Parliament forwards the Commission's work programme to the national parliaments and invites them to submit comments informally.
2. Before the end of the year the European Parliament forwards to the national parliaments the annual legislative programme adopted jointly by the Commission and Parliament and the joint declaration by the two institutions on the legislative programme. This gives the national parliaments the best possible opportunity to undertake legislative and implementation activities relating to Europe before final decisions have been taken.

3. After the legislative programme has been adopted, the European Parliament proposes an annual review – together with the national parliaments – of the joint initiatives that might be taken on the various aspects of the legislative programme. This review might take place during the meeting of COSAC held in the first half of the year, or in the form of meetings of the chairmen of the committees concerned. As far as they are able, the European Parliament's committees inform the corresponding committees of the national parliaments of the names of the rapporteurs they may appoint for each proposal so as to facilitate meetings of rapporteurs; whenever possible, they also obtain the views of the national parliaments on the legislative proposals submitted to them for consideration.
4. The European Parliament forwards to the committees of the national parliaments specialising in EC/EU affairs its monthly report on current and forthcoming work so that they may keep abreast of the progress of its committees' deliberations.
5. To facilitate observation and scheduling, the European Parliament makes available to the national parliaments its OVIDE system, which contains the timetable of the European Parliament's part-sessions, the agendas of committee meetings, the records of their activities (INFO-MEMO), a list of corresponding committees in all the parliaments, a list of the presidents or speakers of the parliaments and the secretaries-general of their administrations and the electoral laws (national and European). In addition, the European Parliament makes available its Legislative Observatory, OEIL, in which the contents of a proposal for Community legislation and its progress (continued consideration) in the legislative procedure can be seen at any time. The national parliaments are also offered the EPOQUE system, which permits systematic research into legislation that has already been adopted but may not yet have been implemented.

Besides the progress achieved under interinstitutional agreements in increasing the European Parliament's participation in the establishment and acceleration of the adoption procedure and the transparency of the legislative programme, the European Parliament increased its efforts to have the programme made available to the national parliaments at the earliest possible stage. To this end, the European Parliament's Rules of Procedure include a number of improvements on the Annual Legislative Programme. The European Parliament thus committed itself to forwarding the programme to the national parliaments. To involve the national parliaments in the decision-making process relating to the legislative programme, it invites the Council to take part. In the Interinstitutional Declaration on democracy, transparency and

subsidiarity adopted on 25 October 1993 the Council reacted positively to these efforts and said that it would “state its position on the programme in a declaration and undertake to implement as soon as possible the provisions to which it attaches priority”. In this context the Commission reaffirmed its willingness to take the following measures:

- “wider consultations before presenting proposals, in particular publication of Green or White Papers”;
- “flagging in the legislative programme of up-coming proposals which would appear to be suitable for wide-ranging preliminary consultations”;
- “publication of work programmes and legislative programmes ... to publicise action planned by the Commission”.

To give the national parliaments enough time to consider and respond to the legislative programme, measures were taken to speed up the procedure for its adoption:

- in the Interinstitutional Declaration referred to above the Commission undertook to complete the programme of work by October of the previous year;
- the Council amended Rule 6 of its Rules of Procedure to enable it to decide on this work programme as and when necessary;
- in its Rules of Procedure the European Parliament reaffirmed its intention to complete the examination of the legislative programme before the end of the previous year.

In its document on subsidiarity the Commission proposed that the draft legislative programme should be forwarded to the national parliaments and the European Parliament at the same time.

For these reasons the four-stage concept of interparliamentary cooperation in connection with the legislative programme that was presented in the Cavinho report still appears to be appropriate means of involving national parliaments in the deliberation process.

The problem with regard to the application of the “Cavinho-programme” lies within the third stage. At COSAC national parliaments are bringing in their items, whether they want more scrutiny on upcoming legislation, on white and green papers, on subsidiarity, proportionality or other evaluation criteria. The actual, post-constitutional treaty debate is too much focusing on this issue of subsidiarity. There are other issues at stake. Firstly, subsidiarity is not only about the division of competencies between the member states and the EU but also sometimes – look at the trade area – between the EU and international organisations. Here, the EU is only one

actor. Subsidiarity does not necessarily resolve democracy problems, it's only a small part of the problem.

Another problem is connected to Cavinho's fifth stage. National interparliamentary committee meetings and COSAC. There is some kind of feedback to the EP for adopting its first and second reading reports but also a feedback into national parliaments. National delegates can get information about not only what the EP thinks about an item of the agenda but also how other national parliaments are treating the same problems. This specific characteristic of joint meetings – to offer a forum for learning how national parliaments are digesting incoming legislation – can not happen at COSAC, because its members by definition are members of European Affairs committees. They have a very good expertise in institutional matters, in “big bargain” issues, IGCs, Agenda 2007 etc., but not necessarily in daily work, hard work of the European Community in what makes the EC running – transport, energy, etc. These issues are not for COSAC but for joint committee meetings. Take the example of the recent energy crisis induced by the Russians in some way. We have different views in Poland, in Ukraine, in Germany, in France or in Britain about that. Where should it be discussed at the parliamentary level? At COSAC? Very hard. One and a half day on energy? I think that the membership of COSAC makes it very complicated. But if you would say: “We invite the committees responsible for economy, industry, and energy policy. Let's discuss it at this level, then it becomes more interesting for all participating partners.” More interesting for the British and Germans to understand the anxiety of the Poles, more interesting for the Poles to understand why the French or Germans are not so anxious about the Russians.

To sum up on COSAC and other “high-level” contacts: Focusing on and enforcing subsidiarity and the so called “early warning mechanism” without the constitutional treaty is a wrong way to go ahead if one wants to make Community legislation more democratic and efficient. From the citizen's point of view, subsidiarity per se has nothing to do with democracy. The competencies and the rules governing the application of these competencies are defined in the treaties. If member states or parliaments think the competencies should be reformed, they can do that either at the IGC level or by using article 309 ECT. But again: This focus has nothing to do with efficiency. And subsidiarity is not a theme that national parliaments should claim exclusive political ownership for. Subsidiarity as a principle was invented by the EP in the Spinelli report of 1984! It was an EP's idea, not a national parliaments', not a German idea. Only after Spinelli, Belgium and Germany proposed the inclusion of the principle into the Maastricht treaty. They then

re-interpreted and reformulated the subsidiarity principle as a principle for securing some checks and balances between these two levels of governance. But the underlying idea had nothing to do with efficiency. Hence, efficiency depends not only on allocating competencies according to the treaties, but also on allocating workload of different working levels. There are phases in the EU process, where actors realise that, of course, the EU does not have the legal competence but it is more able to digest an external challenge, even if the treaty does not provide for that challenge. The focus on subsidiarity, I think, is too narrow. It's the wrong way to respond to criticism of citizens in France, the Netherlands and other countries as regards the Constitutional treaty. The citizens are not criticising the EU for doing too much, they are criticising the EU for doing not enough!

What about the future of joint committee meetings. I've gone through these joint committee meetings since 1987, when they first happened. Of course, there are committee meetings where there is a cheap talk. But the more recent exercises of joint committee meetings of budgetary affairs committees, of economic and monetary affairs committees and of civil liberties and internal affairs committees prove to be very efficient and policy-oriented. Participants are looking for pragmatic ways of interparliamentary cooperation to deepen their knowledge about complex, technical and dynamic policy fields at the parliamentary level. Take the area of home and judicial affairs, where the EP invited the national parliaments in 1992 for the first time to discuss jointly the two reports of the EP on asylum and immigration policy. This meeting induced the creation of specific committees in the Irish and the Portuguese parliaments. If you look at these joint committee meetings today, held at least once per year, they're sometimes very technical, but the participants are specialists in a given matter. These meetings are a very technical exercise about discussing amendments, debating the EP's amendments at the first and second reading stage in order to warn the EP: "If you pass this amendment number A against the Council of Ministers, well you can do that, you might be successful, but we – national parliaments – can tell you today that we will not be able to transpose, we cannot implement this kind of amendment." This kind of discourse is, I think, one of the best messages for the EP with regard to efficiency, to get an early warning with regard to how realistic its amendments are.

Finally, joint committee meetings have a problem of frequency, since the schedule of parliaments is not the same. If you want to bring parliamentary rapporteurs or members of committees together, it depends on the schedule of

25 parliaments. The EP has a very tight schedule and it needs at least three meetings a month at committee, political group level or plenary, while national parliaments collect in one week all their activities at political group, committee and plenary level. It becomes very difficult to find ideal dates for interparliamentary exchange. That is a problem that you cannot resolve by law, you cannot harmonise parliamentary affairs.

Summing up, I think, the dominance of COSAC towards subsidiarity is reflected very critically by national parliaments, which do certainly not want to block the European Community legislation, but which in future want to help the European Community to become more efficient and effective with regard to third partners and international organisations.

Secondly, we observe an emerging area of “new democracy deficits”. Everything which is dealt with under the umbrella of the Lisbon Agenda, what we call the open method of co-ordination (OMC), is beyond control of national parliaments and the EP. The EP starts to realise that there is a problem. National parliaments of Finland and Estonia have also realised that there is a problem, that there is some kind of “would-be” policy making, or placebo policy making or “instead of” policy making, which is not under control of the EP or national parliaments. In OMC ministers are without any control, they can do whatever they want. The same goes with trade policy. Today the EP is controlling trade policy very efficiently. But assume that the Doha Round is going to fail, that we are entering a phase of re-bilateralisation of trade contacts – then the EP would have a lot of problems in scrutinising trade policy. Of course, there are no “new” problems with scrutinising trade policy at the European arena, but it becomes very problematic for the EP to look at trade policy or trade policy-related items after a failure of Doha. Similar problems of policy-making behind the parliamentary scenes can be depicted in the Eurogroup, where the EP enjoys no rights at all. Finally, today and tomorrow the German Bundestag is going to discuss and possibly, I’m afraid, to ratify the Prüm Treaty. In Prüm last year Austria, Germany and the Benelux countries, France and Spain adopted the treaty allowing the participating countries to go ahead with regard to exchange of biometric data, the exchange of sky marshals, and of dactylographic data. Prüm is some kind of Schengen exercise – closer cooperation outside the EU, but in connection to the EU. The partners are not using the rules of closer cooperation of the European Community. They are acting outside, there is no European Commission, no European Parliament. The only parliament that has really debated the Prüm Treaty was the Austrian Nationalrat. The Spanish Parliament ratified the Prüm treaty without any kind of debate. I’m afraid that the Germans are going to do the same. They are going

to ratify because they want to be in the camp of the first – “we’ve ratified”. We have witnessed in the Schengen area that, before the Schengen process came under the umbrella of the European Community, something happened without any control of the parliaments. These areas are – for democratic reasons – more important for interparliamentary cooperation and contacts, both with regard to efficiency and democracy as well as to parliamentary accountability of political action than the exclusive focus on subsidiarity.

Thank you very much.

LESZEK KIENIEWICZ

Head of the European Union Division, the Chancellery of the Polish Sejm

Thank you very much. I think you agree that we’ve heard two essential presentations proving that both speakers are genuine insiders to the problem, however being outsiders to the civil service.

I think that we need some time to digest before asking questions. Perhaps the best time for questions will be during the next session which will be chaired by doctor Maurer, after lunch.

Session III

Supranational parliamentary and
interparliamentary assemblies in the
European Union tasked with scrutinising
EU policies

ANDREAS MAURER

German Institute for International and Security Affairs, Berlin

I think that at least on the speakers' side we are all there. Translation is also there so we can begin. Welcome to the afternoon session. I'm going to chair two of them, the third and the fourth one. The third one will be on "Supranational parliamentary and interparliamentary assemblies in the European Union tasked with scrutinising EU policies", focusing on the second pillar of the EU, namely the common foreign and security policy (CFSP and ESDP). There are three speakers: Michael Hilger who is head of external relations at the Assembly of the Western European Union, Thomas Grunert who is the head of the Unit of Interparliamentary Delegation, that's European Parliament, and Ms Kim van Dooren, who is deputy Secretary General at the Netherlands' Eerste Kamer.

I think that we follow the order like in the programme, which means that Mr Hilger starts now to present his views from the WEU Assembly.

MICHAEL HILGER

Head of Unit for External Relations,
Assembly of Western European Union

Supranational parliamentary and interparliamentary assemblies in 21st century Europe tasked with scrutinising the common foreign and (external) security policy

Thank you Mr Chairman. I hope that you all had a good cup of coffee so that you can sustain the typical after-lunch fatigue. I will stop speaking if I see more than five people falling asleep. This has been a very interesting seminar so far and I'm very pleased that I can present the WEU Assembly today. I have submitted a paper which the Polish hosts have kindly copied even in colour. I'm not going to read this paper to you, you can use it as an interesting bed-time reading. With your permission, I would rather like to focus on a few points and I'm looking forward to discussion on the best model for parliamentary scrutiny of European foreign and defence policy, which is, as far as I understand, subject of this particular session.

The WEU Assembly, the WEU is an organisation with a long history. The WEU was founded in 1948 as a collective defence organisation and it was the first time the European countries organised themselves after the war. They not only agreed on the Brussels Treaty, which is the founding treaty of the WEU, not only agreed on cooperation in collective defence, but also on social, economic and cultural questions.

However, the WEU lived for a long time in the shadow of NATO, which dealt with defence questions, the Council of Europe – for social and cultural questions, and the European Community, later the EU – for economic questions. Of course, today all these organisations have given themselves much wider competencies. But still the WEU continued its existence, it was

revitalised in the 80s, it was further developed in the 90s and acquired the capacities for civil and military crisis management. It was used at that stage by the EU. Inside the EU it was not possible to develop military policy. Therefore, the EU used the WEU to execute crisis management operations. And first in the Maastricht Treaty and then in the Amsterdam Treaty this is explicitly mentioned in the treaty text and I will read this part to you. In the Amsterdam Treaty article 17 says: “The WEU is an integral part of the development of the EU providing the European Union with the operational crisis management capability”. And at that point the EU used WEU for several missions. There was a civil police mission in Mostar, a de-mining mission in Croatia and, in the wider context, there were sanction control missions in the Adriatic and in the Persian Gulf.

These were the heydays of the WEU and the Assembly. At that time people asked the question why we don't integrate fully the WEU into the EU. But instead of integrating the WEU, it was decided in the late 90s that the WEU would acquire its own crisis management capabilities. This is the birth of ESDP and the CFSP, or the object of the scrutiny we are talking today. The crisis management functions were transferred from the WEU to EU and in that process the WEU was reduced to its pre-90s level. It still had abiding mutual defence commitment, it still had armaments cooperation and there was still the WEU Assembly.

The Assembly itself was founded in 1954 when the 1948 Brussels Treaty was modified. A short recall of what happened at that time. The idea was to create a European Defence Community. This was rejected by the French National Assembly (there is no coincidence with the “no” on the Constitutional treaty, of course). The European Defence Community foresaw the establishment of a consultative assembly. When this project collapsed because of the “no” in the French National Assembly, the solution that was found was to modify the Brussels Treaty and to give the WEU an assembly. This assembly has not executive powers, it does not vote laws, it does not decide on troops deployments, it does not vote conventions and it does not vote budgets for military missions, but it has extensive consultative rights. And these are based on article 9 of the modified Brussels Treaty.

If you like you can pick a copy of the treaty. I put copies outside on the table. This was printed as a book in a series of mini-books by a French company that does these books of important treaties, fortunately they considered this to be an important treaty. The idea is also that this is something that you cherish, you don't throw it away easily, you keep it. So it was also a communication tool for us.

This is the full text of the treaty, compare that to the constitution, if you like. There is a simple phrase in the modified Brussels Treaty which says: "The WEU Council shall make an annual report on its activities to the WEU Assembly". And this simple phrase has been given a very large, very wide interpretation and the rules of procedure, informal agreements with the Council and de facto development have allowed for the members of the Assembly to debate on all the questions of the European security and defence. Typical topics are, for instance: non-proliferation of weapons of mass destruction, the whole discussion about the capacities of the EU for crisis management, but also the political situation in the Middle East, in the Caucasus, transatlantic dimension. There are also benchmarking reports comparing the national rights of parliaments concerning troop deployments. There is a very interesting report by a deputy from the Portuguese parliament that shows that e.g. in the Dutch parliament not one soldier leaves the country without the parliament approving it. But there are other countries in the EU, where no parliamentarian knows about a soldier leaving the country. Very extreme differences of prerogatives of national parliaments about troop deployments. But in the end of the day national parliaments somehow approved troop deployments.

The WEU Assembly has the possibility to create committees and sub-committees. The most important committees are political, defence, technological and aerospace committee. It can nominate rapporteurs, has a budget for information visits and the procedure is as follows: in this one single phrase, which says: "The Council makes an annual report". This is the beginning of the procedure. The report comes in, written, but also the presidency presents the report in oral way in front of the parliamentarians. This is then a basis for its political work. The Assembly comments on the Council's activities, the Assembly votes recommendations. These recommendations are sent to the governments and the governments, and this is an important point, are obliged to respond to the recommendations.

I've put also outside on the table the latest document with the Assembly's recommendations and the replies of the governments to the Assembly's recommendation. Of course, some of the replies are very good, a lot of substance, giving a lot of information about the intention of the governments when they did something, but there are of course replies which are really thin. But what is important is that through this process the recommendations from the parliamentarians, they go from Brussels where the governments sit into the capitals. Somebody reads it, somebody has to make a reply, this reply has to be co-ordinated in Brussels for a collective response by governments and through all this process the parliamentarians' concerns are in the heads

and minds of the governments. I think that's a very crucial element of interparliamentary work.

Of course, over the years, this Assembly has existed for 50 years now, there is a wealth of reports, recommendations, resolutions which reflect the concerns of parliamentarians at that time like a history book. We have edited it. This kind of presentations are also commercial exercises, so we have prepared a book which traces the history and has a DVD with all the reports of the Assembly. I'll be happy to send you a copy if you wish, leave your business card for me.

What is important is that throughout the transition process, when WEU first was introduced into EU Treaty as an integral part, then taken out again, because the EU was then ready to do it itself, the Assembly continued its work. However, the Assembly has suffered from the decline of the WEU and its visibility, its impact it had on policy has been reduced as compared to time when the WEU was a toolbox of the EU. There is also now a lot of pressure on the Assembly's budget. The bottom line is that parliamentarians believe that if the governments make less use of WEU, that does not mean that the Assembly should stop working. They are encouraged by governments who repeatedly have confirmed that they recognise and support the Assembly as a forum for strategic reflection for national parliamentarians. They're also encouraged by the large interpretation of article 5 of the modified Brussels Treaty, which allows to debate, as I said, all aspects of European security and defence and they don't necessarily have to be performed by the WEU Treaty.

And the third point. The parliamentarians were driven by the willingness to use WEU legal framework to scrutinise what the governments were doing at the European level. At this stage I'd like to recall a principle, which was mentioned this morning, the principle of parallelism between intergovernmental cooperation and interparliamentary cooperation. You're right, this principle was not applied for economic cooperation, but it was always applied in the past when it came to security cooperation. So, we have OSCE inter-governmental cooperation, OSCE interparliamentary cooperation, NATO inter-governmental cooperation, NATO Parliamentary Assembly's interparliamentary cooperation, and the WEU Assembly, of course. The only organisation which still has to find its interparliamentary system is the EU, now that the EU talks about security.

The argument of the WEU Assembly parliamentarians is that – in the absence of such an EU Parliamentary Assembly – the WEU Assembly serves as a forum for an interparliamentary debate. So far, so good but not everybody agrees. So the Assembly's approach is supported by some governments and national parliaments but is only tolerated by others, to use an euphemism. What everybody agrees upon is, of course, that the current situation is

unsatisfactory, except, maybe, for governments, because governments are just happy that there is no real structure scrutinising them and no government would openly ask for scrutiny. In this situation, I think, one has to accept that there is no “fits-all” solution. It will be a complicated solution. Many times people say the EU is a unique institution to hide some of its systematic problems, separation of powers and things like that, so I believe this then calls for unique solution for parliamentary scrutiny. There are three actors: the European Parliament, the national parliaments and the WEU Assembly. I think, one can say that today the EP is, without any doubt, the key parliamentary player in Brussels. In particular it has re-created a special committee for security and defence, which is chaired by Mr van Wogau, a very experienced parliamentarian. But even before the re-creation of this committee, the EP had carved out high reputation through debates, reports, hearings and missions. As far as missions are concerned, which are funded through the Community budget and through the CFSP budget, the EP has enhanced powers of decision and control.

I'd like to use again this form of “so far, so good”, but MEPs are not national parliamentarians, they are simply not the same breed. The decision, for instance, to launch an EU operation is taken by national governments by consensus in Brussels but still based on national considerations. It's a purely intergovernmental process. And the EP, MEPs, do not scrutinise these decisions, they are scrutinised by national parliamentarians. What is more, there are the national parliamentarians that vote the defence budgets that provide resources for ESDP and the EU's military missions. Also, national parliamentarians vote or approve troop deployments. But paradoxically, although national parliaments take all these decisions, there is no interparliamentary body for them to have an interparliamentary dialogue and they do not have a regular dialogue with the EU executive. At the same time, the MEPs have the information and dialogue with the EU executive, but they do not vote defence budgets and troop deployments. This is what is sometimes called the democratic paradox of ESDP.

I know that still some believe that national parliaments should do their work at home, scrutinise their governments at home and that's it. But I think, what is important is that if you, as a national parliamentarian, want to do your work properly at home, your constitutional task of scrutinising your national government at home, you need to be able to take into account the European aspects of your national government's policy. There are examples of national parliaments spending a lot of money for travelling to Brussels to receive this kind of information on individual basis. The House of Lords, the House of Commons send regular delegations to Brussels. I've just had a conversation

with Michel Antoine from the French National Assembly telling me that now, I can't remember correctly, every single day there is a French parliamentarian in Brussels on a mission, on an information visit. One cannot really imagine that, for instance, dozen or so parliaments of the EU member states send their committees regularly to Brussels. If all of them send one parliamentarian per day to Brussels, this would be a breakdown and it would paralyse Brussels, I'm sure. So we need to find another way how to allow national parliaments to get the information that allows them to evaluate their national governments' policy under the European dimension. That is very important.

In contrast to the national parliaments, which do not have access to EU information, the governments have it. The governments meet regularly in Brussels, but not national parliamentarians. If we look at this from another angle, it not only exposes weaknesses of a purely national level of scrutiny, it also shows that this does not serve European integration at all. This is a very strong comment I'm going to make, so I excuse myself before that. I believe that confining national parliamentarians to the national level may favour a narrow, even a nationalistic perspective. I believe that in contrast, information gathered at European level would normally be much less influenced by national considerations.

So my first conclusion is that national parliamentarians require an instrument allowing them to gather information at European level, discuss the European aspects of their countries' foreign, security and defence policies with each other and consult the governments about their collective views on their European activities.

The second conclusion is that there is no exclusivity when it comes to scrutinising CFSP and ESDP. None of the three actors I've mentioned, the EP, the national parliaments and the WEU Assembly, has the full legal competence, the whole necessary institutional position, the whole political weight, all the technical means to claim exclusive prerogatives on scrutinising CFSP and ESDP. I believe that the combination of their competence will do the job and I think that we need an open-minded approach and not competition for exclusivity. Let's remind ourselves that European security and defence is now spread on three organisations: NATO, WEU and the EU. This is a unique situation and it requires a unique solution for parliamentary scrutiny. The members of the WEU Assembly believe that the solution should be based on the interparliamentary model with its wealth of proven instruments for parliamentary scrutiny.

Before I come to the end of my presentation, where I would like to present the advantages of the interparliamentary model, I'd like to quickly make a list of conditions, which, I believe, need to be met so that national parliaments,

national parliamentarians can get the information they require to work properly. I think, there should be an obligation of the EU Council to provide national parliamentarians with reports on its CFSP and ESDP activities. This obligation should be in the treaty. It's a difference if it is the Council as a group, a collective group, or if it's the presidency that provides that information. The presidency will always talk from the national perspective. And even worse, if the information is provided by a secretary general – we all know the “blah blah blah” of Secretaries General of international organisations, when they are talking to parliamentarians. So, it needs to be the presidency. Secondly, I believe that the report should be the basis of political work of parliamentarians, preferably in committees – we can discuss that, of course. There should be a vote on recommendations. The vote is very important to give the recommendations legitimacy. Third, I believe that governments should be obliged to reply to recommendations. This is for the same reasons I explained earlier. We need to make sure that there is a formal obligation for the recommendations to trickle down into the governments, into capitals, and maybe also into research institutes, general public so we force the governments to respond to recommendations to say why they did something, but also why they did not do anything. This is one aspect that sometimes gets lost. Of course, I just blasted the presidency and secretaries general for not being too informative, but I still believe that they should be available for oral questions when they can't very easily dodge the reply.

Parliamentarians, I believe, need a permanent and independent staff. This sounds a little bit like I'm promoting myself or colleagues who are here and work for interparliamentary assemblies, but clearly, without a supporting staff, which is somehow the memory and transmission mechanism for parliamentarians, I think they can't properly work at interparliamentary level. Of course, parliamentarians need proper budget for information visits and this budget should preferably be voted by national parliaments and not through a process, in which an institution under scrutiny gives the scrutinisers the money to do so. This is the situation we have in the WEU Assembly – the Council gives the Assembly the money to control the Council, which is slightly absurd.

The last point I made earlier, is about the feedback. I think what is important is that when a parliamentarian comes back from the meeting at the interparliamentary level, the question that is put to him is not “Did you have a good time?”. The question that must be put to him is “What did you do?, What did you adopt?, and Let's discuss it!”. So, these are some of the conditions which, I think, are necessary for parliamentarians to obtain information and work properly. Another question altogether is what structure they want to use

to work with. Is it a COSAC model, a conference of chairmen of national foreign affairs and defence committees, is it an interparliamentary model?

I will finish my talk. I believe that the interparliamentary model has a lot of advantages. There are essentially four advantages: the first one is that countries represented in the interparliamentary model would be represented according to demographic and economic weight, economic equals military weight. This is important for decision making. It is also important to make sure that there is a true representation of all different political groups that exist at national level, so that disagreeing voices could be heard at the interparliamentary level. If you have a conference of chairmen of national committees, and if you know that in many parliaments the chairman of the committee is always corresponding to the government party, you simply mirror the views expressed at governmental level. If your parliamentarian is of the same colour as your government, the parliamentarian at the interparliamentary level will automatically more or less repeat what the government has already said. But if you have a delegation, then all the political views can find a voice.

Secondly, as opposed to COSAC model the interparliamentary model would be open to national parliaments only. There would be no confusion between the parliamentarians.

Thirdly, I think that under the interparliamentary model the information gathered is available to much larger number of parliamentarians. Of course, the delegation is bigger if people attend, if they do not disappear. Then they have an opportunity to gather information and there are much more parliamentarians who learn this information. This is especially important for the role of national parliamentarians in transforming and informing the public opinion and vice versa – in transporting the public opinion back to the European level. The more parliamentarians are involved in a way, the better. Of course, there are limits to that. It is also important with respect to different levels of proximity that exists towards the citizen as far as a national parliamentarian is concerned and as far as an MEP is concerned.

Fourth, I believe that the interparliamentary model has an advantage as compared to ad hoc conferences, because there is an ongoing consultative dialogue and there is also a follow-up process.

To end my remarks and to allow you not to be too worried about a new institution which might be proposed. If you take the size of the delegations that are currently sent to the Council of Europe and if you take 25 member states and an EU interparliamentary assembly composed of the same size delegations, it would have 396 members and the EP has currently 732 members.

Thank you very much.

ANDREAS MAURER

German Institute for International and Security Affairs, Berlin

Thank you. Now we're going to turn to the other side of this debate, to the European Parliament. I'm not sure if this is really becoming controversial. I hope so. Floor is up to Thomas Grunert. I'm a little bit biased because he is partly also one of my teachers. I started to learn about the EP when I went to the EP on a Schumann traineeship and Thomas was my advisor or supervisor.

THOMAS GRUNERT

Head of Unit for Interparliamentary
Delegations – European countries, European Parliament

Supranational parliamentary and interparliamentary assemblies in 21st century Europe tasked with scrutinising the common foreign and (external) security policy

Thank you, Andreas. I can say that in the meantime the roles have changed, because I've learned much more from Andreas Maurer than I can teach him any more, at least in the theory of interparliamentary cooperation, democracy theory etc. I'm a little bit worried now, because Michael Hilger gave me this book about the WEU Assembly and I have to be more polite and diplomatic now in my personal assessment of WEU Assembly and its future. I would like to provoke you, to provoke your thoughts and to have some radical suggestions on how to rationalise interparliamentary cooperation and how to make it more efficient and more effective. I will try to be short and my colleague Dionyz Hochel, who works in the Directorate General of Internal Policies and who is responsible for relations with national parliaments, will complement my remarks. My remarks will be completely unstructured, because I did not have time to prepare my presentation. Actually, I could have done it on the plane, but I prefer to act and react spontaneously to what has been said before.

Let me start by saying that we have a problem of scrutinising and we have a problem of democratic accountability in the area. It is well known that the Common Foreign and Security Policy (CFSP), be it the European Defence and Security Policy (EDSP) have traditionally been a prerogative of the executive. That means that parliament have little to say and for this reasons parliaments even more have to try to act together, because only if parliaments act in common we have a slight chance to influence the executive in our respective countries

and the executive at the European level. Michael referred to the rights of national parliamentarians to vote on the deployment of troops and defence budgets. This is very true as regards the defence budgets, but unfortunately it is not really true as regards deployment of troops. People may correct me but if I look at the 25 member states of the EU, I right now can identify only four where the deployment of troops is subject to a parliamentary vote, already mentioned the example of the Netherlands, second example is Sweden, third example is Germany. OK, that may not be the full list but it's a minority where the national parliaments have the right to do so. My personal opinion is that when the lives of people, of citizens are at stake, parliaments, representation of the citizens should be consulted, or should decide. So, we have to deplore that the parliaments' role is limited, but it goes without saying that the foreign policy, security and defence policy even more, is an affair of the government and that's why, historically and still now, parliaments have little to say. That's my first message.

Let me briefly describe interparliamentary assemblies which have the task to scrutinise foreign, defence and security policies. As I said already, there is no real scrutiny, there is controlling to a certain extent and influencing the policies in the area. The Interparliamentary Union, well known to you, has little to say. It is a consultative body, it has a couple of committees, also one dealing with security. It is important because members of parliaments meet there, can exchange their views, but it has nothing to do with scrutiny.

As regards the OSCE Assembly – the Secretary General is not here yet, but I hope that he will show up in the course of the conference, so that he may speak even more openly – it has a clear security mandate. It stems from the final Helsinki Act of 1975. The Assembly was created in the early 1990s. Helsinki is based on three baskets: security, economic cooperation and human rights. Now they have also been dealing with the Mediterranean policy co-ordination. But again, the OSCE Assembly has no tool to really scrutinise, they can only influence to a certain extent. And here I insist on the following point. These assemblies are important – it was mentioned this morning – in order to educate parliamentarians, to open their horizons by meeting with their counterparts, their colleagues from other countries. So their task is to develop the empathy and, obviously, to exchange information.

A small parenthesis: this exchange of information function could be taken over more and more by bodies like ECPRD, IPEX or, on the whole, by the use of new information technologies which provide people, interested public and parliamentarians, also with expert and specific information.

Very important is what Michael said about the feedback. Here we have a problem. OK, let's not talk again about parliamentarians getting lost at international conferences because they preferred to go to museum, to do something much more pleasant than to listen to politics or whatsoever. That happens. Normally, they are serious and they attend the meetings, but normally there are no feedback mechanisms. Maybe it's not the case in the United Kingdom and in other countries, but all the reports drafted afterwards, these reports from the last plenary session of the OSCE Parliamentary Assembly, are not normally dealt with at the plenary or at competent plenary levels in national parliaments. This is something which definitely has to be improved.

Dear Parliamentary Assembly of the Council of Europe. OK, also in the Council of Europe you deal with the security, you don't really deal with defence because that has been delegated, double-hatted, to the WEU Assembly. If you talk about human rights, democracy, in the end everything touches upon security, internal security as well as external security.

I never would put into doubt the *raison d'être* of these parliamentary bodies, namely the Council of Europe has much more expertise than the EP in your areas of primary activity, be it elections observations, promotion of human rights and democracy, etc.

The NATO Parliamentary Assembly. Here I look at my "grandson", Paul Cook. I call him a grandson because he has taken over the function I was fulfilling at the NATO Parliamentary Assembly some twenty years ago, namely chairing the Secretariat of the Economic Committee.

The NATO Parliamentary Assembly, if now we talk about security and defence, obviously is of utmost importance, because it links the transatlantic partners, it has associate members, etc., encompassing almost all the European countries and it has an expertise. That is why, by the way, the EP some four years ago established a permanent delegation for relations with the NATO Parliamentary Assembly. We in the EP have almost no expertise in security and defence. If I look at the General Secretariat of the EP, some four thousand people, including translators, we noticed that there are three or four people who are meant to be experts in security and defence. And I'm one of those. Obviously, I'm not an expert in the field, but for the simple reason that I worked in the area for ten years, when in 1985 the EP founded its first sub-committee, at the time on security and disarmament (now on security and defence), I got this label "This guy has come from the NATO Assembly, has been working in the area and is a security and defence expert". Obviously, I'm not at all. So we don't have expertise. That's why we heavily

rely on the expertise at members and staff levels of the NATO Parliamentary Assembly and also, still for the time being, on the WEU Assembly.

Here again, the NATO Parliamentary Assembly – they don't really scrutinise. OK, the NATO Council has to react to your texts adopted as is the case with the WEU Assembly, but that's it. There is no need to follow the policy advisors or to really take into account what these assemblies are saying. These are consultative bodies, not more and not less.

Sanction power? Not at all. How could the WEU Assembly, NATO Assembly, OSCE Assembly sanction their governments? They simply can use soft policies, influence and put their items on the agendas and in this way influence the political process.

Now, let me finish with the WEU Assembly. Michael and myself know each other for a long time and I announced that I would be provocative, so I can say openly that if there is any intention to rationalise interparliamentary assemblies, one should start with the WEU Assembly and scrap it. Not without creating something different, which could take up the same function. But I personally believe – and again, I don't speak in the name of the European Parliament, even if what I'm saying is mainstream thinking in the EP – that there is no further need for a fully fledged WEU Assembly. As you know or some of you may know, the Cologne Council in 1999 had in its final declaration statement saying that “the WEU has fulfilled its historical function”, we don't need it any more. And indeed the WEU and its Assembly had a historical function, but with the increasing influence of the EP and the persistence of the NATO Parliamentary Assembly, one really should ask the question “Do we really still need the WEU Assembly?”. As you know, other organs of the WEU Assembly have been abolished, there is no WEU Council any more – there is, but not meeting on a regular basis. The WEU was a part in the process of European integration, integral part of the development of the EU, as stated in the Amsterdam Treaty. Now this process has further developed. One should start to think about alternatives which make sure that the parliamentary influence on foreign, security and defence policy does not diminish, but will increase.

Now, how could it be increased? Here I would like to quote myself. I'm not proud of what I've written, but this morning we were talking about this famous questionnaire which was initiated by the then president of the German Bundestag, Wolfgang Thierse, on rationalisation of interparliamentary assemblies. At the time I was in charge of preparing a reply for the EP, which again does not reflect the official position taken by the EP.

As regards the WEU Assembly, the question was “The WEU Assembly was originally supposed to be a parliamentary forum on defence policy”. You

noticed that we had a 1948 Treaty, we had a failure of the European Defence Committee, failure in the French National Assembly. Actually, it is quite interesting to complement that there was a coalition of gaullists and communists which made the project fail, the other political parties in the French National Assembly in 1951 were in favour, but the gaullists and communists had a relative majority. You may draw your own conclusions from the European integration perspective concerning that. You have your merits – the WEU as an organisation and the WEU Assembly, in particular, as a forum on defence policy. That's why you had the revised Brussels Treaty in 1954, you have this commitment and you refer to article 5 of the WEU Treaty, mutual defence commitment, which goes much further than article 5 of the NATO Treaty, because it is more radical and more automatic that the countries have to assist themselves mutually in case of an armed attack on their territories. I would rather prefer to see a similar article in the Treaty of the European Union or European Constitution, but to talk about the European Constitution is obviously a different subject and it would provide me with a headache.

The question of the Bundestag was “Where, do you feel, this function should be placed in the future WEU Assembly as a parliamentary forum on defence policy?”. I wrote then: “Since the Maastricht Treaty intensified by the successive treaty reform, the EU institutions have step by step taken over WEU responsibilities. Although the WEU Assembly still exists (which is not the case for the other WEU organs), the EP is now the primary supranational – transnational European parliamentary authority, also in the area of security and defence policy. In view of the fact the defence policy is still largely a prerogative of the member states, the EP should provide legitimacy, control and parliamentary input in the area together with the national parliaments and their competent committees. Joint meetings between representatives of the competent committees of the EP and national parliaments, as well as invitations to national parliaments to participate in hearings with the Council's High Representative for CFSP / ESDP could take over the task of the WEU Assembly”.

I don't know whether I would write the same again but this is at least a food for thought, this could be an alternative to the relative waste of resources, i.e. taxpayers' money invested in the WEU Assembly. And we said this morning that these people, deputies, national parliamentarians who are members of the WEU Assembly, are also members of the Parliamentary Assembly of the Council of Europe. They have, not all of them but most of them, too much work to do and they cannot fulfil under normal circumstances this triple mandate sufficiently. That is why it may be more efficient if from this triangular

approach Michael mentioned – national parliaments, WEU Assembly, the EP – one might focus on a bipolar approach, namely developing cooperation between national parliaments, their competent committees and the EP in the area of foreign policy and certainly security and defence. The EP is not in a position right now to scrutinise security and defence policy. It was rightly pointed out that the area is intergovernmental, so it is first of all the business of national parliaments and in the secondary phase the role of the EP. But given the fact that there is a clear shift or transfer of competences also in these areas to European level, I think the national parliaments and the EP should closely work together in this area. I hope, if it ever comes up that the WEU Assembly ceases to exist, that the staff of the Assembly will be taken over by the EU and that colleagues like Michael will join the staff of the EP because we desperately need their expertise.

Let's see how it works out. I mean, everybody knows it is controversial. If I look at French colleagues, or British colleagues, many Germans, they say "No, we need the WEU as a forum" and they have good arguments. That's why I said I would provoke. I think there are real alternatives which would enhance the efficiency.

Last remark, back to the discussion this morning and the presentation of Robert and of Andreas. You were talking a lot about COSAC and Robert pointed out very clearly. COSAC could have a role in the second and third pillar areas, second pillar being foreign, security and defence policy, the third pillar being justice and home affairs, intergovernmental areas or the grey zone areas. It could be envisaged that COSAC indeed – I'm personally not in favour of it – takes over the sectoral responsibilities Andreas was pleading for. You were completely right that focusing only on subsidiarity control does not make sense. The British position of focusing only on parliamentary scrutiny and exchange of views in these areas for me, personally, would be too limited. So COSAC could indeed establish a forum which deals with the third and the second pillar areas. We have in the Amsterdam Treaty the Protocol on national parliaments where the COSAC has a clear mandate (or was it in the Maastricht, I don't remember) to make proposals in the area of home affairs and justice. Only COSAC never did it. COSAC still could do it for this area and could do it also for security and defence policy.

Sorry, I was a little bit too long but I appreciate that you are still listening and I hope that you don't mind if Dyoniz Hochel at this point, Mr Chairman, complements my remarks, or is it too long? Better afterwards?

ANDREAS MAURER

German Institute for International and Security Affairs, Berlin

Yes, afterwards. We do not have a coffee break so that we have enough time to debate.

Now we turn to a very complicated area, very dynamic home and judicial affairs or what is today called room of freedom, security and justice, room which is partly separated. I think the majority of the policy field's concerns are now in the EC area and we see the Hague Programme of 2004. Most of these areas are subject to qualified majority voting in the Council and even subject to co-decision with the EP, but still there are matters like police cooperation, cooperation in penal matters and some other cases, where it is still intergovernmental. Very complicated, very dynamic, as I told you earlier, we have Schengen, we have Prüm.

I'm very happy to announce now Ms van Dooren from the Eerste Kamer from the Staten Generaal of the Netherlands, who is going to present her views on how interparliamentary cooperation functions in this area.

KIM VAN DOOREN

Deputy Secretary General, Senate of the Netherlands

Interparliamentary supranational assemblies in the European Union tasked with scrutinising the EU policy on freedom, (internal) security and justice

Thank you. About a year ago we received a questionnaire, one of many questionnaires, and we always try to answer these questionnaires as it may help us get better understanding of how we organise matters in national parliaments of the European Union and broader Europe.

The first question of this particular questionnaire made me realise that the Dutch Senate is really a dwarf in Europe when it comes to staffing.

Question number one: "How many people are working in your parliament? a) <100, b) 100-250; c) 250-500; d) 500-1000; e) >1000". The Dutch Senate has in total a staff of 48 people so we are a real dwarf in Europe. I'm one of three committee clerks in our senate. I'm supporting eight committees. We have a department consisting of 18 people who assist the clerks and the committees, preparing the meetings and informing the senators. With this size, as you can understand, complete directorates of other parliaments are united in one person, if you'd look at the Dutch Senate. As a consequence, we have employees with a strong general approach and we have no real specialists. So one day somebody is writing a report on a bill changing a Dutch educational system, and the next day he is commenting the topics discussed at Justice and Home Affairs Council. One day one of us escorts senator von der Linden to the meetings of the Parliamentary Assembly of the Council of Europe, and the next day he/she prepares a visit of the committee of defence to our Royal Airforce, followed by the preparation of a COSAC meeting. So, we are no experts but we try to find expertise and organise meetings with experts.

Our senators have no personal assistance or full time assistance in the political groups. They rely on expertise, their professional network, the

political network and they rely on the information we give them. We organise a lot of information on two websites, we have a site of the Senate and we have a gate to Europe website, Europaport. We construct files, containing both public information and information not open to the public and after entering a password a senator will find some extra information on this website.

As you can imagine, a dwarf is always in favour of rationalising a workload. So, how do we organise the workload, the information overload in our Senate? Every week we receive several proposals of the European Commission commented by our government. We study those proposals and comments and we make a selection of proposals that would serve a political debate. The Commission of the European Cooperation Organisations judges our proposals' selections and sometimes they add one or two proposals and these proposals are forwarded to specific committees with a recommendation to discuss them with the government. Around these proposals we build a file on Europaport and now it is a one-star file. If the committee decides to discuss matters with the government, it becomes a two-star file and we add a correspondence between the parliament and the government. Sometimes they want some extras, for instance organise expert meetings, actively ask for opinions of other parliaments, write letter or press reports. Then, a file becomes a three-star file and the staff is actively searching for information, finding expert, writing letter etc. Committees are notified when interesting events occur and we write up-dates. Last December both chambers of the Parliaments, the House of Representatives and the Senate, in a combined committee meeting selected 11 upcoming proposals from the European Commission from the working programme 2006 to be scrutinised, especially in the light of subsidiarity. Those proposals will automatically become three-stars files. In this way we organise our efforts, strongly influenced by the political weight given to a proposal by a committee.

Why do I give you this explanation? The star system is also a kind a Michelin guide for users of other parliaments. Once IPEX will be operable, most content will be found in three-star files, a written exchange of news between the Senate and the government can be found in two-star files. Of course, other parliaments can focus our attention to no-star files or one-star files in case we dramatically miss a critical approach to a proposal of the European Commission. We can register opinions of other parliaments under the heading "Opinions of third parties". Probably we'll start offering three-star information in English language and maybe other languages as well, once we get an international audience on the Europaport, if IPEX is working. I expect IPEX will help us to be better informed about the positions of other parliaments and

bring transparency to the negotiations of the Council and will build a kind of top charts, a Top-3, a Top-5, a Top-10 of proposals, which arouse a lot of debate in national parliaments and maybe the parliaments can make a difference on these proposals. I think, it's also what Mr Maurer told today that COSAC could use this Top-10 taken from the work programme of the European Commission and then we get a discussion on the content of matters.

So far, I haven't mentioned our special position when it comes to scrutinising EU proposals in the field of justice and home affairs. A year ago I thought this special position would soon come to an end with the new Constitutional Treaty, but the referendum in the Netherlands proved otherwise. The special position of the both chambers of the Dutch parliament dates back to the Schengen and the Maastricht Treaty. The parliament had to ratify these treaties and in the House of Representatives the bill was amended. Because in matters of justice and home affair the European Parliament had no real power, no co-decision power, and because the Council of Ministers would decide on legally binding proposals, the Dutch parliament felt the need to guarantee some parliamentary influence. And thus a decision making procedure required unanimity, and a Dutch minister could therefore be forced by parliament to veto a decision. The parliament wanted to be informed on the content of decisions that were to be taken. They wanted a two week period to study those documents and since ministers did not want to veto a decision after two years of negotiating, they started offering us a lot of documents from the Council. This resulted in a bulk of documents two weeks before a meeting of the Justice and Home Affairs Council, followed by another bulk of documents a week before the Justice and Home Affairs Council, followed by another bulk of documents after the Justice and Home Affairs Council.

The Dutch parliament was probably the best informed parliament when it comes to justice and home affairs but it wasn't well organised. When I started working in the Senate my first assignment was to structure the flow of documents on justice and home affairs matter, because the right to say yes or no to European legislation implied the obligation of the parliament to deal with the responsibility very seriously. And this was the start of Europaport, building electronic files containing the Council documents, assessments of the government, discussions with the parliament, progress information on the European institutions and opinions of third parties.

I will show you a few pages of our website.

Well, we have a strong position but we are the only national parliament with this special position. A minister will do the utmost to prevent the situation that he has to veto a decision claiming he stands isolated in Europe. Maybe some Dutch

citizens or some parliamentarians would applaud such a situation, but most parliamentarians feel a need to be informed on the positions of other parliaments and of the EP to come to a balanced opinion. And here we have a missing link.

Last year we were very much involved in discussions in data retention. The parliament was closely looking at the balance between the need of police and justice to have data at their disposal and the obligation of providers to store all kinds of data and give it to the authorities. At first we were discussing a framework decision. We took note of opinions of some other national parliaments and register those opinions in our file. We shared our opinion with the Dutch members of the European Parliament who were involved. The European Parliament was consulted in this procedure. In its report the EP rejected the framework decision. In the Senate and the House of Representatives we supported the opinion of the European Parliament that we needed a directive in order to give the EP, which was very critical, a better position, namely co-decision. As the Minister of Justice, Mr Donner, knew that both chambers were also very critical and could make him veto the framework decision, so he promoted the European Commission to propose a directive. Last December the EP agreed with a compromise text. Dutch parliamentarians still criticised the outcome of negotiations but no longer could make Mr Donner veto the directive. But they knew they had put forward all arguments and the compromise was acceptable at European level. Imagine the Council would have continued negotiations on the framework decision. Would the Dutch parliamentarians have had the nerves to veto the framework decision if Mr Donner would have told them that he stood isolated in the Council of Ministers at the end of negotiations? Would they have vetoed a framework decision knowing other parliaments were also negative about the outcome? Well, this will always be a matter of speculation.

Would the directive have been different if we had discussed it in a meeting of parliamentarians of national parliaments and the EP? I don't know, but I'm sure it would have contributed to the transparency of the decision making process. At the moment it's fairly easy for a minister to say "I was overruled" as long as we don't know what positions are in other member states and transparency will contribute to the legitimacy of European decisions made in the Council of Ministers.

As national parliaments we are involved in the scrutiny of legislative proposals and the implementation and execution of once established legislation. More problematic is the parliamentary control of Europol or Eurojust or the construction of the new Schengen Information System.

Some years ago, senator Jurgens launched an idea of Parlopol – regular meetings of parliamentarians of European and national parliaments to control the work of Europol. And although we are discussing the rationalisation of existing parliamentary assemblies, I would promote such a kind of meeting of parliamentarians, even if this would imply creating a new forum or it would be just like using joint committee meetings in another way, or maybe it would be COSAC in a different way, also taking care of field of justice and home affairs. But I think we need interparliamentary cooperation in this field.

Now, I'll speak personally. I think that a group of experts should be installed by the parliaments to support our task to control the executive power. I heard some interesting presentation of committee B in Belgium, for instance, which assists the parliamentarians, so you really need expertise to control the executive power. Maybe also IPEX can help us to identify a kind of Top-10 topics to be discussed at European level.

Before I started working at the Senate I had worked at the ministry and when it comes to international meetings there is a big difference. As a representative of the ministry you go to meetings to negotiate proposals and beforehand you try to get a mandate and afterwards you report to your minister. A lot of problems can be solved during numerous meetings of working groups and a minister will finally handle the most political problems, and as a result you have legally binding instruments. When you prepare meetings of parliamentarians, there is less focus to agree on legally binding instruments, the exception was the European Convention, which had much focus and a frequent meeting schedule and resulted in the draft of Constitutional Treaty. But as parliaments usually control the work of governments, the executive power, we have other goals when we meet in interparliamentary assemblies. I would say that some important goals contribute to transparency and there was, for instance, a big difference between the transparency during the European Council and the secrecy during the following intergovernmental conference leading to the Constitutional Treaty. We could bring up all arguments that are held from us by the executive power.

And also awareness raising. What will be discussed all over Europe? What will be put on the agenda? The CIA flights were mentioned earlier today and they've been questioned in all parliaments and have been examined both by the Parliamentary Assembly of the Council of Europe and the EP.

We discussed here also today that the European Parliament presented a draft report and the Council of Europe had the Marty report. It's a bit of a pity that the draft report of the EP is not making a specific remark on the Marty

report. I think that we should combine our efforts to have a strong position and return to our national debates with our own governments if we are based both on the reports of the Council of Europe and the EP.

We have fought too many wars on this continent in the past centuries, so we have built organisations to ensure cooperation between countries and many knots tie us together. International treaties and legislation are putting law and justice above power and armies. We should treasure these laws but also make sure that these laws are balanced. We want European cooperation but most of all we want lasting and enduring European cooperation. With interparliamentary and supranational forms of cooperation with European and national parliaments we can try to find balance by discussing and some members of the European Parliament have rejected the cherry-picking from the Constitutional Treaty. But ever since the European Union was established by nations, it was also governed by the principles of subsidiarity and proportionality, a struggle between what has to be arranged at the central level and how much diversity can be allowed will be a struggle of all times.

We also today said that we shouldn't focus too much on the subsidiarity of the European proposals. We had a special committee on subsidiarity and making new procedures. One of its members told me: Well, the hidden agenda of this committee is even nicer, because it draws attention of national parliamentary committees, special committees, to the European legislation in an early stage of negotiations. Probably in 99% of the cases there is no real problem with subsidiarity, but they will get involved in a discussion with their own ministers and their own government mostly on proportionality of proposals at the negotiations and it will lead towards resolving it.

I started my contribution with looking back at the questionnaire that was sent out to the national parliaments. The European Commission also uses questionnaires to collect certain information, mostly from European citizens. Just last week the European Commission presented its report on general attitudes of European citizens towards the European Union. As you might be aware, the Dutch were almost on the top of the negative chart. The main argument for the negativity was the lack of efficiency and European unity. And I honestly have to say that I sometimes agree with them. But in the same inquiry the Dutch citizens stated that they do expect and want the European Union to do more and better in the fight against terrorism and other subjects. Fortunately, this last opinion was not just the Dutch view.

I was invited today to comment and speak about improving the efficiency of activities in the field of justice and home affairs and the report of the European Commission has just underlined the importance and urgency of this topic.

Although we can dream about the perfect harmony in our parliaments' activities, about full-fledged information and knowledge exchange centre, we have to start by taking little steps. A small step that I took upon was a vital step, i.e. when one can share information and knowledge. We need absolute willingness to share what we know. Some parliaments are more active to share their views and reports. I would like to compliment, for instance, the UK House of Lords who drafted excellent reports on a wide range of topics and share them with other parliaments. Especially, understaffed parliaments can build also on those reports. Of course, English and French are not mother tongues of most parliaments, but I would like to call upon all of you to inform other parliaments that the European file has been marked, the so called three star file on important topics to be intensively discussed in the parliament. It will only take a few minutes to state the main arguments and a specific opinion but it can create a European arena of arguments and attention. And it is a simple mechanism and now, when we have internet and e-mail, we have the tools to exchange this information.

In the COSAC the parliaments decided to scrutinise specific European proposals on European wide basis. If this is successful, we should, as many times already proposed, implement the same mechanism on justice and home affairs. Some members of the European Parliament however stated last week that they didn't feel the responsibility or task of national parliaments to thoroughly scrutinise European proposals. But as I told you before, I do not really agree, and I think that the EP and national parliaments should work more closely together, especially as long as there is no co-decision power of the European Parliament, i.e. in the third pillar.

I think we should work together. We should also look at the information of the Parliamentary Assembly of the Council of Europe and the OSCE. They should also become our partners.

We should create an arena with all actors – national, regional and European – willing to help each other and work efficiently together instead of re-doing each other's works. Otherwise we will not be able to realise the goals that the European citizens want us to realise.

As I said in the beginning of my contribution, in the Dutch Senate we do not have experts but we try to find the expertise so let us broaden our approach to the European level. Thank you.

DISCUSSION

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

Just a very specific question about the WEU Assembly. It has a meeting in September in Kourou, in Guyana and I think that three committees are going to meet there. The United Kingdom is a big country. I think, in principle I might have to pay for 16 members of parliament to travel to South America. I followed your very lucid explanation of the purpose of the WEU. I did not see how this expense concerns my parliament in this connection.

MARIA VALERIA AGOSTINI

Head of International Affairs Department, Senate of the Republic of Italy

I'll make a reference to this morning's interesting and passionate contribution of Mr Maurer on COSAC. At the same time I'll refer to what my friend Thomas Grunert said on the possibility of COSAC dealing with security and defence matters.

I strongly agree with Mr Maurer's consideration that COSAC should stop to stress so much subsidiarity check. And I share Thomas's idea that the WEU Assembly should be dissolved but I wonder to what extent – and this is my question – we can expect COSAC to deal with and attain some results in the arena of political issues. Inside there are two major obstacles in this direction. First of all, there are very different attitudes among the national parliaments inside the COSAC, secondly, and connected with the first problem – the COSAC composition. As we know, it is based on equal footing and does not reflect the importance of each parliament. So, I don't think it is possible inside the COSAC to vote any very effective resolution. From this point of view, the joint committees inside the EP are not different. That is why, I think, we should ask our friends a question if these entities are to be considered mostly dialogue-oriented or result-oriented. That is to say, they are more important in the area of education, as Mr Grunert said, and in the area of exchange of information and in the area of sensibilising the members of national parliaments than in the area of effectiveness towards interparliamentary entities and towards the EU institutions. Thank you.

MICHAEL HILGER

Head of Unit for External Relations, Assembly of WEU

OK, thank you very much for the comments and one question. May I start with the question? The meeting in Kourou is not a meeting of the WEU Assembly only, it is a meeting that has been organised in cooperation. Actually, the main organiser is the European Conference of National Space Committees of National Parliaments. It embraces associations that exist in national parliaments and deal with space policy. Because the Assembly has the Aerospace and Technological Committee, we are associated to this event in Kourou. If it's very attractive and there are 16 members of the British Parliament who want to go, you have to find the money or you have to tell them to cut down. But I don't think it is a problem of the WEU Assembly.

As far as the comments of Thomas are concerned, I think, on many things we actually agree. We agree that parliaments have to improve their performance with regard to scrutiny of CFSP and ESDP. We agree that their rights of information and decision in security and military matters need to be increased and that it is true for both the EP and national parliaments at national level.

As far as I disagree, I do not really want to repeat the drama that takes place if a member of the EP and a member of the WEU Assembly or sometimes other members of national parliaments sit in a panel. I think that the combination which was put in front of you today was somehow intended to present different points of view but not to have a fight between two speakers. That's why I called for an open-minded approach and Thomas, you put a knife on the table. But it's OK. But I believe that a fight between us or a fight between parliamentary institutions will only serve governments. It will only allow governments to escape, it will bind resources, it will bind parliamentarians' time, staff's time and displace into the hand of the governments. The governments who had a chance to deal with it in numerous intergovernmental conferences, but obviously they did not want to deal with it because they do not want a better parliamentary scrutiny of their intergovernmental activities.

I believe that national parliaments should adopt an interparliamentary model because it has many advantages. I mentioned these advantages in my speech.

Just a few more points on what Thomas said. You said that interparliamentary assemblies – and it does not concern only the WEU Assembly, but also other assemblies – I can't speak for them, but I'll try to argue with you on the substance of your argument – do not have the tools to scrutinise. But that does not mean that they have no function. They raise transparency, they inform public opinion

and, what is the main point, they help national parliaments to better perform their job at home. I've never said that interparliamentary assemblies would replace national parliaments' constitutional tasks. I've always said that they will help as a tool for national parliaments. It's their instrument at the European level. Governments meet, parliaments don't, so they need their own instrument for information gathering and for a discussion among parliamentarians. It's all about cross-examination, actually. There is a good example which many times the Secretary General of the Council of Europe, Mr Terry Davies, who was a parliamentarian before joining executive functions, explained. When he was a parliamentarian in the House of Commons he would ask his government: "Why did you do this" or "Why didn't you do this?". And the answer was: "It was the Germans who did not allow this in Brussels". And then, he went to see a German colleague in the WEU Assembly and asked him: "What was the position of your government?". And the German colleague was surprised and he said: "On this point, when I asked my government, the reply was it was the French who were against it". So this goes in a circle, but if you have the possibility, as a British parliamentarian, to put a question directly to a responsible Brussels minister, this form of examination is very important to reveal contradictions and to go beyond the limits of national scrutiny.

You also say that the EP is not in the position to scrutinise. These are your words. As a civil servant – I'm not only working for the WEU Assembly, I'm also a civil servant with the German Bundestag, I'm seconded to the WEU Assembly – I could not imagine recommending to the Bundestag to improve its possibility for scrutiny by joining the EP if the EP says itself "we are not in a position to scrutinise". So again, what we need as national parliaments is our own tool, own instrument to tackle the governments.

Another point. You say that interparliamentary assemblies don't have sanction powers. This is not really true. The WEU Assembly, for instance, can refuse the annual report if the parliamentarians consider the report is not acceptable. Of course, individual members can go back to the national level and sanction the government in various forms, at least through the budget.

You said about the problem of triple mandate. In the case of the WEU Assembly, the triple mandate consists of national parliament mandate, mandate in the WEU Assembly and a mandate in the Council of Europe, which is the big sister of the WEU Assembly, or the big brother, if you like. This triple mandate problem applies to 10 countries only, out of 37. Also de facto nowadays most delegations have found a way to get around this problem. You have a partition of the delegation into those who do much more work in the Council of Europe and other parliamentarians who do much more work in the WEU Assembly. So, the triple mandate argument does not really stick.

Then you said that the WEU has fulfilled its historical role. That is true but only in the eyes of the EU. The WEU has fulfilled its role only as far as its role being a toolbox for the EU was concerned. It was brought into EU Treaty because the EU was not capable of doing military matters by itself. It was used by the EU for several operations, then the EU decided to get its own crisis management capabilities, and the WEU reference was taken out of the treaty again. So, it's true, it has fulfilled its historic mission for the EU, but not as far as the WEU is concerned. The treaty is still there, mutual defence is still there. The EU, let me remind you, is only good for crisis management. It's not good for collective defence.

The WEU and the WEU Assembly still have a role as a sort of antechamber for the non-EU countries. The Europe is bigger than the 25 countries belonging to the EU.

Two more points, very short. I agree that I have to be short but, on the other hand, I'd like to respond to all those little provocative attacks. Two more points, which, I think, were mentioned by Thomas and which are really a dream talk. To abolish the WEU Assembly, you need first to abolish the treaty, but there is no consensus among the member states of WEU to abolish the treaty. The second point, it's very kind to offer the staff of the WEU, in the event of abolishment of the WEU Assembly, to be taken over by the EU, but – maybe you don't really know, Thomas – this is not possible. We had this experience with the WEU Secretariat General, where they had reduced the staff. Every EU institution had categorically refused to take on staff of the WEU. So this is, unfortunately, a dream. It would be nice, but it remains a dream. Thank you very much.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

For the sake of avoiding linguistic hegemony, I will speak in French.

Michael, I understand your reaction and I am glad that we have been able to have a discussion covering various points of view. I fully agree with some of the points you have presented. I was not aware that a minority of the Council of Europe member states has a triple mandate and I am glad to hear that their number has dropped to 10.

As for the approach, well, I am an open-minded fellow and I would not want to bring matters to a head, especially since you have presented me with

this book which I will read with great attention. I only wanted to throw in an argument – for the sake of inciting a discussion – in favour of rationalising interparliamentary assemblies. You will agree with me that the Western European Union Assembly has neither the possibility nor the means to scrutinise governments, at least not directly. As to your transparency argument – yes, creating transparency is everybody’s intention, but only in theory, because when you look at the reality of interparliamentary sessions you must recognise that the possibility of making them transparent to citizens is very limited. Of course, I also wish, as everybody else, to inform the public opinion, but here too, I see little impact of the participation of WEU member countries in regularly scheduled Assembly meetings. I doubt that citizens can be provided with relative information and viewpoints. There is work to be done in this area. You have mentioned a term which to me is a key: “feedback”. In other words, after the meeting, information should be forwarded to the competent committee, ideally discussed at a plenary session and then made available to citizens. We all know that this doesn’t work this way.

I do not believe that our positions diverge that much, but my approach and my intention is founded on an attempt to rationalise. And I do not at all want to achieve that by excluding the national level from the intergovernmental sphere. All to the contrary, what I would hope for is stronger cooperation between the supranational level, including the European Parliament, and the national level.

National parliaments play a greater role than the European Parliament in defence and security matters. As I have said, we as the European Parliament do not have at our disposal the means to submit the defence policy to an in-depth analysis. And yet, in the era of globalisation, or as we say in French *mondialisation*, we should be acting jointly at the international level. There is a need for introducing interparliamentary co-ordination. There is a need – and I have said that at the start – to make a joint effort to give a parliamentary dimension to international policy, including its security and defence aspects.

Now that we have a common objective all we need to do is decide how to achieve it. In my opinion, the WEU Assembly is an element of the past or, with all respect due to its services, directed at the past. The above statement is a quote from the declaration of the Council of Europe made in Cologne in 1999.

We must find other means. We have talked about COSAC but I am not at all convinced that COSAC will want to take on this issue.

Maybe a solution could be found in regularly scheduled meetings between national parliament committees competent in security, defence and

international affairs with their counterpart at the European level, i.e. the European Parliament. Still, the goal is simply to strengthen interparliamentary cooperation. This is why we have a standing delegation at the NATO Parliamentary Assembly and why we participate, albeit only occasionally so far, in meetings of the WEU Assembly organised every two years. This is also why relations between the European Parliament and the OSCE Assembly should be reinforced.

And I wonder if, considering the context, going back to the issue of rationalising, a better cooperation between the OSCE Assembly and the Parliamentary Assembly of the Council of Europe, with their committees which perform almost identical tasks, it would not be a sensible rationalising move. Maybe these committees could meet from time to time? I can imagine the Parliamentary Assembly of the Council of Europe taking on other functions of the WEU Assembly.

These are just ideas, but ideas that need to be contemplated and discussed. Of course, we do not have an ultimate solution at this time but, after all, “creative thinking” is precisely what we are expected to engage in.

ROBERT GRZESZCZAK

Willy Brandt Centre, University of Wrocław

I would like to comment on few presentations, particularly that made by Thomas Grunert. You expressed hope that the influence of national parliaments on foreign and security policy will continue to grow. I would like to make a rather brave comment, if I may. Indeed, I believe that it is wishful thinking as, please note, it is precisely foreign policy, also military and security policy, that remains within the powers of national governments. This is particularly clear at the national level. In this area, it is not only democratic scrutiny that counts but, particularly, the efficacy of these policies. Only when these policies are not pursued in an effective manner, when they do not bring expected effects (for example a sense of security within the population or economic results), we start hearing discussions that we may have a democratic legitimisation problem here, that maybe procedures are not appropriate.

Therefore, since national parliaments decidedly do not play the most important role in these areas within their countries, maybe they could supervise – although that word is too strong – scrutinise these policies on the Community (EU) level. Maybe on that level they can exert realistic influence on areas that escape their control domestically.

I also have a question for Ms. Van Dooren, or rather a comment: when we talk about rationalising interparliamentary associations and then we also start talking about the potential merit of appointing successive forums of interparliamentary cooperation, I get the sense that it is at odds with the rationalising idea. Appointing new structures is the simplest way, practised all too often. Indeed, it frequently happens that when we face a problem, when cooperation is not effective, we think about appointing a new structure and hope that this one will be more successful.

We already have too many such structures. The European Union is suffering from an overdose of various bodies, advisory and consultative committees, etc. – there are too many of them. As I have noted in my earlier presentation, COSAC enjoys a very broad legitimacy under the protocol attached to the Amsterdam Treaty. It has a very strong starting position, one that is not being taken advantage of. So what do we need new structures for? Maybe we should think up ways of putting all these different elements – since each national parliament is autonomous and has different possibilities and powers to influence the government, i.e. the executive branch – into a single cohesive entity, decide where to find the common denominator and render cooperation effective. But let us not appoint any new bodies! The question persists whether the Union must be effective, whether we want it to become an effective market and what will be the political finale of integration processes? I am aware that this seminar does not only concern the European Union but also the Council of Europe. However, presentations delivered to date have dealt only with the European Union and that is why I too concentrate on integration issues.

Thank you very much.

WOJCIECH SAWICKI
Co-Director of the ECPRD

Back to the question asked by Mr Laurence Smyth which, I think, needs some comments. In the international assemblies we have to be quite careful and not to forget that a number of expenditures related to their functioning are covered by national parliaments. And we have to keep it in mind. We should not in a way provoke national parliaments with negative reactions vis-à-vis our functioning. We have some methods and means to reduce this kind of difficult situations and also situations which can lead to the fact that the decisions taken by these assemblies are, on a number of occasions, taken by the rich, i.e. by

parliamentarians coming from rich parliaments. Those who come from poor parliaments, are absent. What is the legitimacy of decisions taken only by those who have money? We cannot forget about this element in all our deliberations, especially from the position of international assemblies. We have to be careful, because our task should be also to look for friends and partners in national parliaments and not to create negative feelings vis-à-vis us via stupid money. We should try to avoid this effect.

DYONIZ HOCHÉL

Directorate General of Internal Policies, European Parliament

I would like to make a ver small comment on COSAC. Along with my colleague Morten Knudsen we have been working for two years in the secretariat of COSAC. I do not know if he agrees with me, but I have to say that COSAC as such is a very conservative body, very carefully conducting its checks and balances. We may see that, for example, proposals laid by the Visegrad countries parliamentarians over the last two, three COSACs to involve a Ukrainian delegation to COSAC, have been rejected. My question is how to persuade COSAC to conduct a new role, as Mr Chairman has been proposing.

KIM VAN DOOREN

Deputy Secretary General, Senate of the Netherlands

I told already during my speech that maybe it was a bit against the today's theme of rationalising interparliamentary meetings, when I proposed a new forum for the scrutiny of EU proposals in the field of justice and home affairs. But I think, it would really not have to be a new thing. When you look at joint committee meetings that already take place, presidency countries which organise conferences on matters of justice and home affairs – there is quite a number of meetings already in this field. Maybe we should find another structure of putting things on the agenda and also use, e.g., IPEX for the exchange of information on opinions. We should identify top-10, top-5 issues to be discussed and give all the parliaments, both the EP and national parliaments, equally the floor and altogether we should determine which topics are to be discussed, but as fixed things on the list there should be the control of Europol and of Eurojust. It would be a combination of the control of Europol and some top-5 issues to be discussed, maybe taken from the working

programme of the European Commission. This could also be a good entrance for other meetings, as well COSAC could identify a kind of top-10 of European proposals to be discussed in the year to come.

For the new role of COSAC, I think that maybe it should not be just justice and home affairs. Maybe it should be working with the working programme of the European Commission, identifying topics, not just discussing the way we scrutinise the European proposals, but just handling a few of them. To know that if we have a top-5, those topics will be discussed in other parliaments as well and we exchange those opinions to be better informed, and by that we can not only have meetings but also exchange information through internet and e-mail.

ANDREAS MAURER

German Institute for International and Security Affairs, Berlin

Thank you. Before I give the floor to Ms Agostini and Mr Degutis, I would broadly share Ms van Dooren's view. I do not see COSAC as a decisive body, as a body which is going to decide something. This is a mistake made by some people, at least at St. Pölten conference and also at the Hague conference of last year on sharing power in Europe. There are some delegations who want COSAC to become a body able to decide. COSAC is a body which should share information, cross-information, use IPEX and work on IPEX and focus on some issues' life, like third pillar, issues like closer cooperation, or this top-10 list made on the IPEX system. I think, in the other function – and here I speak as an ordinary citizen, who has a right to vote and nothing else – national parliaments are confronted with a shift in their original functions. With the empowerment of the European Parliament, being a body with control function, but becoming a body which is working on legislation – more or less 80 percent of the EP's work is legislation – national parliaments have given up some of their original function in legislation. It also means that national parliaments should focus a little bit more on information and accountability towards citizens. I would see COSAC much more as a body which is going to filter and making issues public. Perhaps the discussions at COSAC today are little bit too boring, I don't know because I participated only two times. That's part of the PR machinery, if you want to make COSAC a body which is attractive to citizens and which holds national parliaments to fulfil their new information functions, a teaching function, a function which the EP can never fulfil because it is too far away geographically, physically and ideologically from citizens, then it would be at least two new functions for COSAC.

Now, we change our panel. Thank you very much for your questions and so on.

I invite Ms Agostini and our colleague from Lithuania, Darius Degutis to come up and speak about the Neighbourhood Policy.

In June we are running a conference in Berlin called “Draußen vor der Tür”, on a book written by Mr Borchert. It will be a conference on the Neighbourhood Policy of the European Union towards the South and towards the East.

We are also going to address the parliamentary dimensions of the Neighbourhood Policy, first by a presentation of Ms Agostini on the Mediterranean parts of Barcelona Process, and then by Mr Degutis on the Eastern European part of the Neighbourhood Policy. Ms Agostini, the floor is yours.

Session IV
Supranational parliamentary
and interparliamentary assemblies
created within the framework
of the European Neighbourhood Policy
or EU enlargement policy

MARIA VALERIA AGOSTINI

Head of International Affairs Department, Senate of the Republic of Italy

Parliamentary dimension of the EU Mediterranean neighbourhood policy

Yes, thank you Mr Chairman. I will try to summarise some part of my contribution, because I think we are running out of time. First of all, I wish to congratulate our colleagues from the Polish Senate for organising this important seminar, which proved to be even more interesting in the light of the contributions presented until now. I believe that the ECPRD and the European Conference of the Presidents of Parliaments represent an ideal forum where we can review the existing forms of permanent multilateral interparliamentary cooperation. It was said this morning that this seminar has very ambitious objectives, namely compiling an exhaustive and up-to-date list of the parliamentary entities, secondly, sketching out a brief history of their creation and existence, and eventually, proposing rationalisation of cooperation.

My task is to address the parliamentary dimension of the EU Mediterranean neighbourhood policy.

As we all know, the EU neighbourhood policy, which now includes the North-Eastern as well as the Southern borders of the EU, was preceded by the Barcelona process, which started in 1995. The EU Mediterranean policy has changed in some ways since then, but parliamentary cooperation in the Mediterranean has not changed as a result of the neighbourhood policy.

The parliamentary dimension outlined by the Barcelona process is still the present frame of reference. The components are: the Euro-Mediterranean Parliamentary Assembly (EMPA), the Conference of the Presidents of Euro-Mediterranean Parliaments and the Euro-Mediterranean Forum of Women Parliamentarians.

The first part of my analysis will be devoted to these bodies that I will describe in more detail.

I will then give a brief account of the other interparliamentary bodies of the Mediterranean area in order to provide a modest contribution to the objective of this seminar.

Those among us who attended the conference of the Speakers of EU Parliaments in Budapest last year remember the address of the President of the Bundestag, which was distributed at this seminar as well. Upon the completion of the task he was given by the Hague conference to make a survey on how to rationalise European interparliamentary bodies, Mr Thierse underlined the complexity of the issue and the difficulty of identifying a common approach and making recommendations. However, he mentioned three areas worthy of further consideration in terms of possible reforms. One of them was the area of defence and security we talked about in the previous section. Another was the Mediterranean area. I don't think Mr Thierse had in mind specifically the parliamentary dimension of the Barcelona process, or at least it is unlikely that he took it into consideration without placing it in the context of the wider range of interparliamentary bodies active in the area. I will therefore give an outline of such activity, so as to provide a more exhaustive picture for those who will have to draw the conclusions of this seminar.

First of all, the Euro-Mediterranean Parliamentary Assembly (EMPA), which is the core body of the Barcelona process. It draws its origin from the Barcelona Declaration of 1995, which established the Mediterranean Partnership and invited the European Parliament to take the initiative with other parliaments concerning the future Euro-Mediterranean Parliamentary dialogue.

The European Parliament followed up on the invitation and in October 1998 it officially established the Euro-Mediterranean Parliamentary Forum, now transformed into the EU-Mediterranean Assembly. The Assembly has 240 members; of these 120 are appointed by the 10 Mediterranean partners, 45 by the European Parliament, and 75 by the EU national parliaments (three for each member state).

This uncommon form of membership is the result of a complex work conducted during the drafting of the rules of procedure. Three different needs had to be taken into consideration. First of all, to ensure an equal representation from the Northern and the Southern shore of the Mediterranean. Secondly, to strike a balance between the representations of the European Parliament and the EU national parliaments. Thirdly – last but not least – to keep the total number of Assembly members within reasonable limits.

As a result, EMPA membership differs from the model prevailing in other complex interparliamentary bodies, where representation is usually proportional to the size of each national parliament or is based on equal footing. Within the Euro-Mediterranean Assembly in fact the parliaments from the Southern shore are in principle entitled to appoint up to 12 members each, while those of the Northern shore may not appoint more than three each. As a

consequence, bicameral parliaments have to find ways to ensure a balanced representation or adopt rotation mechanisms.

The composition of the bodies forming the Assembly meets the same requirements and derives from the same principles. Each of its three committees includes 80 members: half from the South Mediterranean countries, fifteen from the European Parliament, the remaining twenty five from the parliaments of EU member states, so that each member state of the EU has one representative in each committee.

In 2005 the EMPA Bureau agreed to set up an Assembly's ad hoc committee on women's rights in the Mediterranean, composed mostly or entirely of women. This committee is chaired by Ms Grażyna Ciemniak from Poland.

The two principles of equal representation of European and third-countries' parliaments and balance of EP and national parliaments within the European component also concern the voting system of the Assembly, which is almost as complex as that of the EU Council of Ministers. In spite of this complexity the Assembly has used this kind of decision making by qualified majority many times, and this complex voting system has proved quite effective. We have a highly qualified majority in which to make decision, you need 4/5 of the votes of representatives from each of the three components, that is to say the component of Southern shore, the component of the EP, and the component of national parliaments. This will reveal itself a good way of voting in terms of achieving a more equilibrated resolutions from the Assembly.

Representatives of the European Commission and of the Ministerial Conference participate in the Assembly sittings, its resolutions and recommendations are transmitted also to the European Council. Obviously, the Assembly's power of influence is affected by the difficulties encountered by the Barcelona Process. Nor has the Assembly failed to occasionally echo tensions deriving from the dramatic situation in the Middle East. However, the EMPA accounts for the only forum of interparliamentary dialogue between Israel and Palestine, an element not to be neglected.

As mentioned above, the Euro-Mediterranean Partnership also originates a Conference of Presidents of Euro-Mediterranean Parliaments. Such a body met for the first time in Palma de Mallorca in 1999, immediately after the establishment of the Euro-Mediterranean Forum. It now meets roughly every second year and lacks well-defined structures and procedures. Debates are usually focused on the three baskets of partnership. At the end of each meeting, final conclusions are agreed by consensus.

The Women's Forum has adopted its own rules, which give it the task of promoting the principle of equal opportunity between men and women. We

will come back to this entity later. It is formed by delegations of four women parliamentarians from each of the countries signatory to the Barcelona process, and four women members of the EP. So it is organised on the equal footing, differently from the European Assembly.

A close look at other bodies operating in the Mediterranean region will identify four further fora of interparliamentary dialogue that I shortly mentioned referring you to my written contribution for more details. I told you we are running out of time so I don't want to bother you with details on that, but I'll just make a list.

First and foremost is the Mediterranean Special Group of the NATO Parliamentary Assembly (MSG), created after NATO's North Atlantic Council established the so called Mediterranean Dialogue. In addition to the 26 NATO countries, parliaments from the 11 South Mediterranean countries are invited to participate in this meeting, 5 of them have associate status, and 4 of them have observer status.

Secondly, a mention should be made of two informal gatherings of presiding officers of Parliament, set up to mirror parallel governmental structures: the Conference of the Presidents of the Adriatic-Ionic Initiative and the Conference of Presidents of the 5+5 Dialogue, aiming almost exclusively at keeping the dialogue with Libya open, as you may know that Libya is not participating in the Euro-Mediterranean Partnership.

Finally, we shall mention the Parliamentary Assembly of the Mediterranean, which originates from a body established in 1992 within the Interparliamentary Union, called Interparliamentary Conference on Security and Cooperation in the Mediterranean (CSCM) after the Conference on Security and Cooperation in Europe (CSCE) – most famous – which dealt with the relations between the West and the East of Europe.

The Fourth Conference, held in Nafplion (Greece) in February 2005, agreed to institutionalise and transform the CSCM process into this new Assembly, which should give itself its own rules of procedure, a budget and a secretariat starting from 2007. As many of us are aware, this decision met a firm opposition of the President of the European Parliament who appealed to all presiding officers of parliaments not to form national delegations in order to avoid costly duplication in an area already covered by the Euro-Mediterranean Parliamentary Assembly.

I don't think it is up to us to go into details of this controversy, but it might be useful to just oppose similarities and differences between the regional interparliamentary bodies in terms of the geopolitical areas they cover, their nature and relevance to multilateral decision-making bodies. From the point of

view of geopolitical areas involved, the maps attached to my written contribution show the countries participating in each parliamentary body.

The two smaller conferences of Presidents of Parliaments cover only the part of the Mediterranean, the 5+5 in the West, the Adriatic-Ionic in the East. The Mediterranean Assembly instead covers the whole basin and the all 23 countries bordering the Mediterranean.

The parliamentary bodies of Euro-Mediterranean Partnership (EMPA, Conference of Euro-Mediterranean Presidents, Women's Forum) connect the ten Southern countries participating in the Barcelona process with the 25 EU countries, thus virtually reaching out to Central and Northern Europe. The NATO Assembly's Mediterranean Special Group gathers European and Mediterranean countries around a table with the United States and Canada.

As to the nature, we have to notice that all three conferences of Presidents are informal fora, while the Mediterranean Assembly and the EMPA are regulated by rules on their composition, power, scope and procedures. The NATO Assembly's MSG is recognised and regulated in the NATO Assembly's rules of procedure.

Lastly, from the point of view of possible relevance on multilateral decision-making process, it was noted that the NATO Assembly's MSG was established to mirror the Mediterranean Dialogue within the Atlantic Alliance. It was also noted that the Conference of Presidents of 5+5 Dialogue Countries and the Conference of Presidents of the Adriatic-Ionic Initiative mirror two meeting fora of foreign ministers. The Mediterranean Assembly, instead, lacks a governmental counterpart.

In this connection, the EMPA has an advantage over the others. As has been mentioned, it has links not just with the national parliaments, but also with the EU institutions and the intergovernmental bodies of the Euro-Mediterranean Partnership.

To wrap up this short outline, some ideas may be advanced in order to rationalise Mediterranean interparliamentary bodies.

First of all, in the framework of the parliamentary dimension of partnership, a first attempt could be made with the Forum of Euro-Mediterranean Women Parliamentarians. Talks are under way with a view to merging it with the EMPA's ad hoc Committee on Women's Rights. The proposal was accepted at the Paris meeting of the Co-ordinating Committee of the Forum, under French presidency. But the first meeting of the EMPA's ad hoc Committee, held in Warsaw on 28 March 2006, expressed a different view. Two types of considerations, however, might suggest that further developments are possible. Firstly, the two bodies have identical membership and pursue

identical objectives, which accounts for an apparent duplication. Secondly, the EMPA committee is more relevant, because its resolutions, once agreed and endorsed by the plenary, are submitted to the governmental counterpart of the Euro-Mediterranean partnership and to the EU institutions.

Two questions remain to be solved with the EMPA committee: national representation and gender representation. The two bodies are quite different in terms of their national representation. The Forum requires the inclusion of four women in each national delegation and the delegation of the European Parliament, as I have already said. The ad hoc Committee instead, like to whole EMPA, is more tilted towards the South and the European Parliament in that of its 40 members 20 are from the South, 8 from the EP and only 12 from national delegations. Thus, there are not enough seats to have all EU member country delegations represented in that body.

As to gender representation, the idea that the Committee should be formed wholly or at least mostly by women may not be put into practice in the short term, because women are a tiny minority within the EMPA.

These problems might be overcome by adopting various measures, such as, for instance:

- raising the number of committee members from forty to eighty, like other EMPA committees;
- and / or including a woman delegate in all-male delegations so that such extra member may participate in meetings of the ad hoc Committee.

When the time comes to appoint a new delegation, each parliament might be expected to pay closer attention to the often neglected Rule 2(4) of the EMPA's rules, which calls on member parliaments to ensure that women parliamentarians are included in their delegations subject to domestic laws.

Another way to rationalise Mediterranean bodies might be by making the Conference of Presidents of Euro-Mediterranean Parliaments the only occasion when presiding officers of parliaments meet. This would be a natural development if the 5+5 Dialogue were dropped following Libya's inclusion in the partnership and the Adriatic-Ionic Initiative were made redundant by an EU enlargement to the West Balkans.

To conclude my contribution, I was wondering about the future of the Mediterranean Assembly and the NATO Assembly's Mediterranean Special Group. This is more difficult to foresee. It might depend on international developments. The Mediterranean Special Group plays an important role in that it is the only forum of interparliamentary Mediterranean dialogue where the US participates. The Mediterranean Assembly, however, has the advantage of including all countries bordering on the Mediterranean on an equal footing.

It might however turn out to be the venue of fruitless dialogue, because it lacks a governmental dimension and because neither the EU nor the US are members of it.

The scenario might change if the proposal made by Italy and Spain in the 1990s were revived to create a Conference on Security and Cooperation in the Mediterranean (CSCM) on the same lines as the CSCE in Europe, which contributed to bringing the Cold War to an end. In this case, the Mediterranean Assembly, to be established within the framework of the Interparliamentary Union, might become a platform for the parliamentary dimension of an invaluable dialogue for peace in the Middle East. But, as it is universally acknowledged, this dialogue will not produce any concrete results unless the US is engaged. And beyond the US, according to a widespread opinion, also China and Russia should be involved, in the framework of the United Nations.

Thank you for your attention and I give the floor to my colleague from Lithuania.

DARIUS DEGUTIS

Head of International Relations Department, Seimas, Lithuania

Parliamentary dimension of the EU Eastern European and Northern neighbourhood policy

First I have to immediately respond, using this opportunity being next to the microphone, to Mr Grunert and cast in my vote in favour of scrapping WEU Parliamentary Assembly. This is the most difficult question that I have to try to find an argument, an answer to my superiors, the leadership of our parliament, when I have to explain why we have to participate in that organisation when, indeed you are right, there are so many things being covered by other institutions.

But let me get back to the subject that I was asked to talk on. As a professional diplomat I'd rather hit the path of foreign policy thinking than the issues related to the organisational matters of interparliamentary cooperation. I would like to thank the organisers for providing this subject for me to talk on. I believe that it's a very timely one, namely right after the Vilnius conference, which took place last week, attended by ten presidents and other esteemed leaders of the region, the conference on "Common vision for common neighbourhood". Actually, the geography of attendance was impressive, too. It covered countries from the United States to Spain to Azerbaijan. We had a very wide variety of thinking. I would say that for us it was also symbolic that the Vilnius summit was co-hosted by the presidents of Poland and Lithuania in the spirit of fine Polish-Lithuanian cooperation traditions dating back many centuries ago and undoubtedly reaching far into the future.

There is yet another symbolic coincidence on Saturday. This last Saturday in Cracow our team of Lithuanian parliamentarians won the parliamentary marathon competition. We feel a bit like the marathon runners right now after the whole intensive day and I will try to make the final rush and to be dynamic in my presentation. Though parliamentarians ran only half of the regular marathon distance – 21 kilometres – those who ever covered that distance would

understand the feeling and my bragging about the victory, in particular that it took place in the wonderful city of Cracow, which is so dear to the hearts of not only Poles but also Lithuanians, since in our common history no other city in the world has so many Lithuanian coats of arms used in the decorations of amazing architecture. It is also symbolic that among top six marathon athletes were Polish and Ukrainian members of parliaments, which perfectly resembles the structure of our trilateral Polish-Lithuanian-Ukrainian Parliamentary Assembly.

What happened in Vilnius? At the Vilnius conference almost every distinguished speaker dwelled extensively on the prospects of the EU Neighbourhood Policy and its future enlargement. With your permission, I would use the opportunity and share some points brought at the Vilnius summit that could well be reflected in our line of activity, development of parliamentary dimension in the further shaping of the European Eastern Neighbourhood Policy. As we know, the Neighbourhood Policy was created to handle the EU relations with eastern neighbours, but now we see that this policy deserves more detailed scrutiny and application of precise mechanisms for its strategic implementation. In particular, this necessity is underlined in the light of comparing the EU Southern and Eastern dimensions. Unfortunately, in terms of EU financial and technical assistance at least two thirds of assistance goes to our southern neighbours. The same concerns political and economic engagement of EU which – as one can see – has more emphasis on Africa and Middle East or other southern neighbours.

Despite clear differences in political orientation of these countries, their European origin as well as their European destiny, our European agenda towards common neighbourhood is still in the process of being balanced, including the flows of financial and technical assistance, which should be accordingly adjusted in the next EU Financial Perspective.

There was a significant number of honourable speakers at the Vilnius summit who stressed that the EU does not have its Eastern strategy. There is an impression sometimes that the EU does not know how to handle Ukraine, Moldova and South Caucasus states, how to shape the Black Sea region. Clear statements from these five countries that they are different from the rest, that they have decided to be European are not often heard in Brussels. It seems that EU is trying to offer the neighbourhood policy as a policy of permanent neighbourhood, making clear distinction between Europe and its neighbourhood. Actually, we can sometimes call it a policy of grey zone. It looks so familiar and so similar to the years of 1991-92 in the Baltic states, when we had been still surrounded by the Soviet tanks and we had been claiming that we were different and when only very few in Europe dared to listen to us.

Today Lithuania, Poland and other new member states know exactly what should be done in the East in order to complete the creation of Europe whole and free.

As the United States vice-president Dick Cheney said at the Vilnius summit: "The spread of democracy is an unfolding of history". It is a benefit to all and a threat to none. The best neighbour a country can have is democracy, stable, peaceful and open to relations of commerce and cooperation instead of suspicion and fear. The system that has brought such a great hope to the shores of the Baltic Sea can bring the same hope to the far shores of the Black Sea and beyond. What is true in Vilnius is also true in Tbilisi and Kiev and true in Minsk, and true in Moscow.

Probably, time is running against new democracies in the East. The pressure is growing, the non-democratic regimes in the East are strengthening their internal and external grips. In this situation a lot depends also on the Western choice. In the meantime the European Union is not assisting the new democracies in the East the way the EU assisted the Baltic states. We should significantly increase our assistance. We should open all our possible instruments and programmes, all possible incentives in order to encourage the reform process in the new eastern democracies as we did in the Balkans. We came to the idea of European perspective and stabilisation or association agreements in the Balkans only after some painful experiences. And what is a real difference between Moldova and some countries in the Balkan region today? Why Moldova and Georgia, for instance, should get less understanding and support in Brussels? Window of opportunity for democracy in the East is today evident, but we will have to decide whether we need a clear European strategy to support new democracies in the East, whether we need a democratic and stable Ukraine, and accordingly, do we need a slim chance for democratic Russia? In case we undercut the gravitation field of the European Union, the gravitation to the East will be the only alternative. Time is running fast for these dilemma to be solved. The new EU Eastern strategy should be built upon the principles of equal treatment, self-differentiation and catch-up. The strategy should also be based on gradual opening of EU internal market to new democracies in the East. WTO accession, free trade with the Union, free flow of the capital, services and people should be mid-term goal. Through the European neighbourhood policy we could create Eastern-European free trade agreement that will change the economic and political landscape of our Eastern neighbours. It is a very similar status that the Baltic states received in 1995 after signing the association agreement. I guess, we could reach this status with our Eastern neighbours by 2008 when the partnership and cooperation agreements expire with the most of them.

We should also be sincere and recognise that EU sometimes does not have efficient instruments to support democratic change, democratic entities of civil society in the East. The EU is quite efficient in bringing European-oriented governments along the road, but when it faces autocracies or totalitarian regimes, it tends to fail. The sad fact was one of the main themes at the Vilnius summit. The idea of creation of European Fund for Democracy as presented by president Adamkus could be the instrument we need. Accordingly, the EU should embrace regional gatherings like Community of Democratic Choice that could be very instrumental in making democratic change irreversible. The initiative of Community of Democratic Choice provides new opportunities to expand cooperation across Europe on informal basis and through instruments of parliamentary dimension in particular.

One of them, as I have proposed at the Copenhagen Parliamentary Secretaries General meeting earlier this year, could be inviting to the EU speakers summit next year speakers from Ukraine, Moldova and Georgia. This type of forum, along with the existing Nordic-Baltic-Ukrainian, Nordic-Baltic-Georgian, Lithuanian-Polish-Ukrainian multilateral parliamentary cooperation frameworks, would undoubtedly provide a huge additional boost of motivation for the EU Eastern neighbours to further follow their path of democratisation. Perhaps this could trigger initiation of the parliamentary assembly of the countries of the Community of Democratic Choice. Genuine partnerships of tomorrow can only be built on shared values rather than on coinciding interests.

A common vision for common neighbourhood requires a new pedigree of commitments, democratic and reform-driven policies in the East and a long-term strategic European perspective in the West.

Allow me to finish with the quotation from the Vilnius summit. As presidents Adamkus and Kaczyński pointed out in their joint statement, “the 21st century will be a century of democracy. Only those nations which will succeed in establishing pluralistic societies and free market economies will be prepared to cooperate and integrate with each other in the face of challenges of globalisation. Meanwhile, nations failing to democratise themselves will be doomed to isolation. Maybe we will accept them as a matter of fact and even engage them in certain transactions in pursuit of valuable resources for our economies, but in the end no one will want to integrate with a dictatorship. Non-democracies will have to struggle with globalisation alone”.

Thank you.

DISCUSSION

EUGENIY BOROVIKOV

Expert, Analytical Department, Council of Federation, Russian Federation

Today is a very important day for us. On that day, fifty years ago the Second World War was over. During this war many millions of people of different nationalities became casualties. In the occupied Warsaw the Jewish ghetto was formed by the Nazis. There, people were humiliated and killed on the grounds of national belonging. The national coalition, with a decisive role of USSR, managed to win a victory over Hitler's legions of gloom. However, despite all this, nowadays we witness division of people into citizens of different quality in some countries of Baltic region of Europe. The soldiers of SS marched along the streets of towns, proud of their rank, the rank of butchers. Let us remember what SS did in Mathausen, Buchenwald, Treblinka, Auschwitz-Birkenau, Majdanek, Sobibór. In those horrible places not only adults were poisoned in gas chambers and burnt alive in incinerators but also Belarussian, Polish, Ukrainian, Jewish and Russian children, small children.

In this connection, I'd like to know how supranational parliamentary assemblies can help to solve the acute problem of reviving of fascism in form of state policy in Europe. Thank you.

DIONYZ HOCHEL

Directorate General of Internal Policies, European Parliament

I have four small comments concerning presentations of our two speakers. One was devoted to the Euro-Med Parliamentary Assembly. I have to recall that the EP since March 2005 till March this year held the presidency of the European-Mediterranean Parliamentary Assembly. I would like to recall words of Mr Borrell, president of the EP, who said in his intervention that our aim was to establish an alliance of civilisation at the very time when some people are seeking to promote a clash of civilisation. The creation of the Anna Lindh Euro-Mediterranean Foundation for the Dialogue Between Cultures is an example of the important action in this direction. The Foundation promotes the dialogue between cultures and contributes to the visibility of the

Euro-Mediterranean Partnership through intellectual, cultural and civil society exchanges.

My second remark would be linked to the role of the Euro-Med Parliamentary Assembly. We are aware that the role of the EMPA is advisory and that the solutions and recommendations that are sent to the Euro-Mediterranean Conference are not binding. But the agreement of the European Parliament, agreement of national parliaments and those partner countries associated is needed for association agreements concluded under the Euro-Med Partnership.

My other remark will be devoted to neighbourhood policy. I would like to inform you that we are preparing in our directorate a parliamentary conference devoted to a dialogue between the European Union and neighbourhood policy countries, with close cooperation of the up-coming Finnish presidency. The date has not been set up but the proposal is for October and we will put together members of the EP, members of national parliaments of EU countries and members from national parliaments of neighbourhood countries, along with the high representatives of the Commission and the Council. Thank you.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

I would like to make comments on the last two presentations. First, the Euro-Mediterranean Parliamentary Assembly. It was a very difficult birth but I think it was worthwhile creating an assembly encompassing representatives of national parliaments, our Southern Mediterranean partners and the European Parliament. I was at the constituent meeting of the Assembly in Cairo, it was in March last year and I know how difficult it was to get engaged in a cooperation which is fruitful. As you know, this assembly has three committees and now this group on gender equality and women. I kept a specific eye on the work of the economic committee which was chaired by a representative from Jordan. The committee was supposed to adopt a resolution or a joint declaration. It was extremely complicated because some of these Southern Mediterranean partners had different approaches to parliamentarism and parliamentary working methods. We couldn't identify a text presented as a resolution, we had to work on it. In the end we managed to adopt a resolution as was the case for the other two committees – one on culture headed by president from Italy and one on security etc.

What I noticed, and that's why I wanted to take floor here in this debate, is that many problems were created because of the lack of coordination between national parliamentarians from the member states among themselves and between them and the European Parliament. So the conclusion I draw from that experience is that in the framework of the Euro-Med Assembly, the national parliaments and the EP should consult each other, should caucus to have a common approach and also a common understanding regarding demands and proposals from our Southern Mediterranean partners. I don't know some of the other participants, I had long exchanges with the Dutch delegation. We cannot react because there is no meeting between us – national parliaments of the member states and the European Parliament. So that's something I would very much like to improve in the future.

Now, because one of the background considerations of this seminar is rationalisation, Valeria mentioned the NATO Parliamentary Assembly's Mediterranean Special Group, which is important because it brings the Americans. Here again, in the Euro-Med dimension we have to avoid overlapping and to improve cooperation because it's not only the NATO Parliamentary Assembly's Mediterranean Special Group. Spencer Oliver may correct me, but OSCE Assembly has also a Mediterranean group, the IPU has a Mediterranean group. And there was also an intention, I hope the idea had been scrapped, to establish a Euro-Med Assembly stemming from the Conference on Security and Cooperation in the Mediterranean. This would have been a competitive endeavour with the Euro-Med Assembly in the making if this supplementary assembly had come up.

So here again, I think that the creation of the Euro-Med Parliamentary Forum meeting on a regular basis and bringing together parliamentarians from the South of the Mediterranean, national parliamentarians and European parliamentarians definitely makes sense. We still have to work or one has to work on the details. Now there is a question on the table: Should this assembly have a secretary general? There are some countries from the South which volunteer, which would like to have it. Should it have a budget? These are all considerations to which deep thought has to be given, but I'm confident that this assembly will make its way, and I'm also confident that it will cooperate in a useful way with the other Mediterranean groups of the parliamentary assemblies I've mentioned before.

As regards the presentation of Darius Degutis, I only can say that I fully agree that the North-Eastern dimension has been neglected. But I'm a little bit more optimistic than you as regards the potential of the New Neighbourhood Policy. It concerns not only the funding – that PHARE and TACIS programmes

are replaced now by the new neighbourhood instrument (it's 18 billion euro, it always depends on how money is allocated and what uses are made of it) – but mainly the action plans. If you look at what has been prepared by the Commission and by the partner countries like Moldova, like Georgia to meet the expectations of the European Commission with the action plans, then you will be surprised – at least I was surprised – to see the potential of this new instrument, or of this new policy, just to overcome, as you said, that the EU has not a real Eastern strength.

As regards a grey zone, permanent neighbourhood policy you mentioned – I'm more optimistic than you are about it. This is the grey zone because we do not know the European Union's strategy on whether Moldova or Ukraine should become one day a member of the European Union, but it's not excluded at all. And if they get prepared and adapt their legal systems to the *acquis communautaire*, what they do actually, if they become members of the WEU – historical process will show. I could imagine that some of these countries, including Georgia, will be members of the EU one day. Let's not fix any dates, but I wouldn't exclude that and I'm really happy that the Neighbourhood Policy came into being.

Last remark on the parliamentary element of the Neighbourhood Policy. I entirely agree when you say that Ukraine, Georgia and Moldova should be integrated into the Speakers' Conference, should participate in one way or another maybe also in COSAC. I know it's very controversial, but parliamentarians should have the contribution and we try to do it in the European Parliament. Don't get me wrong, I don't want to give you an impression that the European Parliament is doing a lot and much better than the others, but we have the structures with the parliamentary cooperation committees with these countries. I was just in Armenia two weeks ago with our parliamentary cooperation committee with Armenia and we had one and a half day discussion with our Armenian counterparts. Obviously, we met the president, the prime minister, foreign minister, minister of justice etc. I think these meetings have an impact and I would encourage every parliament, not only the European Parliament, to do it bilaterally. You have your partner parliaments. Lithuania, for example, has a precise programme – I don't remember whether it is Ukraine or some other countries. I think that here much can be done by EU member states bilaterally to help the others to keep the track and to get on the right track.

JACEK KURCZEWSKI

Warsaw University

Thank you very much for inviting me to this conference but as a professor I feel free, perhaps even obliged, to ask a question which maybe goes a bit beyond the propriety rules here. This is addressed to Mr Degutis. I was asked to write a piece on rationality. It's hard, of course, to define rationality but usually one of the classical examples of what rationality is, it's consistency in policies. Listening to these two interesting exposés, one on the Euro-Med Assembly and the other on the problems of the Eastern borders of the European Union, I was struck by curiosity. Do you feel it works well from your perspective that there is so nice Euro-Med parliamentary cooperation, while in fact countries which participate in this panoply of fora are at the same level, I would dare to say, as e.g. Belarus, which I don't think you and me would consider a good partner for interparliamentary cooperation? So, the question is: Don't you think that one aspect of rationality in interparliamentary cooperation and practice should focus on making it more consistent?

DARIUS DEGUTIS

Head of International Relations Department, Seimas, Lithuania

I think that with this question we might enter into yet another stage of lengthy discussion, especially when you mention the name of the country which attracted so much attention from all of us during the last few weeks. I think that this is a separate subject so I will leave it for further discussions. But talking about rationality and the thought behind it while comparing different bodies, different structures of parliamentary cooperation, I think – probably, I reflected it in my presentation – that indeed, to our understanding, with our experience, with the experience of this region, of the people, and the politicians and businessmen living and working in this new region, I would not dare to enter the terminology of a new / old Europe and comparisons of those two entities. As well as you in Poland, we in Lithuania and the other countries in the region know very well the potential, the destiny, and determination of the countries further to the East of the present European Union to be given more attention by different practical tools, as Thomas just mentioned here, applying action plans, TACIS, PHARE and other programmes. But I think that today the Euro-Med Forum – Tunisia, Algeria, countries on the North African shore, on the Southern Mediterranean Coast – they probably are not discussing

or entering the path of creative thinking on the European Union membership in explicit terms.

On the Eastern front we have a totally different situation. We have a situation which is geo-politically and strategically different. We know and we see and read what is happening today with the energy issues linked to the very wide picture of the future of Europe. So I think a clear, more precise, more clear-cut political signal should be sent to those countries from the European Union. First of all, I have in mind Ukraine, Moldova, obviously Georgia, if we have Turkey in a more clear situation with an invitation to the accession negotiations. Of course, there are differences, but there are pluses and minuses if we start weighing these differences, when you compare Turkey to Ukraine, for instance. So, why not to provide Ukraine with at least the first step that has been given to Turkey decades ago, on economic cooperation, on having the participation in customs tariff agreements and similar issues. Visa policy, Schengen policy. You mentioned Belarus. So what we really could and are willing to do is to cut, to lower the barrier for ordinary Belarussian people to come to Lithuania or Poland, not for participation in some political demonstration, we don't speak at all about this, but just for coming for a weekend in Vilnius in pubs, going to the supermarkets and the things they have been doing and are doing right now for paying 5 euros per visa. Why should they start paying 60 euros per visa? If you compare Belarussian people, Ukrainians, Moldovans, their financial capacity today is totally different. If you earn a hundred dollars per month, how can you spend 60 euros per visa and then not feel a little bit insulted by this attention from the European Union. So there are practical things that have to be done and are not being done. And the path of discussion in the EU is not leading towards the right direction. There are things which we have to improve and which I would consider very rational to be done.

MARIA VALERIA AGOSTINI

Head of International Affairs Department, Senate of the Republic of Italy

A few words. Mr Hochel drew our attention to the creation of the Anna Lindth Foundation. I thank you very much as it gives me an opportunity to underline the important role that the cultural committee, chaired by our senator, Mr Greco, had in its creation.

As to Thomas, he underlined the lack of co-ordination among the national parliaments and the European Parliament in front of the Southern shore of the

Mediterranean. I'm sure you were not referring to the creation of the possible secretariat. It seems to me that the Southern countries are working in this direction but we don't agree with this hypothesis. You think about the possibility of organising frequent meetings between national parliaments and the European Parliament. This is a good idea but we should keep in mind, first of all, the composition of the Euro-Mediterranean Assembly. I told you about the composition. We have a very hard job with finding, agreeing about the composition in the Euro-Mediterranean Assembly. As regards the relations between the EP and national parliaments, the EP is in the stronger position, there are more MEPs and this is something which has to be taken into consideration.

Secondly, we should not create in our partners an impression of alliance between the Northern shore of the Mediterranean. I took part in the latest cultural committee meeting, which was held in Rome. We didn't discuss, we were just listening and we were quite afraid, because they discussed the problem of Danish cartoons. I don't know if you were there. At the end of the committee we risked to create a clash of civilisation. In my opinion, we could avoid that because the representatives of national parliaments had different opinions. They could see that there was not a front of the Northern shore. There were different opinions, so at the end of the committee meeting an agreement could be reached on the resolution. That's all I wanted to say. Thank you.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Three very short remarks. First of all to Valeria. I'm not in favour of a permanent secretariat, of the appointment of the secretariat general, of a budget for the Euro-Med Assembly. I think what you said is very important that we should avoid that our Southern Mediterranean partners get an impression that there is a Northern front. Still what is needed, mainly in technical areas, if it is about the creation of a Euro-Med Investment Bank, is that the national parliaments of the member states sit together at the fringe of the meeting and discuss for half an hour what we can agree on. And the European Parliament should join in there.

Second remark to our colleague from Russia, I guess, who asked how interparliamentary assemblies can avoid the renaissance of fascism, etc. This is

a question which hasn't been considered and nobody replied it. I personally believe that there could be a role for interparliamentary assemblies and parliamentarians to have a common approach and maybe create proposals on how to avoid racism, xenophobia and all other elements of the clash of civilisations, as described by Samuel Huntington. And we're getting close to that. And also common approaches to get to the roots of terrorism and hence to fight terrorism not only by juridical measures but also by other measures.

Last remark and I'll definitely stop. You think that the North-Eastern dimension is undervalued. I think that the idea, which is quite popular also in your country, of creating a North-Eastern equivalent to the Euro-Med Parliamentary dimension is of serious consideration. I know it's controversial, but it should be considered.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Very well that Thomas just answered our Russian colleague. Just at the recent parliamentary session there was a report on nazism and a question of how to deal with nazism in member states, with a quite important resolution, recommendations adopted by the assembly. So there are bodies which deal with a number of questions and this one as well.

Session V

The role of interparliamentary assemblies
in foreign, security and human rights
policy in 21st century Europe

WOJCIECH SAWICKI

Co-Director of the ECPRD

Good morning everybody.

Coming back now to the business, this morning we'll discuss the role of several interparliamentary assemblies which operate in Europe, the OSCE Assembly, Parliamentary Assembly of the Council of Europe, as well as the Central European Initiative, Baltic Sea Parliamentary Conference and CIS Assembly. We have five presentations followed by a discussion. Could I just ask our keynote speakers to give brief presentations so we have enough time for exchange of views and for possible criticism from your side of the assemblies we shall now discuss, or in-depth discussion of their functioning, relations with national parliaments, their influence on the functioning of national parliaments, and also in which way national parliaments, national delegations can contribute better to the functioning of these international assemblies.

It is now my pleasure to give the floor to the first speaker, Mr Spencer Oliver, who is Secretary General of the OSCE Parliamentary Assembly. Spencer, take the floor.

SPENCER OLIVER

Secretary General of the International Secretariat
of the OSCE Parliamentary Assembly

The role of the OSCE Parliamentary Assembly

Thank you very much, Wojciech, I'll try to be brief. I know that the most of us who are involved in these parliamentary assemblies know each other pretty well. We have a pretty good idea what each other does, how we can interact with each other and where we can cooperate.

The OSCE Parliamentary Assembly is one of the new parliamentary assemblies – if you compare the age of the NATO Assembly, the Parliamentary Assembly of the Council of Europe and the European Parliament – created at the end of the Cold War. Actually, created by the governments and parliaments themselves were not particularly interested in having such an assembly. When it was initially created there was a resolution at a NATO summit, in July 1990, actually sponsored by the president of the United States, George Bush, to institutionalise the OSCE, including the creation of a parliamentary assembly. One of the problems was, president Bush had not consulted with the US Congress about whether or not they would participate in such an assembly, or whether such an assembly was needed. Many other parliaments found themselves in the same position. And actually the initial reaction in the US Congress – I was a chief counsel for foreign affairs committee at the time, was that we don't need another international parliamentary assembly that we don't have the time to participate in. Our experience with the IPU, and to some extent with the Parliamentary Assembly of the Council of Europe, where we were invited on regular occasions – was that the American members of Congress simply did not have the time to participate in these meetings. And because the US Congress does not have the pairing system that you normally find in the parliamentary systems in Europe, members of the Congress simply will not travel when they have to miss votes, which means that if a meeting of the IPU took place in Korea and was during a week when the Congress was in session, nobody from the US Congress was going to go. The same way with the Parliamentary Assembly of the Council of Europe where we are invited to

participate on a regular basis. Because of these experiences there was a great scepticism. That scepticism was also shared by a number of other parliaments who felt that there were already too many international parliamentary assemblies that they did not have the time to participate and which were draining resources and taking time away from the normal duties of their parliamentarians.

After a series of consultations, including the one in which Secretary James Baker came to the office of my boss, who was a chairman of the foreign affairs committee, who had already publicly said that he was opposed to this, and pleaded with him to support the organisation of this parliament because it was president Bush's initiative and he did not want to be embarrassed by the US Congress. So the chairman agreed to do that and along with several other parliamentarians, including the speaker of the Spanish parliament at that time and Michael Joplin from the House of Commons, they decided that they would have a meeting, they would agree to see if an acceptable parliamentary assembly, that functions in a way that would allow participation of all parliaments, could be created. The Charter of Paris of fall of 1990 actually created the parliament but the language that was in the Charter of Paris was cleared with leading parliaments before it was adopted at the summit level. And it was said in the Charter of Paris that "Recognising the important role parliamentarians can play in the CSCE process, we call for greater parliamentary involvement in the CSCE, in particular through the creation of a CSCE parliamentary assembly, involving members of parliaments from all participating States. To this end, we urge that contacts be pursued at parliamentary level to discuss the field of activities, working methods and rules of procedure of such a CSCE parliamentary structure, drawing on existing experience and work already undertaken in this field".

That last sentence was really a reference to the Parliamentary Assembly of the Council of Europe because president Bush's initial proposal had said that the parliamentary assembly should be based on the work of the Parliamentary Assembly of the Council of Europe. And there were actual negotiations between the Parliamentary Assembly of the Council of Europe and various parliaments, particularly the US Congress, Canadians and Russians.

And it might very well have been that the parliamentary assembly might have been in Strasbourg, except for one thing. The Parliamentary Assembly of the Council of Europe insisted that the structure of this CSCE Parliamentary Assembly be similar to that of the WEU, except that all of the members from the states that were members of the Council of Europe would be the same who were the members of the Parliamentary Assembly of the Council of Europe, so

they would wear two or three hats, three after they were in the WEU Assembly. And the Americans, and the Russians, and the Canadians and some others who were not members of the Council of Europe said that they wouldn't accept that because that would make them second class citizens in a parliamentary structure that was governed elsewhere. So they wanted an independent, discreet, separate parliamentary assembly that wouldn't meet too often, wouldn't have big bureaucracy and wouldn't cost a lot of money. And that was what was originally, in spring of 1991, designed by the leaders of 34 parliaments, because you hadn't had the split-up of the Soviet Union at that time. It was to be a parliamentary assembly that meet once a year, functions by consensus in a standing committee and that would have a very small secretariat.

That has evolved into an assembly which primarily does have a small secretariat, our budget is 2.3 million euro, that is tiny, not even on the chart when it comes to the European Parliament and the Parliamentary Assembly of the Council of Europe, and well below that of the NATO Parliamentary Assembly which has only 26 members, whatever it is, 19 members, functioning in two languages. We have 55 members and we function in six languages. We now meet three times a year, but we only vote once, that is in an annual session. And we vote by majority vote and passing resolutions. We meet in a winter session in Vienna with a governmental structure. Although the relationship between the governmental side and the parliamentary side is not formal and the parliamentarians don't approve any budget and don't approve any appointments. The chairman in office does come and answer direct questions from the parliamentarians twice a year as do the heads of the OSCE institutions, the High Commissioner for National Minorities, the Officer of Free Media and the Secretary General of the OSCE. So it was designed to be modest, affordable and to be designed in a way that everybody can participate. The annual session always takes place no more than five days during the first ten days of July, under our statute. The reason for that is parliamentarians at that time felt that the transatlantic link was extremely important to the survival and development of the Assembly. And the United States Congress is always in recess during that period for the national 4th of July holiday.

The winter session was timed for what is called the president's week in the United States. And the NATO Assembly does exactly the same thing. They meet at the beginning of that week and we meet at the end. They meet in Brussels and we meet in Vienna. And the purpose of that is because these two transatlantic parliamentary assemblies are really needed to make sure that the transatlantic link is strong and that Americans and Canadians can participate. It

was also convenient to a lot of parliaments in Europe because many parliament finished their sessions in late June and started taking their summer break. And at the beginning of that summer break many of them are also able to travel. So we have tried to do very modest things.

One of the mandates – I was elected a secretary general in October 1992 and took office in 1993 – set up a secretariat in Copenhagen and we became a model for many other OSCE institutions because in order to have a secretariat in Copenhagen the Danes agreed to pay for it. In other words, they provide all the premises, diplomatic status and all the other things. So they are in effect the largest contributor to the budget by providing that premises. That precedent was followed by every other OSCE institutions. So in Warsaw, where you have offices of democratic institutions on human rights, the premises are provided by the Polish government. The same thing is in Austria for the OSCE headquarters, the same thing in the Hague for the High Commissioners for National Minorities. It saves a lot of money for OSCE structures and institutions. We have a very modest mandate. I'll just read it, it has just five points: to assist the implementation of the objectives of the CSCE, now the OSCE; to discuss subjects addressed during the meetings of the Ministerial Council and the summits of Heads of State or Government; develop and promote mechanisms for the prevention and resolution of conflicts; support the strengthening and consolidation of democratic institutions in OSCE participating States; contribute to the development of OSCE institutional structures and finally – relations and cooperation between existing OSCE institutions.

We try to fulfil each of those five points in very modest ways. We are very much involved in election monitoring. We have 70 parliamentarians going to Montenegro for the referendum next week. We had nearly a hundred parliamentarians for the elections in Belarus and nearly that number for the elections in Ukraine. When you add up the number of parliamentarians who cooperate with the Council of Europe and the European Parliament and the NATO Assembly in the election monitoring projects, when you add up the number of parliamentarians who are participating, the OSCE Parliamentary Assembly sends more than all the others put together, by substantial amounts about 65 percent. Part of the reason is because we have 55 states and our committees only meet during our annual session and during our winter session, so their time is not taken by a lot of committee meetings and a lot of meetings that they have to go to. So they have more time to devote to field activities like election monitoring, we have special committees in terms of conflict prevention and conflict management, *ad hoc* committees on Belarus, Abkhazia, Moldova. We have special representatives on Nagorno-Karabakh and

on Guantanamo, i.e. recently the president of the Belgian Senate visited Guantanamo as the first and only European politician to be given an opportunity. So we try to be useful, not to do things which would be considered political tourism which many parliamentary assemblies, particularly the IPU, have been criticised for. But most of all what we do is provide a forum for parliamentarians from 55 parliaments, plus the Holy See which is also a state, does not have a parliament but does participate in the debates, to come together and discuss the OSCE issues and interact with foreign ministers who are in the leadership of the OSCE and with the OSCE institutions, to participate in the support of the field missions – the OSCE has 20 missions in the field, in the Balkans and Caucasus, in the areas of the former Soviet Union – which are doing work related not only to conflict prevention but primarily to the building of civil society.

The result of that is that in every parliament you have a cadre of parliamentarians who know what the OSCE is. When the CSCE Parliamentary Assembly was created I don't think you could have found 1 percent of the members of parliaments of the CSCE who knew what it was, or what it did, or what it was spending money to participate in this organisation. Now there are hundreds of parliamentarians who know in every parliament something about the OSCE – what it is doing, what its work is, why it is important, why they should approve a budgetary expense for contributions to mission to Kosovo or to some other project that the OSCE is deeply involved in. The OSCE is involved in what is called soft diplomacy or soft security which is not dealing with weapons systems or troops or military activities.

So it has been a modest parliamentary assembly with a small budget, very strong participation from 55 countries, which is to help to build democratic systems, help to ensure or to promote democratic election procedures and to bring together parliamentarians from all these countries to discuss subjects that are on the agenda of the OSCE and to create a democratic foundation for the organisation. Thank you, Wojtek.

KJELL TORBIÖRN

Head of the Office of the Secretary General of the Parliamentary Assembly
of the Council of Europe

Parliamentary Assembly of the Council of Europe

Thank you Mr Chairman. Ladies and Gentlemen, Colleagues,

After the speech we just have heard from Spencer Oliver, I'd like to echo his words about the importance of the interparliamentary assembly phenomenon. You heard me refer to the Parliamentary Assembly of the Council of Europe as the oxygen tank of the organisation in my speech yesterday. The Parliamentary Assembly serves as a constant source of inspiration to the Council of Europe as it communicates with the general public and prompts the Committee of Ministers of the Council of Europe, that is the ministers of foreign affairs or their ambassadors, also the member states, member parliaments of the Council of Europe area, to take action in different fields. Of course, not all the proposals made by the Assembly are taken up by the Committee of Ministers in the form of new conventions or other texts. However, those that do nevertheless move the organisation, I would argue – Europe, forward.

I should add that we have well developed political groups in the Parliamentary Assembly of the Council of Europe. We could call them the oxygen tanks within the oxygen tank, to use a highly awkward formulation. In the political groups new ideas crop up constantly. They are formulated politically at group level, and serve as basis for compromises, agreements among all the five different political groups of the Assembly, and ultimately for widely common political initiatives. As I mentioned in my speech yesterday on supranational and international assemblies, the fact that the Council of Europe was equipped with the Parliamentary Assembly from the start in 1949, really reflects the spirit of that age. Organisations formed later, such as the OECD were not given a parliamentary dimension, whereas the OSCE as we have heard, established in the early 1990s, does have such a structure. So, I think it tells a bit about the spirit of the different ages we have lived through.

In the act of providing the Council of Europe with the Parliamentary Assembly was thus stroke of luck because it has – for the last sixty years – given much added strength to vitality of the organisation.

The title of speech indeed restricts me to talking about the new century, the 21st century which is however only 5 years old. However, I would like just very briefly beforehand list some major contributions of the Parliamentary Assembly to the political Europe of the last century.

I could mention that it gave the ground outline for post-World War II reconstruction in Western Europe. But it took the initiative to create a European Convention on Human Rights and Fundamental Freedoms, which today is perhaps the major conventional achievement of our continent. It serves as a political launching pad – physical launching pad because the debates took place on the floor, on the front lawn in the front of the Council of Europe, in a building which has now been torn down, a launching pad for what is today the European Union and which at that time was used to launch the European Coal and Steel Community, the European Economic Community, and not to mention the eventually unsuccessful plans to establish a European Political Community and European Defence Community in 1954.

I could go on, I could mention, for instance, the fact that the Assembly kept alive during the dark decades of the Cold War the hopes for eventual freedom and democracy of the countries of the Central and Eastern Europe that then were under the domination of the Soviet Union. For example, this autumn Hungary will be celebrating the 50th anniversary of the 1956 revolution against the Soviet oppression. It is significant that Hungary offered to the Council of Europe one of the only two Hungarian flags that were carried in the demonstrations in October 1956, banners with hammers and sickles in the middle cut out. It is now on permanent display in the Council of Europe. The Parliamentary Assembly was the only international organisation that issued a declaration of support in favour of the provisional Hungarian government in those dark October days.

I could also mention the Parliamentary Assembly's steadfast work in favour of détente between the West and East during the Cold War, or its support for the preparation of the Helsinki Final Act in 1975. The then president Gorbachov chose the Council of Europe for his grand speech on the common European home in 1989 as did the Pope in 1988.

As soon as the Berlin Wall fell, the Parliamentary Assembly introduced the so called special guest status for the parliaments in Central-Eastern Europe and it was the first European institution to include as members the countries of those regions, including the three Baltic states. The Assembly also in 1996 recommended Russian and Ukrainian membership, an enlargement which has

greatly enriched the Council's role in our continent. In brief, the Parliamentary Assembly has always worked and continues to work in favour of "Europe without dividing lines", to quote from a declaration issued at the Warsaw Third Summit of the Council of Europe's Heads of State and Government, held exactly a year ago.

If I had had a time machine, and had been able to transport myself hundred years forward to the year 2106, and assuming that both the ECPRD and the Council of Europe, including its Parliamentary Assembly, will have still been in existence, then I'm pretty sure that I would be able to point to a similarly rich record of the Parliamentary Assembly's achievements. However, as it is, I only have my crystal ball with a wish to try to peer into the future and a rear-view mirror going back a mere five years.

But before I turn to more recent achievements, could I mention the tools we have, namely nine specialised committees, out of which three are of particular significance when we discuss foreign, or rather in this case, since the Council of Europe has no foreign policy, international policy matters, security policy and human rights policy. These committees are the political affairs committee, the committee on legal affairs and human rights and the so called monitoring committee, which has the more official name of committee on the honouring of obligations and commitments by member states of the Council of Europe.

That these three committees are extremely active, we take the Parliamentary Assembly's part sessions held from 10 to 13 of April this year, and we'll find that all these committees, but especially the political affairs committee, presented reports to the Assembly. The themes included the situation in the Middle East, ways of countering the resurgence of nazi ideology, the situation in Belarus, the refugees' situation in Armenia, Azerbaijan and Georgia and the relations between the European Union and the Council of Europe. This last debate saw the participation of Mr Barroso, president of the Commission, Mr Juncker, prime minister of Luxembourg, Mr Schussel, prime minister of Austria, Mr Popescu-Tariceanu, prime minister of Romania, and Mr Brok, chairman of the committee of foreign affairs of the European Parliament.

At the session before that, in January this year, there were debates on such things as alleged secret detentions in Council of Europe's member states, the honouring of Council of Europe's obligations and commitments by Georgia, the human rights situation in Chechen Republic, international condemnation of crimes of totalitarian communist regimes, and again the situation in Belarus. The adopted texts, whether in the form of resolutions addressed to national parliaments or recommendations directed at the Council's own committee of ministers, are important in themselves, in their impact but also because they

raised the level of knowledge on the part of the members of the Assembly, as Oliver just mentioned. The members of the Assembly often go on to become ministers, prime ministers, presidents or have held such offices before they joined the Assembly. Over the years, generations of national politicians in Europe have as a result become more European. This is a peace factor not to be underestimated. To this come friendships built over time between politicians of various European countries and the political network created as they frequent meet each other, including in the political groups. They form an important basis for parliamentary diplomacy in Europe, and parliamentary diplomacy is to my mind a necessary complement to governmental diplomacy. The parliaments of Canada and Mexico are observers to the Assembly and participate regularly with sizeable delegations. They can in this way learn more about Europe just as European members of the Assembly can learn more about Canada and Mexico.

Furthermore, the Parliamentary Assembly of the Council of Europe, similar to the OSCE Parliamentary Assembly, forms a useful complement to the European Parliament, both in that it has a Europe-wide country membership and because the European Parliament is so much taken up by its role in the European Union own legislative process. I think that Thomas Grunert or somebody else mentioned yesterday that 80 percent of time of the European Parliament is taken up by the EU's own internal legislative process.

One final though Mr Chairman. We live in a time when nationalism seems to be on the rise. National prejudices again appear to take a certain hold. This paradoxically takes place in spite of all our modern travel possibilities and all our modern technology that should bring us all closer together and work against all kinds of prejudices. It seems to me that interparliamentary diplomacy as it is practised by the Parliamentary Assembly of the Council of Europe in this situation looks like a particularly good investment in European peace and understanding because when politicians from across our continent would come together and discuss and get to know each other, they can experience first-hand that they are much more like than they are different and have much more in common than what sets them apart.

Mr Chairman, this is all I have to say at this stage, given the limited time available and I look forward to our discussion.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much Kjell. Just two small factual comments. You said that as soon as the Berlin Wall fell we established the special guest status in the Assembly. In fact it had been done six months before the fall of the Berlin Wall. The special guest status, which in fact foresaw the participation of Central-Eastern European parliaments in the activities of the Assembly, was established in June 1989 while the Berlin Wall fell in November. The Israeli parliament is also an observer to our Assembly.

Many thanks for your presentation.

We now move to three following presentations on other international assemblies functioning in Europe – the Central European Initiative, the Baltic Sea Parliamentary Conference, CIS Interparliamentary Assembly and PABSEC. I would like to invite Mr Kucharski from the Sejm.

ARTUR KUCHARSKI

Expert in the Chancellery of the Polish Sejm

The role of the parliamentary dimension of the Central European Initiative

Dear Mr. Chairman, Ladies and Gentlemen:

Among European regional cooperation organisations, the Central European Initiative, despite its large size, is one of least known and, at the parliamentary level, one of least structured organisations. In a strict sense of the term, it is not even an international organisation. In spite of the attempts to transform it into such organisation, it is still largely unstructured. Let me, therefore, say a few words about the organisation itself, and then I will talk about its parliamentary dimension.

The history of the grouping goes back to November 1989 when, in Budapest, representatives of Austria, Italy, Yugoslavia and Hungary created Quadragonale. Its purpose was to create an alternative to the existing forms of international cooperation in Europe after the fall of the two political blocks. As the time went on, subsequent countries joined the organisation. Poland joined CEI as the fifth member country in 1991. This way, starting with Quadragonale, through Pentagonale and Hexagonale, the group ended up in 2000 counting 17 member states, i.e. the number it has today. The Central European Initiative includes Albania, Austria, Belarus, Bosnia & Herzegovina, Bulgaria, Croatia, Czech Republic, Macedonia, Moldova, Poland, Romania, Serbia & Monte Negro, Slovakia, Slovenia, Ukraine, Hungary and Italy.

The executive secretariat of the CEI Political Dimension is located in Trieste and is maintained mainly by the host country, i.e. Italy. From the inception of the Central European Initiative, its main aim was to help transition countries come closer to the European Union through cooperation and experience sharing. Cooperation among the parliaments of CEI member states, known as the Parliamentary Dimension, has been developing since 1991.

That main aim I have referred to is pursued by the CEI Parliamentary Dimension via meetings to discuss the status of preparation of CEI member

states for membership in the European Union and by monitoring the performance of relevant CEI working groups and disbursement of CEI earmark funds within the framework of diverse projects. These funds are not large, but I will return to this later.

In accordance with the Rules of Procedure of the Parliamentary Dimension, its aims are to contribute to the accomplishment of the objectives of the CEI in agreement and in close co-ordination with governments and other bodies of the Initiative, strengthen multilateral cooperation among CEI member states at parliamentary level, establish and deepen partnership structures based on the principles of parliamentary democracy and respect for human rights in accordance with the European Convention for the Protection of Human Rights and Fundamental Freedoms, and the OSCE process. Another aim is to strengthen the participation of all member states in the process of European integration and promote economic cooperation as well as environment protection in compliance with the principle of sustainable development.

Every plenary session of the CEI Parliamentary Dimension, of which there are two forms – the Parliamentary Committee and the Parliamentary Assembly – ends with the adoption of the final declaration, in which parliamentarians express their position in respect of current CEI activities and international issues associated with our part of the European continent. The declaration is transmitted to member state governments and considered at meetings of prime ministers and foreign affairs ministers of CEI member states.

Other bodies of the CEI Parliamentary Dimension in addition to the Parliamentary Committee and Parliamentary Assembly, are the Standing Committee and three General Committees, which deal with specific issues – from human rights to economic and political cooperation. The CEI Parliamentary Dimension also cooperates with other parliamentary assemblies. Based on the reciprocity principle, it has the observer status in the Parliamentary Assembly of the Organisation of Black Sea Economic Cooperation. I think we can be proud of the fact that cooperation between these two parliamentary organisations was initiated in 2003 when the Central European Initiative was presided by Poland.

However, as I do not wish to share with you only the official view of the organisation, I will also say a few words about its other aspects. Strong points and ambitious plans of any organisation can be found on its website and in numerous official publications. I think it will be more interesting if I share with you some observations which you will not find in official materials. At the same time, I must stress that these observations are personal and subjective.

Today, CEI embraces an area of 2.5 million square kilometres and a population of nearly 260 million. These figures would be impressive were it

not for the fact that what is CEI's strength is also its weakness. The territorial expanse, varied interests and different economic and political situation of its member states make it difficult to carry through major economic, infrastructural or political projects. Meagre financial resources of the organisation are no help.

Moreover, I get the impression that most member states place the instruments of cooperation within the CEI framework very far behind other main tools of foreign policy. While not belittling the role which the Central European Initiative plays today and may play in the future, I think it is a good example of an organisation which effectiveness and output are inversely proportional to its growth.

An indirect confirmation of this statement is found in the fact that CEI member states create smaller cooperation forums that include only a few countries. Cooperation on a smaller scale can be pursued in areas that are of particular interest to particular countries. An example of such organisation is the Quadrilateral Initiative – Parliamentary Dimension of the Stability Pact for South and East Europe. At first glance, the Quadrilateral Initiative is reminiscent of the original organisation from which CEI has grown as it groups Italy, Hungary, Croatia and Slovenia. It is also a form of cooperation very similar to that established by Italy, Austria, Yugoslavia and Hungary in 1989.

As at the intergovernmental level CEI has never become an international organisation in the strict sense of the term, so its Parliamentary Dimension – despite 15 years of its history – has never develop into a typical parliamentary assembly with its typical attributes, such as a formal position in the structure of the organisation or own permanent secretariat. After a three-year discussion, the rules of procedure of the CEI Parliamentary Dimension were finally adopted last year in Bratislava. Despite ambitious initial assumptions, the ultimately adopted version of the rules of procedure falls short of reforming the workings of the Parliamentary Dimension to a sufficient degree.

No agreement was achieved at as concerns the farthest reaching reforms. For example, the new rules of procedure do not provide for establishment of permanent Parliamentary Dimension bodies, such as the president and deputy president elected by the Assembly, who would replace the current rotating presidency assumed each time by the country that presides over the Initiative. Neither was it possible to establish a permanent secretariat, and that mainly for financial reasons, because then all member states of the Parliamentary Dimension would have to pay a membership fee.

Without these permanent governing bodies and a permanent secretariat, the Parliamentary Dimension operates in an ad hoc manner, relying on the inventiveness, will and organisational abilities of the presiding country. A study

of the Parliamentary Dimension also confirms the important role played by the secretariat in any organisation – a secretariat which the Political Dimension does not have. In addition to administrative and organisational functions, the secretariat of an organisation also serves as a sort of archive for its activities, a hard disk on which all activities of the structure which the secretariat serves are stored. The absence of a permanent secretariat in the CEI Parliamentary Dimension causes a situation where activities that are carried out and the knowledge and experience that is accumulated during one presidency are not handed down to the next presidency and get lost. What is worse, in addition to not guaranteeing any continuity of activities, such system does not even guarantee that any activity takes place at all.

As Mr Kieniewicz said yesterday, it is easy to bring about the unstructured forms of parliamentary cooperation to expire – it suffices to omit noting down in the final declaration who will be organising the next meeting. At CEI, a crisis takes place when the presidency does not perform its basic responsibilities in respect to the Parliamentary Dimension. Then it turns out that there is no one whose duty it is to intervene in this matter or to encourage the presidency council to avail itself of its obligations.

As I said at the beginning, the overriding purpose of CEI was to help transition countries in meeting EU membership criteria. That objective continues to be important, but as more countries are admitted to the EU, most lose an interest therein. After Bulgaria, Romania and Croatia will enter the Union, a decisive majority of CEI member states, 10 out of 17, will be also EU members.

Consequently, CEI and its Parliamentary Dimension are today in search of a new identity and a truly relevant objective. That search is moving in the direction of cooperation in the areas of culture, education, youth exchange and situation of national and ethnic minorities in Central and Eastern Europe. The time will show where this search will take the organisation.

Thank you for your attention.

WOJCIECH SAWICKI

Co-Director of the ECPRD

We still have two speakers in this part of our session. Mr Januszewski now from the Polish Senate, about the Baltic Sea Parliamentary Conference, followed by Ms Gaprindaszwili from PABSEC. Could I ask you to be brief in your presentation to order allow us enough time for discussion.

ANDRZEJ JANUSZEWSKI

Expert in the Chancellery of the Polish Senate

Baltic Sea Parliamentary Conference

Thank you very much.

Ladies and Gentlemen,

I would like to share with you a few comments on the role of regional parliamentary organisations based specifically on the example of the Baltic Sea Parliamentary Conference (BSPC).

Obviously, one of the main reasons for establishing an international organisation is simply that the entities which establish it neighbour on one another and, hence, have common interests. States that occupy neighbouring territory face similar threats, challenges and opportunities. Consequently, what happens just outside a country often impacts its internal situation. This happens in many areas, but environmental protection provides a particularly vivid example. Pollution expelled into the air or water does not unfortunately stop at state borders. This is why we are vitally interested in cooperation and joint problem-solving with countries that share our geographical space. Therefore, creation of regional organisations is maybe not an absolute necessity but certainly the most natural motivating factor in international cooperation.

The Baltic Sea Parliamentary Conference fits that format perfectly. The organisation groups parliaments of the countries that are located in the Baltic Sea region. This does not mean, as the name of the organisation would suggest, that they border on the Baltic – after all, the organisation also includes Iceland and Norway. This has a historical and political justification, and is as good a subject for discussion as it is the definition of the term “region”. Indeed, the case of BSPC proves that a geographical definition of “region” is not always sufficient. In fact, it is an open question if BSPC should not also include Ukraine and Belarus, as they are located in the Baltic sea drainage basin and evidently affect the regional ecological situation, as well as political.

Thus, national parliaments that belong to the Baltic Sea Parliamentary Conference are those of Germany, Russia, Finland, Sweden, Denmark, Norway,

Iceland, Lithuania, Latvia, Estonia and Poland, hence the same countries that make up a parallel intergovernmental organisation – the Council of the Baltic Sea States (CBSS). BSPC also includes – and on equal membership terms, I might add – parliaments of the autonomous territories that belong to some of these countries, i.e. Åland Islands (belong to Finland) and Faroe Islands and Greenland (both belong to Denmark). Thus we see how expandable the notion of a region can be.

In addition, the Baltic Sea Parliamentary Conference includes international parliamentary organisations such as the Nordic Council of Ministers, Baltic Assembly, Parliamentary Assembly of the Council of Europe, OSCE Parliamentary Assembly, and the European Parliament. What is more and what is probably unique on the world scale is that among BSPC full-fledged members there are also local parliaments from Germany and Russia, i.e. from the *land* of Schleswig-Holstein, the republic of Karelia and the city of St. Petersburg. Consequently, BSPC is an interesting hybrid of entities engaged in international cooperation. It provides a unique opportunity for a dialogue between local states and communities on important regional issues.

The membership structure thus established emphasises the primary objective of the regional parliamentary organisations grouped within BSPC, which I believe is to communicate and make known in individual countries the problems that affect the entire region and to collaborate with government institutions on solving those problems. BSPC pursues this objective by its lobbying activities and by raising decision-makers' awareness that decisions made at the national level should contribute to solving regional issues.

How serious these issues are can be shown by two examples taken from BSPC's current areas of focus. The first one is the need to ensure safety of cargo transportation on the Baltic Sea, particularly as concerns hazardous consignments transported by tankers and bulk carriers. It is an extremely grave problem, one that BSPC has been dealing with for quite a while. A few years ago there was even a special task force on sea-faring safety, which drew up detailed safety-improvement recommendations.

Not many people know that the tanker *Prestige*, which had an accident on 13th April 2002 off the Spanish coast and spilled 77,000 tons of heating oil killing tens of thousands of birds, initiated its voyage in Latvia. This means that it has earlier sailed across the entire Baltic before reaching the open waters of the Atlantic where the accident occurred. Had that tragedy happened before the ship reached the Atlantic, its consequences would have been incomparably more frightening. In the Baltic Sea, the full process of water exchange takes 42

years. You can imagine the scale of destruction had the tanker spilled its cargo in Baltic waters! At the same time, the Baltic has one of the highest ship traffic densities in the world, so the threat of a maritime disaster is very real there. In this situation, positive effects can be achieved only through cooperation of all states that use the Baltic Sea for shipping.

Another example: there are thousands of tons of chemicals sunk in the Baltic Sea after World War II, which from time to time are brought up to the surface in fishing nets in the form of corroded barrels containing, for example, mustard gas. This situation is often ignored – and certainly not advertised – by governments of the countries that access the Baltic. We are not fully aware of the possible consequences of the release of poisonous substances lying at the bottom of the Baltic Sea, but the hazard is certainly significant enough for everybody to be concerned.

I believe that the role of organisations such as the Baltic Sea Parliamentary Conference is precisely to take up and publicise issues like those two examples, appealing for and, sometimes, even suggesting solutions. That role is connected to another of a similar nature, one associated with the fact that in the contemporary world many of the responsibilities traditionally reserved to state governments are handed over to other bodies, primarily intergovernmental organisations. In this situation, the role of regional parliamentary organisations is to establish a dialogue with intergovernmental bodies for the purpose of making them aware of regional issues, but this time at the supranational level.

Two such intergovernmental bodies are of primary importance to the Baltic Sea region. One is the Council of the Baltic Sea States, which I have already mentioned, and the other is the European Union. CBSS's scope of activities covers the same areas as BSPC. The only difference is that CBSS activities and programs are annually financed by EU member states to the tune of hundreds of thousands of euros, whereas BSPC has no budget of its own at all. It exists thanks to voluntary financial contributions of its members. No wonder, therefore, that BSPC is trying to act as a sort of parliament for CBSS and encourage it to spend its money in a way parliamentarians think is best.

Of course, government organisations are naturally reluctant to submit to directives and suggestions of parliamentary organisations, and the relations between CBSS and BSPC are no exception. But at least they are still talking. CBSS takes into account annual resolutions prepared by BSPC and is aware of regional problems which parliamentarians consider most pressing.

This situation is even more visible at the level of BSPC's relations with the European Union. After all, it is generally assumed that the EU is the paramount

moving force in Europe and the keeper of rich European “goodies” in the form of assistance funds. Meanwhile, after the EU was enlarged on 1st May 2004 by the Baltic states, i.e. Lithuania, Latvia and Estonia, the Baltic Sea found itself located almost entirely within its borders. As a result, the so-called northern dimension of the European Union assumed a new importance. The northern dimension is a proposal of a comprehensive development of Northern Europe brought forth by Finland.

Speaking of Finland, let me add that we owe to that country the very existence of the Baltic Sea Parliamentary Conference. The founding meeting of BSPC took place in January 1991 in Helsinki on the initiative of the regretted outstanding politician and Finish Parliament Speaker Kalevi Sorsa. As is the case with many other regional parliamentary organisations across Europe, the date of BSPC establishment was the sign of changing times – political transformations and the fall of the Berlin Wall in 1989. The Iron Curtain no longer divided Europe and relations based on equal partnership could be re-established between the East and the West. That meant a great deal for the Baltic Sea as during the Cold War it was torn exactly in half by the two opposing sides.

Going back to my concept of the potential purpose of regional parliaments, another role that they could play is in rebuilding and deepening the sense of regional belonging, creating regional identity and expounding as well as strengthening regional cultural, scientific, social and political ties. As we have little time left, I will shorten my presentation drastically and only list other roles that regional parliamentary organisations can play, without giving examples taken from the BSPC experience.

Firstly, they can present regional issues and advance general regional interests at national level. Secondly, they can do the same at international level. In both cases they should lobby for the advancement of these interests and for finding solutions to regional problems. Thirdly, they can work on building regional identity, awakening the awareness of belonging to the region and of its traditions, and uniting the region at many other levels. Fourthly, they can work on eliminating developmental disparity in the region. And fifthly, they can create a vision for the future of the region and work out best ways of ensuring its sustainable development.

Thank you very much for your attention.

NATIA GAPRINDASHVILI

Legal Affairs Committee, PABSEC

The role of the Parliamentary Assembly of the Black Sea Economic Cooperation

Thank you Mr Chairman. I will try to be very brief. The Parliamentary Assembly of the Black Sea Economic Cooperation was established in 1993 by the initiative of national parliaments with the aim to promote cooperation and interaction in the region and to provide a facility and legal ground for the realisation of the principles embodied in the PABSEC Declaration and the Bosforus Statement signed in Istanbul on 22 June, 1992. The PABSEC has revealed itself as a political forum of interparliamentary dialogue in the Black Sea area, composed of 76 parliamentarians representing the national parliaments of 12 BSEC member states. The PABSEC is constantly addressing the main aspects of the regional economic cooperation and put forward relevant recommendations aimed at achieving the higher degree of integration of the BSEC region into the European and world economy.

The Assembly has been promoting policy along with institutionally regulated reforms towards a sustainable mode of economic development. The Assembly's recommendations on trade liberalisation, customs regulations, protection of investments, establishment of regional stock exchange market and promotion of small and medium enterprises, along with the issues of transport and energy are part of the Assembly's efforts to that end. Although multilateral economic cooperation was chosen as a prime mechanism in the BSEC, the PABSEC in its turn also has been attributing due attention to the political and social issues.

Given the fact that the regional economic cooperation is impossible without proper regional stability, the PABSEC took up the initiative of development of democratic institutions in the BSEC member states at its very first seminar in 1994, followed by the second seminar in 1995 on peace and stability in the Black Sea region. Discussions in the beginning at those seminars were full of passion, also turbulent from time to time, but the Assembly managed to exchange the views on the problems of real concern for member countries.

Also the Assembly debated and adopted in 2001 the recommendation on promoting political stability and the economic integration. The Assembly underlines in this document that the regional economic cooperation is an effective confidence building measure, contributing to opening up the opportunities for reconciliation and narrowing room for confrontations.

Linking the countries of a wide geographical area, including those of the Caucasus, the Caspian and the Eastern and Southern Europe with a different political dynamics, internal diversity and conflicts, the area of the Black Sea is a scene and intersection of economic, political and strategic interests of various regional and global players. The security threats, concerns and challenges in the Black Sea region are of diverse nature and multidimensional scope. Many of the new threats and concerns to the regional security are transnational in nature and require a proper framework of cooperation at multilateral level.

In 2004 the Assembly adopted a report and recommendation on the regional dimension of stability and security in the Black Sea Region. In these documents PABSEC stressed that the benefits of peace and prosperity are due not only to commitments of the individual states, but also to the contribution by the people. And the Parliamentary Assembly had to fortify its efforts through the parliamentary diplomacy to pave the way towards confidence building for the establishment of lasting stability and security in the region.

Objective of turning the Black Sea into the sea of peace, stability and prosperity can be achieved by mobilising parliaments in safeguarding human rights and fundamental freedoms as well as working towards improvement of political climate, promoting stability in the region.

The parliamentarians through their participation in the regional, international parliamentary organisations have to bring their contribution in safeguarding security and stability through sharing their experience, better use of international resources and introducing new dimensions of cooperation, as well as preventing duplication of activities. In this respect, active interaction of PABSEC and its member parliaments with the European parliamentary organisations like the NATO Parliamentary Assembly, OSCE Parliamentary Assembly, and the Parliamentary Assembly of the Council of Europe undoubtedly paves the way towards a constructive contribution to joined efforts and undertakings for enforcement democratic development and strengthening regional stability and security.

At the same time the factor of EU enlargement, implying also recently some BSEC member states, cooperation within the framework of neighbourhood policy, as well as interaction with international, regional and subregional structures bring more positive elements in enforcement of peace and stability.

It has been noted that a strong attraction of EU membership provides powerful incentive for domestic reforms, consolidating political and economic stability and sustained economic growth in the Black Sea region.

Here I want to mention a very interesting seminar which was held under the auspices of the EU Institute for Security Studies which brought together high-level EU and UN member states officials and wide range of experts. The aim of the seminar was to have examination of the security issues in the Black sea with a view that the Black Sea has long been forgotten in the EU policy and has never featured as an item on the agenda of CFSP.

Now with the Romanian and Bulgarian accession, Turkey's negotiations, the European Neighbourhood Policy Actions Plans towards Ukraine, Moldova and Georgia and the four common spaces with Russia, the Black Sea has been fast becoming a EU sea and there a question was raised whether it was not necessary for the EU to elaborate a regional concept towards the Black Sea. The PABSEC has been also paying substantial attention to the issues of democracy and human rights and was adopting due recommendations. The Assembly has been actively endorsing also a new initiative, cooperation between the capital cities, the public broadcasters and constitutional courts of the member countries, as well as organising the children and youth festivals of the BSEC member states, thus strengthening cooperation at level of the civil society and increasing people's awareness towards a Black Sea identity.

Now at the end I would like to inform you of the forthcoming session in Yerevan, in the beginning of June. The Assembly will be discussing cooperation of BSEC members countries in the fight against economic crime in the Black Sea region, rule of the civil society in the Black Sea economic cooperation process, environmental and climatic influence upon formation of competitive capacity of states, and dialogue among cultures as a means of stability and trust in nations. Also the general debate of the Assembly will be dedicated to the energy security in the Black Sea region.

Thank you.

DISCUSSION

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you for the presentation. We have listened to five presentations, two on Pan-European assemblies, if I may say so, one with a transatlantic leg in addition, and three on regional assemblies. We come now to a discussion and questions. The floor, ladies and gentlemen, is yours. Just tell us how you like those assemblies. Do they contribute to your activities in national parliaments? What is their added value? How do you see it? You have also a chance to ask questions to those who made the presentations. The floor is open. The European Parliament is first.

DIONYZ HOCHEL

Directorate General for Internal Policies, European Parliament

Thank you Mr Chairman. I have two small comments concerning the presentation by Mr Januszewski, on the activities of the Baltic Sea Parliamentary Conference. I just would like to add that on 15th February this year the European Parliament accepted an invitation and became a member of the Standing Committee of the Baltic Sea Parliamentary Conference. This invitation was raised at the 14th Baltic Sea Parliamentary Conference in Vilnius last year and the European Parliament will be represented by the chairwoman of the delegation to Iceland, Switzerland, Norway and the European Economic Area, Ms Diane Wallis.

My second question and remark is concerning the presentation of Kjell Torbiörn who presented the activities of the Parliamentary Assembly of the Council of Europe. In our directorate which deals with the relations with national parliaments, with also contributing to smooth running of the ECPRD seminar – thanks to great activity of Ms Coppolechia-Somers – we discussed with a great interest a recent report prepared by the prime minister of Luxembourg, Mr Junckers, who presented a road map how to deal, how to organise cooperation between the Parliamentary Assembly of the Council of Europe and the European Parliament. I would like to ask you about your reflections and first reactions towards that report.

STANISŁAW PUZYNA

Expert in the Chancellery of the Polish Senate

My first comment and question – directed to Kjell Torbiörn and Oliver Spencer – concerns parliamentary assemblies of the Council of Europe (CE) and Organisation for Security and Cooperation in Europe (OSCE) in reference to the report – already cited during this seminar – by Bundestag President Wolfgang Thierse at the latest Conference of Presidents of Parliaments of the European Union in Budapest. That report raises the issue of the operative overlap of these two assemblies and postulates rationalising their activities.

I wish to draw your attention to the fact that the possible functional overlap – if it exists at all – has its source in the two intergovernmental organisations – CE and OSCE. Their parliamentary assemblies are nothing more than a parliamentary dimension thereof. Therefore, if at all, there are these intergovernmental organisations that should be rationalised, and that seems to be beyond the power of the Conference of Presidents of Parliaments of the European Union.

My question is whether the problem of the functional overlap between the CE and OSCE parliamentary assemblies exists in their day-to-day practical activities and, if yes, can it be solved through cooperation and co-ordination of the activities of these assemblies. Does such cooperation and co-ordination already exist and in which areas?

I would be also grateful if Artur Kucharski, Andrzej Januszewski and Natia Gaprindashvili could comment on the potential impact of integration within the European Union on European integration outside of it, for example within the Baltic or Black Sea basins.

Thank you.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Well, just a few comments on the parliamentary bodies which have been presented this morning. Let's start with the OSCE Assembly and the Parliamentary Assembly of the Council of Europe.

First of all and that's a direct question to Kjell Torbiörn. You mentioned the observers in the Council of Europe Parliamentary Assembly. There are Canada, Mexico and Israel. Is it conceivable and would there be any interest that the

United States of America – if they fulfil the political criteria – could become an observer in the Council of Europe Parliamentary Assembly? The United States couldn't become a member of the European Union because they don't fulfil the political Copenhagen criteria, as you know.

Second, cooperation between the parliamentary assemblies of the Council of Europe and the OSCE. Here, as Stanisław Puzyna, I refer to the Thierse questionnaire. And one of the questions was “What areas of cooperation do you see between the Council of Europe Parliamentary Assembly and the OSCE Parliamentary Assembly? Are there examples of successful cooperation in your view? Do you have any suggestions as to how the things may be improved?”. What the European Parliament at that time answered was that the two assemblies have similar composition and similar political scope, as was confirmed now by your presentations. The ten committees of the Council of Europe Parliamentary Assembly, or are they nine, and the three general committees of the OSCE Parliamentary Assembly cover largely the same ground. Accordingly, and that's my question to both of you, cooperation at committee level could create synergies between the two assemblies. Secondly, and that was a later reply for the same questionnaire, given the similar scope and also composition, would it be conceivable to have from time to time joint sessions of the two assemblies to create synergies and sessions focusing on whatever topics of common interest, e.g. fighting against terrorism or whatsoever.

As regards the other assemblies, I simply would like to tell you that the EP increasingly pays attention to the activities of the PABSEC, or the Baltic Sea Parliamentary Conference, etc. My colleague Dionyz Hochel mentioned already that the European Parliament now is in the board of the Baltic Sea Parliamentary Conference. On a regular basis the European Parliament is represented at PABSEC meetings with one of our vice-presidents in charge of relations with multilateral parliamentary assemblies.

The regional cooperation is very important and that is why the European Parliament would not like to become a full member but supports the efforts made at regional level, be it in the Black Sea or in the Baltic sea areas.

As regards relations between the Parliamentary Assembly of the Council of Europe and the EP, here again we witness an increase of joint activities of communications links but still I think the cooperation should further be enhanced without the European Parliament, as we said yesterday, becoming a member of the Council of Europe. I think there was a misunderstanding. It's not about membership in the Council of Europe but about the European Union or maybe the European Parliament joining the Convention for Human Rights.

The OSCE Assembly. I followed that from outside in the beginning when it was founded in 1992. The European Parliament wanted to be a full member. Now, given the difference between supranational parliament and interparliamentary assemblies, it's not excluded, but it's very difficult. I remember that our institution was investigating and had some support of being fully integrated. Right now the European Parliament has an observer status at the OSCE Assembly. I think the cooperation between the two has to be improved. We've stagnated for ten years now and it even happens that there is no official representation of the European Parliament at the biannual meetings of the OSCE Assembly.

The question in this context is: Do you think it would make sense to increase the status of the European Parliament in the OSCE Assembly, be it an associate member or a full member? I'm personally not convinced about it. I'm convinced however that our cooperation should be improved and intensified.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you. While waiting for other interventions from the floor – you are really most invited to take the floor – I now give the floor to Spencer and Kjell to react to the questions that we have received so far.

SPENCER OLIVER

Secretary General of the International Secretariat of the OSCE Parliamentary Assembly

Thank you, Wojtek. I'll try to answer the multiply questions that Thomas Grunert has asked.

First of all, the Parliamentary Assembly of the Council of Europe is a treaty based organisation, where all the governments are obligated under the treaty to do certain things, including participating in the Parliamentary Assembly.

The OSCE is not a treaty-based organisation. Its commitments are not binding. It's a political organisation which really does not have a legal status as such. So those two things don't mix.

Another thing is the representation in both parliamentary assemblies. It is not similar. There is not North Atlantic cooperation in the Council of Europe. The United States cannot accede to the treaty that created the Council of

Europe nor to the European Parliament. Also the OSCE extends far to the east in the areas where the Council of Europe – although is extended pretty far east – probably does not intend to take up areas where the building of democracy is most important. And it's an area where the OSCE is extremely active – Tajikistan, Kyrgystan, Turkmenistan and Kazakhstan. So that is the frontier – if you will – for the development of democracy in the OSCE.

Thirdly, the general committees are not the same. I mean, they have ten or eight committees in the Council of Europe and they are not the same as the three general committees in the OSCE. One of the things that your suggestions would imply would be that there would be more meetings, which is exactly what the OSCE Parliamentary Assembly does not want nor did the creators want it to be – the Assembly which meets so often that parliamentarians don't want to participate because they don't have as much time. You can look at the number of meetings in these international parliamentary assemblies that consist of the national parliaments, and there is a direct correlation between the level of representation and the number of meetings. When we have one meeting a year of the 55 delegations, something like 40 of the heads of delegations were speakers of their parliaments because they could participate in the international assembly that meets once a year. When we have two meetings a year, the number of speakers is cut in half. Now that we have three meetings a year, there are only about ten or twelve speakers. So it's important as to whether or not you have high level representation in terms of the quality of the debates and the importance of your influence in the organisation.

I remember the debate about the European Parliament to be a full member of the OSCE Parliamentary Assembly. It was an issue which the United States stayed out of at that time and it was really national parliamentarians who did not want the European parliamentarians to be in the OSCE Parliamentary Assembly and they blocked it. And I think that since we function by consensus the chances of that are slim or none. So I mean, as far as nothing changes.

On joined sessions. We have explored the idea of trying to have joined sessions of some kind. But the problem is scheduling – to find the time that you can get 317 parliamentarians or even a substantial number of them together with several hundred parliamentarians in the Council of Europe in one place. It's just almost impossible. We have found ways to cooperate in the field, as you know. First, in the Balkans. The president of the OSCE Parliamentary Assembly brought together the European Parliament and the Council of Europe back in the mid-90s to try to help with the democratic development in the

Balkans at the request of the UN, the European Union and the OSCE to try to help develop parliaments after the Dayton agreement.

We have also done the same thing in Belarus where we have a parliamentary body which works and cooperates together. We work together on election monitoring and try to co-ordinate our activities and joined press conferences, trying to have a joined statement at the end of each of these election monitoring missions. I don't think that because of the legal nature of the OSCE. Both the underlying documents, the *acquis* of the OSCE, the commitments from the Helsinki Final Act, the Charter of Paris, which are not legal, they are not commitments that are based in legal terms. They are promises to do better, to move in this direction, to seek this goal. It's not a law, this is not "You will deal with this standard and you will deal with that standard", as you have in the Council of Europe or in the European Parliament. It's apples and oranges. The only thing that's similar between them is that they occupy relatively the same area but the two important east and west ends are not there in terms of the Council of Europe. The other thing is that they are members, that the members of the assemblies are members of their national parliaments. That is the common ground. They do know something about politics and elections, they can cooperate in these areas where they have their expertise. I think that the OSCE Parliamentary Assembly has probably reached the limit of activities that its members want engage in. Three meetings a year, only one vote, election monitoring based on voluntary participation by the parliamentary assemblies. The reason that we sent two thirds of the parliamentarians that have been sent to monitor elections in recent years, in the last decade is because we have 55 parliaments to draw on. And the leaders of those parliaments feel that this is a useful thing for their parliamentarians to do that contributions to the development of democracy and that it's a worthwhile expenditure funds. But the whole idea of the rationalisation that Wolfgang Thierse was involved in was because he was complaining that there were too many of these assemblies, there were too many parliamentarians that were in their capitals, it was costing too much money, and isn't there some way to reduce this. What you would do is to expand it, to have more meetings, more committees and more joined meetings, etc. – it just simply wouldn't work.

In addition, the Council of Europe. I think we have a very good working relationship for quite some time, presidents meet, secretary generals meet, we talk to each other weekly, we try to find ways to cooperate, and we find many ways in which we can cooperate. As Kjell pointed out, they are a political group-based organisations, everybody is in a political group. In the Parliamentary Assembly we don't have political groups because about 40

percent of our membership wouldn't fit in to the traditional European, conservative, liberal, socialist groups. And particularly the Americans on either side, Republicans or Democrats. It doesn't work that way. So the OSCE governments wanted the Parliamentary Assembly for the purpose of having support in national parliaments for the OSCE. And that's what they've got. And they're generally satisfied with it. They don't generally want to see it get any bigger or have a larger budget or do anything more than it's doing. And they generally think what they're doing. And the test is always: "Is this a useful thing to do? Is this worth the time of the parliamentarians?". And I think the election monitoring, *ad hoc* committees and crisis areas, special representatives on things like Guantanamo and Nagorno-Karabakh are useful things to do. The other thing is to provide a forum for these parliamentarians to talk to each other about the OSCE issues. One thing I did want to point out at Ms Agostini's presentation yesterday on the Euro-Med Parliamentary Assembly. We have a Mediterranean dimension too, which she perhaps didn't know about it. If there is somewhere that this conference can make a useful contribution, it might be to rationalise all these Mediterranean groups because we find that the same people participate. And if you have five different groups having Mediterranean forums of some kind every year and you have a Euro-Med Assembly, perhaps there might be a way to bring everybody into that forum before it gets so developed that they don't want to, they can't connect with each other. I think that's all the questions I've answered. Thank you.

KJELL TORBIÖRN

Head of the Office of the Secretary General of the Parliamentary Assembly of the Council of Europe

There were three questions addressed to me, by Mr Hochel, Mr Puzyna and Mr Grunert.

Mr Hochel's question was about the Juncker report. Now, to put everybody in the picture. The origin of the Juncker report is the whole issue of the relations between the European Union and the Council of Europe. It was raised in Warsaw at the 3rd Council of Europe Summit of Heads of State and Government held exactly a year ago. This was very much on the agenda. The summit asked Mr Juncker in his personal capacity to draw up a report outlining what he saw as the roadmap for future relations between the European Union and the Council of Europe. It was published on the 11th April this year to end the last Parliamentary Assembly session to much fanfare and much secrecy surrounding it. This then

was based on a previous document which the British had drawn up because they were in the chairmanship of the European Union. They had drawn up their version reflecting not just what the British felt but also what the European Union felt. Then there was a Romanian presidency of the Council of Europe and they took up this British version and then the Secretary General of the Council of Europe, Mr Thierry Davies, added his point of view. Then the Romanians added their *desiderata* and everybody was waiting for the Juncker report. Because the Parliamentary Assembly said "Look, we feel that Mr Juncker is very positive to the role of the Council of Europe and also to this assembly. Let's wait for his contribution". This came in April and now there is a kind of briefing raised by the Romanian presidency to finish this, if possible, by 18th of May. It doesn't look very much probable actually because it's only a draft and many delegations said "we have to think over". They reflect on this, on relations between the European Union and the Council of Europe, so it's better perhaps to wait until the next presidency, the Russian one, starting on the 19th of May.

So that's the situation. But the Juncker report is very accessible, easy to read and very positive to the Council of Europe and somehow it fits in the European equation. So it is very much supported by the Council of Europe and I would recommend everybody to read it. It's a very good reading indeed.

Second question, from Mr Puzyna, about the relations between the Parliamentary Assembly of the Council of Europe and the OSCE Parliamentary Assembly. What Mr Oliver has said is really to the point.

I would say there was a slight irritation at very beginning. When a new organisation comes in, a new "kid-on-block", then there is some kind of adaptation by both, trying to find *modus vivendi*. And in this case it was easy not only because of the goodwill on all sides, but also because of their difference in membership and the transatlantic dimension that you have and that we have less, of course, because we don't have the States and Canada as members. So there is great complementarity, I would say, on election observations. The committee structure is different, we have a much more elaborate committee structure. We also cooperate on elections, we have excellent cooperation, I must say.

Now, Thomas Grunert's question about joined sessions between the bodies. I would side with Spencer here. It's very difficult to organise joined meetings. It's a bit like having two dinosaurs trying to dance together on their hind feet. It's very difficult to each dinosaur to get its nervous system in order to dance a tango and then to co-ordinate with the other dinosaur. The result is often that they fall flat on the ground and they decide that this should not perhaps be repeated. We found *idem* in joined sessions between the Parliamentary

Assembly and the European Parliament, we found to certain disappointment that very few members of the European Parliament have attended, whereas we have shown up *en masse*. So, even that is difficult to organise, notwithstanding the fact that Strasbourg runs out of the hotel rooms when we try to have a joined session of the two bodies.

Now about the observerships. I should perhaps mention that you have to make a distinction between the observerships of non-member states of the Council of Europe to the Council of Europe as a whole, that is in the governmental side, and then to the Parliamentary Assembly side. We have five observers to the Council of Europe as in national governmental organisation. These are the United States, Japan, Mexico, Canada and the Holy See. But only three – Canada, Mexico and Israel – are observers to the Parliamentary Assembly. Why not the United States and Japan? I think simply because those two countries have not asked for the observership to the Parliamentary Assembly and the Parliamentary Assembly has not submitted an invitation. I think that behind the scene there may be some concern on the part of the Assembly about the fact that the United States and Japan still have the death penalty. That's really a leitmotiv of the Parliamentary Assembly to try to abolish worldwide the death penalty. So that might be a slight complication.

I think, Mr Chairman, I have mentioned everything I wanted to say. Thank you.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you. Maybe just one comment, Kjell, if you allow, on the Juncker report, because the question was about the consequences or outcome as far as the Juncker report was concerned for relations between the two parliaments, i.e. the European Parliament and the Parliamentary Assembly of the Council of Europe.

I can say that in fact we probably do not need so much the Juncker report for establishment or continuation of relations between these two bodies because in both parliaments, in both assemblies you have provisions in the rules of procedure which allow for cooperation, for joined meetings of committees, which we do. We have on a number of occasions joined meetings of committees from both the European Parliament and the Parliamentary Assembly of the Council of Europe. We have also cooperation on election observations which we continue. There is a number of issues that we cooperate on, e.g. the question of CIA detention centres is an example when

we exchange information and cooperate on investigations run parallel in both bodies. And there are many others. I can say that Juncker report was not so much needed for the relations between these two parliamentary bodies. This is my opinion.

Colleagues, the floor is open. No further comments? Which means that you're happy with all those assemblies? It's good to know!

I think also about an important point, as far as our two assemblies are concerned, i.e. of the Council of Europe and the OSCE. We say very often "pan-European assemblies" but we cannot forget that these both assemblies are deeply rooted within their organisations. I mean the Parliamentary Assembly of the Council of Europe within the Council of Europe, within its statute. And the same with the OSCE Assembly which was established within the OSCE context. So they are not in a way free pan-European bodies, which exist just for themselves. No, they have their tasks which are defined in the statute of the Council of Europe or in the regulations established by the OSCE member states. So one cannot say "Just merge these two bodies because both operate in whole Europe, so what's the problem". This seems a very easy conclusion but this is a mistake, because you have to look at the origins of creation of these bodies, i.e. where they are rooted? This is an important element, not to be forgotten.

Thank you very much for this debate, for your participation and questions asked. I would like to thank all the speakers and their contributions to this debate.

Session VI

Supranational interparliamentary assemblies grouping EU parliaments and parliaments of the non-European states of the Transatlantic Security Partnership as well as parliaments of states of Asia, Africa and South America

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

We're running almost half an hour before the schedule and the session right now should end at noon so we have three quarters of an hour left. We have three speakers. I will not make a big introduction, I will just read out a topic of the session number six, "Supranational interparliamentary assemblies grouping EU parliaments and parliaments of the non-European states of the Transatlantic Security Partnership as well as parliaments of states of Asia, Africa and South America".

So we have to cover almost the whole world, apart from Europe in 45 minutes. I would like to pass the floor immediately to Paul Cook, who is Director of Economics and Security Committee of the NATO Parliamentary Assembly, so he is one of the key actors to shape the interparliamentary cooperation in the Transatlantic Security Partnership. Paul, you have the floor.

PAUL COOK

Director of the Economics and Security Committee,
NATO Parliamentary Assembly

Supranational parliamentary and interparliamentary assemblies grouping EU member state parliaments and parliaments of the non-European states of the Transatlantic Security Partnership

Thank you, Thomas.

Ladies and Gentlemen, I think that you will be happy to note that Thomas has no knife in front of him right now. I'm going to attribute this to the ongoing deterrence capability of NATO, or perhaps our excellent relationship with the European Parliament, one or another, but we want to ask hard questions about it.

Thomas, this is a brief that I've done for an hour and a half. Because we are under such a time constraint I'm going to be very quick, but feel free to launch a pre-emptive strike and cut me off because I think that the important information is loaded up on the front.

We'll get through some slides and I hope that you can see this PowerPoint presentation. The first slide is to give us a short-hand for the history of the assembly and I won't dwell on it. We were founded by an interparliamentary agreement among speakers of the parliaments of NATO countries in 1955, which is still a very important feature of the assembly. We are not a treaty-based organisation. There've been debates over the past 40 years whether we should be a treaty-based organisation and have a formal link to NATO. Certain governments have resisted this for their own reasons. They don't necessarily want a formal parliamentary role in something as central as defence and security policy. But gradually over the time the members came to the conclusion that this is actually a good thing, it gives us a tremendous amount of flexibility to let the parliamentarians set the agenda and not have it set by governments. So in a way we're a purely parliamentary organisation with

no formal governmental dimension or formal link to this inter-governmental process that the NATO aligns itself. We were founded as the NATO parliamentarians' conference, in 1966 we became the North-Atlantic Assembly, which in a way was an appropriate name, I think, because it captured the fact that were about the transatlantic relationships, the North-Atlantic relationships, not strictly about the NATO. And that remains true today. The weakness of the name was that people didn't understand what it represented, it could well have been an Icelandic fishing organisation, some people thought.

In 1999 the members changed the name to the NATO Parliamentary Assembly. But again, our focus is much broader, particularly in my area, which is economic issues. We do a lot of work on trade, even on development and security issues which are not necessarily on the NATO agenda at all.

The original goals of the Assembly: to enhance transatlantic solidarity, to provide a link between member parliaments and NATO authorities, and to promote the aims of the alliance.

I would have to agree that there are probably two other important functions – maybe we don't need to be put on this, but I do think parliamentary education is important. And if you talk to members about this, those who have been in the assembly for many years will tell you they've learned a great deal through their participation. The second is networking, and this is true for all assemblies, i.e. to provide a way for members to network, to get to know each other, to get colleagues across border and to form alliances at times. That can be very useful.

Article 2 of the treaty is the closest thing to a charter for us. If you can read it, it basically defines the political goals of the Alliance, which include even economic issues. So we see this as the closest thing to a charter in the absence of the founding treaty.

There is an additional goal here which is a post-1989 and this has to do with the end of the cold war, i.e. providing a link between the parliaments of NATO and those of the NATO partner countries. Of course, this was critical to the enlargement process. Our whole agenda shifted in 1989 and we became very focused on our work with parliaments that were not part of the NATO, those which aspired to NATO membership and even those countries, those parliaments that are strategically important. I'm talking about Russia, for example and Ukraine. Of course, Ukraine is now aspiring to membership as well.

There you have the membership of the Assembly. Obviously, it perfectly reflects the NATO membership, so every parliament of NATO member countries is represented as full member of the NATO PA. You can also see on

this slide the number of seats each delegation is assigned, with the largest being the United States as the largest country, 36 parliamentarians. I think Estonia was an example of the very small country with only 3 members.

I should say that the US participates very actively in our meetings, at least in three meetings a year and two annual sessions, in our February meetings in Brussels, and in the Washington D.C. Forum we hold every year in December. They are quite present. I don't think that we've ever seen 36 parliamentarians, but we do get upwards of 20 congressmen at these meetings. And they are very dedicated supporters of the Assembly. They are active and they think this is an important endeavour. I would say that in a way – partly like the OSCE – this transatlantic link is a bread-and-butter issue for us. Engagement of the US Congress is extremely important and I think that it gives dimension to our work which is critical to our success.

There you see associate members and a number of seats that each of them are given at the table. Associates participate fully in the life of the Assembly with the one exception that they don't vote in resolutions. So they have virtually all the rights of the full members. Obviously, they are not making contributions, they don't have to make contributions to our budget. Some countries do, Switzerland particularly is doing a lot of work with the Assembly on democratic control of military forces.

Here you see the observer delegations. Again, this is going an outer ring, I would say, of the Assembly. Their participation is much more limited and they can speak in meetings with permission of committee chairs. It's a more restricted kind of membership.

Here are Mediterranean associate members. This is a new category that we've just created because of our growing focus on the Mediterranean region. Algeria, Israel, Jordan, Morocco have been given Mediterranean associate status. It reflects consensus among our members that we need to focus more on this region because it's where there are some serious common security challenges and it makes eminent sense to be focused on this region, politically and strategically.

Here are the other delegations which we give a seat at the table. The European Parliament has a ten member delegation and a quasi associate status. Again, it's because we were talking about apples and oranges, it is closest as a parliament could be to being associate without being associate. We have had European parliamentarians' participation not only on annual meetings but in some of our committee trips. We've been invited to the Parliament to participate in some of the foreign affairs committee meetings and consultations.

The OSCE Parliamentary Assembly, the Western European Union, the Parliamentary Assembly of the Council of Europe have all been invited to send delegations to the annual meetings and generally there is some representation at those meetings.

I would say that the essence of the work of the Assembly is done in the committees. We have very active committees. Each committee is working on reports in a given year that really set the agenda for the committee, and the substantive serious papers which help focus the parliamentarians on certain issues. We're very much hands-on kind of organisation.

Here you see a list of the committees and sub-committees. So, civilian dimension of defence committee, defence and security committee, economic security, political, science and technology. And the sub-committees on the other side.

Now, here are some other fora. We have the Mediterranean Special Group, the NATO-Russia Group, and the Ukraine-NATO Group. All very active actually.

This is a slide that shows you what are the typical annual programmes – we are doing an enormous amount of work. I have to say I was impressed by the Dutch Senate's limited staff and amount of work that they must do. We work with the staff of thirty one. I think that you are probably more overloaded than we are, but we do quite a bit. If you look just at some of those meetings – the Rose-Roth seminars are large seminars that we organise, where we invite academics to the table to participate fully with the parliamentarians on key issues, a Transatlantic Forum, two Mediterranean seminars, we have one meeting in Moscow a year, a meeting in Kiev, sixteen sub-committee meetings which are travelling fact-finding missions, essentially, an annual study visit which is actually a tour over military establishments of a member country, or even of a partner country. We have a NATO-Ukrainian Interparliamentary Council, a NATO-Russia Parliamentary Group, our standing committee is of course our governing body. A relatively recent initiative has been a *New parliamentarians' Programme*. Initially, it was called a *Young Parliamentarians' Programme*, and a number of them were actually recently elected but over sixty years old, so we changed the name, which is probably more appropriate. We have an ESDP hearing at the European Parliament, seminars with NATO, EAPC (the Euro-Atlantic Partnership Council) seminars. My committee, for example, works closely with the Economic Committee of the NATO and participated in some of their seminars on things like democratic control of military budgets. We've brought our parliamentarians to NATO fora in partner countries basically so members can share experience about how

parliamentarians do oversee national defence budget, which is actually often a new issue for some of these countries.

A relatively new initiative is a parliamentary staff training. We've cycled through a lot of national parliamentary staff into our secretariat in Brussels to give them an opportunity to learn about NATO, NATO-EU relations and about the work that we do. And this builds up a great base of knowledge in national parliaments. We do that not only for partner countries but we've just concluded one for member countries. Of course, we do not want to get engaged just the secretary of a delegation who's responsible for the NATO PA relationship, but also other staffers so that they are aware of the work that we do.

I should go back to the reports that we produce. If we are looking for synergies among parliamentary assemblies, I think one thing that I know I've been trying to do, and some of my colleagues as well, is to share our reports as broadly as possible. In fact, I mailed some out to you last week. We want this to be used in any way parliaments feel necessary and they are written to be useful, to inform parliamentarians. They are not overly long or overly academic, but they are full of interesting facts and insights and we hear that they are used more broadly than just in the assembly itself. So I encourage you all to look at our website because there you'll find a list of these reports and links to them in Word file, and you can do whatever you like with them.

I'll just focus on some of the issues that some of the committees are dealing with right now.

The Committee on Civil Dimension of Security this year is looking at Bosnia, ten years after Dayton, NATO and civil protection, regional cooperation in the Black Sea region. I should say that this committee is our committee that is also most engaged in election monitoring and so has been active with the OSCE, for example. That's our link to democracy – building issues, so the committee takes on that burden. Defence and Security Committee is one of our two large committees. Obviously, it's the bread and butter committee for the NATO Assembly. This year the issues that we're working on are: NATO's transformation, NATO's role in the South Caucasus, transatlantic relations and changes in the US forward deployments. So very focused on the defence side, on the military side of things. They both tend to be the committees that visits defence military establishments, talks with military officers.

This is my committee, the Economics and Security Committee. I sometimes call it "the everything but not NATO committee", because we do in a way very little on NATO, that NATO actually has direct responsibility for. Occasionally we do a work on defence budget issues but that's the subject that you cannot do every year, because you lose the interest of parliamentarians, because the

issues have not changed in 20 years. So it's important to do it on occasions, but members want to deal with other issues that shape transatlantic relationships.

So here we have trans- and global energy markets, energy security, a special report on African development and G-8 commitments. We've been working on a link between security and development, and the report is particularly focused on this issue. So that's why we've done something on that issue. Transition crisis in Ukraine, it's actually entitled "Transition in Ukraine", we haven't called it a crisis. Then, economic developments in China's Western regions. Our committee is taking lead on China. There is a tremendous amount of interest among our parliamentarians in China, not only as a strategic challenge but also as an economic challenge. We realised on the economic front it was the nine hundred pound gorilla in the room, and it didn't make sense for us not to deal with China, so we have sent a committee there last year and we're going to go back there this year. Our president Pierre Lellouche is doing the first formal presidential visit to China this summer. So we are beginning sort of a dialogue with China. If we want to be relevant in the 21st century, this is essential.

Political committee – this year – Afghanistan and the future of the Alliance, Central Asian security, the role of NATO and Iran. All of them are very important issues.

Science and technology committee has a focus not only on military technologies but also on environmental issues. So we are doing Kyoto with them, as well nuclear issues in Iran. They also have a strong arms control focus. They do most of our arms control work.

Let me go to the very end. This is a focus on sort of what we see as our achievements. We provide a forum for transatlantic dialogue, promote a sense of partnership and cooperation at the legislative level, involve and integrate parliamentarians from partner countries in the assemblies' work, provide a link between the NATO authorities and parliamentarians, the link they otherwise would not have, improve mutual understanding of each other's problems and perspectives – that's obvious whenever you get a group of parliamentarians to get them exchange their thoughts on outstanding issues. We increase the transparency of NATO policies, so we do play a scrutinising function with the NATO, informal as it is. Our members like to ask hard questions when they pay a visit to NATO headquarters and try to put NATO officials on the hot seat, as well as national government ministers etc. We familiarise the legislators with key security and defence issues. I personally think this might be our most important function. We equip parliamentarians for legislative oversight of defence and the armed forces, and that's the work in which we really focus on partner countries' new

democracies. We promote a development of appropriate civil-military relations which is a sub-set of the first argument.

Championing NATO enlargement. I actually would disagree with that. I don't think it's our function to champion enlargement as such. I think, it's our parliamentarians' function to scrutinise enlargement, and if they think it's a good idea – to advance it politically. So far the judgement has been with all the new members, there was a pretty strong consensus among our members that enlargement makes sense, but it took a lot of time, a lot of debate and a lot of fact-finding. Now, we are moving to the next round and we'll see. But I wouldn't say that our members would champion enlargement without first having thought a lot about it and scrutinising. And I'll stop here.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you very much, Paul. First of all, for your self-discipline to cut on your long expose and then, obviously, for all the information you provided us with. I must say, it is really impressive how the organisation with the staff of 31 persons can achieve to carry out such a large programme. From my personal experience, I can say they do. The NATO Parliamentary Assembly has certainly further improved, extended their programme, the Rose-Roth seminars, you mentioned your special groups – with Russia, Ukraine, Mediterranean.

I think, you Spencer, have the staff of about 40 people? Fourteen! From the European Parliament's perspective, with our staff of several thousand people, we simply can say "How can they manage?". And you do. And that simply underlines and highlights your importance and competence. Also, a short remark on reports and here I address all the assemblies and the European Parliament, which despite that significant staffing has no expertise, namely in the area of security and defence. Your reports – be it the reports of the NATO Parliamentary Assembly, of the Council of Europe Parliamentary Assembly or of the OSCE Parliamentary Assembly – they are not classified vertically, they are read by all people. We cannot offer something equivalent, we rely on your expertise and on your spirit of cooperation with us.

Let's go to the next speaker, Mikołaj Karłowski. I don't see in the programme the specific issue you address, whether you now bring us to Asia, Africa or South America, but you will guide us now for the next ten minutes, if you can make it in ten minutes.

MIKOŁAJ KARŁOWSKI

Expert in the Chancellery of the Polish Sejm

The work of the NATO Parliamentary Assembly from the Polish point of view

The transatlantic relations – this is what I was asked to talk about; Poland's look at the performance of the NATO Parliamentary Assembly and benefits that our national delegation can draw from such cooperation.

What seems to be most important from the perspective of a Central European country but also of a NATO member participating in the Parliamentary Assembly is what Paul was talking about and what I was talking about yesterday – its educational value. It is a unique assembly which deals with security issues at the strategic level, within the transatlantic bond. I will return to the peculiarity or significance of that bond in a minute.

Now I would like to say a few words about the benefits which many deputies can, I hope, draw from participating in the NATO Parliamentary Assembly.

The Assembly took advantage of a unique historic opportunity that appeared in 1989 and was one of the first to open up on Central Europe. Its members would go to Poland and other countries and ask members of the new freely elected parliaments to participate in its work. By doing so, the Assembly showed that it can briskly open a dialogue on the security of Europe, which at that time was transforming at a high pace. Looking back at it, one can say that the NATO enlargement was not evident in the beginning, that Central European countries were not initially slated for membership in the North Atlantic Treaty Organisation. At the beginning, there was even talk about establishing something called in Poland *NATO-bis*, something that would replace the Warsaw Pact.

Perhaps, or maybe most probably, it was due to that parliamentary dialogue that the conviction was established at the intergovernmental level, among legislators – parliamentarians, of the necessity to expand NATO for the sake of

promoting stability and democracy in Central Europe as well as further east. It is a part of the mission of the Assembly – and of NATO as a whole – a mission that is pursued with great success.

The matter that was and still is most important to participants in the Assembly is the diversity of the forms of participation and collaboration. And the form which I would place at the top, next to the main direction of committee work, is that of Rose-Roth seminars established precisely after 1989 for the purpose of promoting the standards of civilian and democratic control of the armed forces. This topic was unknown in our part of Europe – something that politicians, and the military as well, were forced to learn.

The Assembly provides its participants with an opportunity to discuss topics which, on one hand, can be strictly NATO-connected, that is very important. We have *February Meetings* at the NATO headquarters for 20 members of the organisation. It is a very interesting format. There is a great deal of value in that moment during the year when participants discuss NATO's future very candidly. The topic is old but the environment is in constant change and each time there are new aspects to strategic matters, such as relations with China and issues associated with ending the embargo on armament supplies to that country.

The other part of these meetings is economic or consists of encounters with European Parliament or Commission officials. I do not have time to speak of this at length now but I consider these encounters very important for our American colleagues – parliamentarians from Canada and the United States – who, despite of the European Parliament having been involved quite actively in the transatlantic dialogue, and that since the 1970s, have a great opportunity to see Europe in action and European integration in action. For members of the U.S. Congress, who rarely go abroad, it is often a new thing and they want to find out more about it.

The transatlantic bond – I would like to say a little more about it – is a peculiar dimension of parliamentary cooperation since it, just like the North Atlantic Treaty, is based on the commonality of values. We can say that in the same way that as the Treaty is a commonwealth of values so is the NATO Parliamentary Assembly: democracy, protection of human rights, individual freedoms and market economy, the rule of law.

So if there is a recommendation to be given as to the effectiveness of parliamentary assemblies it is this: keep to the values, bear in mind the underlying mission of the organisation, maintain the dialogue and stay open. That is what the NATO Parliamentary Assembly has been able to achieve. For we must remember that the transatlantic bond does not rest only on the

strategic dimension but also, to a large extent, on economy, which is a subject that Paul usually had and has much to say about, it is a part of cooperation monitored by the European Parliament through its Transatlantic Dialogue Forum. Indeed, when we speak of economy, of difficulties in accessing natural resources, raw materials, energy, of accessing markets, developing trade – and trade between North America and Europe makes up for 40% of the world trade total – we often witness a disaccord caused by competition of these two large economic entities at the expense of values that were at the foundation of that cooperation. Strategic cooperation makes it possible to put potential disputes that are simply a consequence of economic competition in proper context.

I would say that there will never be too little opportunity for a discussion about the strategic aspects of the transatlantic dialogue. And I think that what is taking place in the European Parliament – I don't have time to talk about that interesting dialogue – the subjects of that dialogue are similar. Although the peculiarity of NATO is such that the work of the Defence Committee or Political Committee go much further in the NATO Parliamentary Assembly, issues associated with the transatlantic alliance are discussed here through and through, the existence of that dialogue lies at the foundation of the cohesion of our community.

If you have any questions I will try to answer them later. Thank you.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you, Mikołaj. You really did it in twelve minutes, so we've saved some time for the discussion. I hope we do not have to conclude at 12 o'clock sharp and that we can extend to twelve fifteen, or something like that.

Your key words were the "educational value" of the NATO Parliamentary Assembly, the leitmotiv of the dialogue. I only can agree with that. The third element you've mentioned was the role of the NATO PA with a regard to the NATO enlargement. Paul had doubts whether it should be championed or scrutinised. I think that the NATO Parliamentary Assembly also championed in a way NATO enlargement. We'll come back to that in the discussion.

Just one small remark, Mikołaj. You mentioned also the European Parliament and the various activities carried out by the EP in the transatlantic dimension. Indeed, there are many initiatives. You mentioned Transatlantic Legislators' Dialogue, we have a Transatlantic Business Dialogue, a special

group founded by James Alice of Transatlantic Cooperation, a Standing Delegation for Relations with the US Congress, meeting twice a year, once in Brussels or Strasbourg and once in the United States. So there is a whole set of transatlantic initiatives carried out by the European Parliament. Actually, it's *contre courant* but there are considerations in the European Parliament to create a transatlantic assembly. I'm still one who believes in rationalisation, but this idea is on the table. We do not know if it comes up. I simply wanted to inform you about this idea to create a new assembly. What also highlights the importance the European Parliament gives to the transatlantic relations is the fact that we have just appointed a permanent representative of the EP Secretariat in Washington, a person who should co-ordinate our relations with the United States and mainly the US Congress.

Next and last speaker for this round is Guy Lindström. He has prepared a PowerPoint presentation. If I also could ask you to be as concise as possible and to limit your presentation, if possible, to ten minutes.

GUY LINDSTRÖM

Deputy Director of International Department, Parliament of Finland

Supranational parliamentary and interparliamentary assemblies grouping EU member state parliaments and parliaments of Asian, African and South American states

Thank you, Mr Chairman.

Colleagues, when I was young my favourite book was *Around the world in 80 days*, but I guess I get about 10 minutes. Now even if we exclude the North America, it's going to be a bit of a struggle. But I will limit myself in the way that I was also originally already asked to mainly focus on Asia-Europe relations and the ASEP (Asia-Europe Parliamentary Partnership) meeting which we just finished in Helsinki last Friday. I'm also happy to see my Italian colleague here in Warsaw.

This subject is not really about an assembly, it's about a meeting. We have some definitions in the beginning and I'll probably get confused as I continue speaking because ASEM (Asia-Europe Meeting) and ASEP are so close to each other. But you have the origin of this cooperation based on Asia. In Europe cooperation started in 1996. ASEM is governmental cooperation, the biannual meetings held on the level of heads of state and government. To mirror this, the same type of parliamentary meeting was set up also ten years ago, so we are now at the stage where we are in a position to look back at what has been happening in the first ten years.

This is also a work that is being carried out, you can say *ad hoc*, by whichever country happens to be hosting it. Light and flexible and no permanent secretariat, as the saying goes and it sounds very nice when you say it, but you're sure it means that somebody has to do it in addition to everything else. The results can be fairly good but on the other hand you also loose quite a bit in competence and continuity when you always have to start from scratch like we did. But I was happy we could rely a bit on the European Parliament

and your delegation secretariat there was very valuable, helpful, the only place in Europe where we have some continuity in this field.

Membership, you see here. It's very clear, especially from the European point of view. It's the EU member states and the Parliament or Commission, depending on which type of meeting you are discussing and then 13 Asian states. On the parliamentary side, there is a very touchy question of Burma and also of Brunei, even if the problems are not related in any other way than in the sense that the both countries lack parliaments. As the host country Finland took the view that we would not invite them as full members to the meeting. We did consult all the other participating countries on the issue of inviting them as observers, and finally ended up doing this. Neither country did however show up at the meeting.

You can always of course say what's a parliament and how to define it. The only principle that we have usually tried to stick to in our parliament is to recognise those that are also the members of the IPU and in this case it was easy because Burma and Brunei were the only two that were not the IPU members.

Now to the mission. This is quite typical for international cooperation to provide opportunities for high level dialogue and of course it was very clearly also to create sort of a balance between European relations with the North America and on the other hand, with Asia. ASEP provides parliamentary dimension to all of this.

You can say that we are at least well positioned to address many issues in this context, when you look at the numbers: 40% of the population, 50% of the GDP, 60% of the global trade.

Maybe a few details about the meeting in Helsinki. We have a study produced to evaluate the first ten years and it also includes some recommendations for the future, mainly for the ASEM partners in the intergovernmental cooperation. We also had some special debates on climate change and on cultural issues, also the meeting adopted formal rules of procedure and the declaration.

The new thing after this ASEP meeting is now that we have actually some sort of a formal structure, even if it's still only a meeting in the same sense as before. We also have a key role for the host country, the rules that were adopted are fairly detailed. I think there was more compromise between Europe and Asia was to accept fairly detailed rules, but on the other hand flexible in the sense that the host country in the end can decide fairly well what they do and what they don't.

It was a very short meeting in Helsinki. We were asked to have a short and efficient meeting and we did, but it provided a very little margin for any

problems to be solved. It was quite stressful at one point because the meeting did begin with some very hot issues concerning membership since the Asian countries don't necessarily want to accept that all the new EU members are automatically included in the ASEP context without any formal application process. But we did resolve it fortunately. I think it's going to be easier next time.

But parliamentary meetings are not always that easy to prepare and in that sense I envy intergovernmental meetings because you can fairly well control what delegation are going to say, but in parliaments you always have one or two persons who will cause problems when you don't have really time for them.

We had a very good attendance, especially from Asia but also from Europe. The next host country will be China and they are actually very happy to take up this position, even if they didn't want to mention it before the meeting, but once they came to Helsinki it was clear that they would do it.

On the European side it's also, I guess, quite clear that in the future it's going to be the same host country always for the ASEM and for the ASEP meetings as long as we stick to this set-up. I think that we have a very good experience of this in Helsinki because it was much easier when we're also at the same time cooperating with colleagues in the Ministry of Foreign Affairs who are preparing the ASEM meeting.

We also wanted, and I hope we were able to create a link between the two meetings now in the sense that in the future the chair of the ASEP meeting will be invited to the meetings of heads of state and government to present their declaration, and the vice versa, also the leader of the ASEM meeting already attended our conference.

The ASEM and ASEP priorities are quite well in line. We also tried to make the point at this meeting that the declaration should mainly focus on issues that were actually on the agenda or in the programme for the conference, so that not to have too much of everything that is interesting for the time being, but the main issues only.

I'm not going to really go into other organisations at this point. As you know, there is not really any Europe-wide organisation that would focus on other parts of the world the same way as ASEP does, but there are obviously some that the European Parliament is looking after, joint assemblies and you have many delegations. Also, doing this type of work we have the WTO Assembly, or parliamentary meeting at least, the joint efforts by the IPU and the European Parliament, we have many other smaller organisations or NGOs. One that I would like to just briefly draw your attention to is the Parliamentary

Network on the World Bank, because you can say the core group here is after all European and then European parliamentarians meeting with parliamentarians from developing countries, mainly from Africa. But this is also not typical parliamentary assembly, it's more, you can say, an NGO consisting of members of parliament from over a hundred countries by now. This is a group that is also much more into direct action, also direct access to the top leadership of the World Bank which is perhaps the most interesting part of this work. They had managed to establish a position where they on an annual basis meet the president of the Work Bank and have direct interaction with him on global issues and development issues.

You can of course have many opinions on some of these organisations and if they're overlapping or not. I'd rather like this one myself, I must say because it's very refreshing once in a while to go to international meetings where the people who are attending are actually very interested themselves and really want to do something. This certainly has been the case with the parliamentary network on the Work Bank.

Mr Chairman, I think in the interest of time I'll stop here. I was very glad of this opportunity to come and speak. I'm on my second round working for the Finnish parliament but when I first started out it was in the research and documentation service of the parliament. I remember we had already at that time some sort of European network. I don't know if it was called ECPRD then but we found it useful. So I had a chance to reconnect also with work. Thank you.

DISCUSSION

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you very much indeed. You've almost caught up with Paul. He did it in twelve minutes, you did in fourteen and that's beyond my optimistic expectations. I mean Finns have the reputation to be concise and precise and you were, and thanks a lot for all the fuel for thought you have provided us with. You focused on Asia for good reasons. We have two emerging superpowers at global level, one is obviously China, the other is India. Yesterday after dinner with some of the colleagues we had a long discussion, particularly on our relations with China and India and a lot has to be done. The mission which is in your paper, the mission description is to create a high level dialogue between Asia and Europe to fill missing link in the international triangular economic structure and to balance relations between Europe, America and East Asia.

You mentioned briefly WTO. If you talk about interparliamentary assemblies speculating towards the future, of course WTO is of utmost importance and in the era of globalisation we don't have a WTO parliamentary assembly. We have, as you said, some meetings etc. which are definitely necessary, but if anybody would consider the creation of new interparliamentary assemblies, I think the area of WTO is one which would qualify.

Colleagues, we have the permission to extend for 15-20 minutes and I'm sure you have questions or comments addressed to our three speakers. The floor is open. Liam.

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

I have a simple technical question. In the parliamentarians' network for the World Bank, if they have an individual membership, I'm not at all clear who pays their expenses to travel to meetings. I know in our country, it would be

possible for a British member of parliament to attend a meeting inside the European area but I don't know how they would go any further.

GUY LINDSTRÖM

Deputy Director of International Department, Parliament of Finland

It varies from country to country as far as I know. We have a certain problem with this in a sense that we usually don't pay for members' travels if they are invited in their personal capacity. We try to get invitations for the Finnish members directed to the parliament and then it's easier for to handle it. Basically everybody arranges their own travel and pays for it from the donor countries. The annual conference of the World Bank Parliamentary Network as such is usually financed by the host country and that means also that participants from the developing world usually get their travel costs covered by the host country. That was the way we did last year when we had it in Helsinki. I think that the previous countries had done the same.

PAUL COOK

Director of the Economics and Security Committee, NATO Parliamentary Assembly

I just want to add another point on the World Bank because they started a separate process which is a very interesting process. It's called the Vienna Process. They are bringing together interparliamentary assemblies that deal with development from both the North and the South to basically share information so that we all know what everyone else is doing on development either from a donor's perspective or from a recipient's perspective. My committee is doing an increasing amount of work on development-related issues, development and security post-conflict reconstruction and we've been able to link in to the Vienna process. It's very informal and involves sharing papers, sharing ideas. It gives us also an access to the World Bank personnel for our speakers or our travelling. For example, I'm travelling to China in the fall, and I want to take my committee into the interior of China and I'm asking the World Bank to help us. So we are able to tap into this network, I mean it's food for thought. This is also a gathering of interparliamentary organisations but the Bank is thinking very proactively about how to use this in a very loose way to get their message out but also just to get people talking to each other. I think it's something that could inspire this process I've heard today.

One more point on enlargement because it came up. My point about whether we champion enlargement or don't – we do both. We do it after a lot of discussion and scrutiny and questions, visits. It took us many years to get our members to have a consensus – they almost never have a consensus – but a clear majority of members supporting and endorsing enlargement of the first round. There is a tale of a session we had in Vilnius when Vilnius was actively advancing its case to become a member. Five American senators came to Vilnius and we were told that four of them were sceptical when they arrived. After the three days the Lithuanian case had been made in very clear terms. Those four members had become champions of enlargement in the Baltic states, in Lithuania in particular. So we have a capacity to transform views but it's through scrutiny and transparency. Thanks.

ANDREAS MAURER

German Institute for International and Security Affairs, Berlin

Thanks. It's not a speech, I've got only two questions. I've learned a lot today about different international or interparliamentary assemblies. Yesterday we focused a lot on the issue of scrutiny and the control of ministers, the accountability of government. What I would like to ask at least the speakers of this morning is "Are you trying to ensure in any way some kind of accountability of your members *vis à vis* the national citizens?". Of course, you as a secretariat cannot do that but I think it would be at least helpful to push those present at the NATO Assembly and so on to act responsibly in the national legislatures. I do not see any kind of parliamentary accountability *vis à vis* those which have elected them. I think there is a big difference between the European Parliament and all the others.

The second question is about planning and co-ordination. I found it very interesting when Paul told us the subjects about the Kyoto Protocol, energy policy, energy security etc. Now, the NATO Assembly is not the only one that is dealing with these issues. Do you have any idea about how one could co-ordinate between different assemblies, different bodies more or less the same issues that are at stake? Because the European Parliament is dealing with the same things, there are other assemblies – the Baltic Sea Assembly, the Nordic Assembly – that are also dealing with the same issues. In order to avoid duplication and in order to get some fruitful cooperation between the assemblies I think it would be, at least from the outsider's point of view, interesting to have some kind of co-ordination. Yesterday we heard a lot about

the IPEX system which is more for legislative items. Couldn't it be possible either to put this kind of preparation agenda points into IPEX and to invite other transnational assemblies to participate in this exercise, or try to invent something like IPEX for these agendas so that one could learn from each other?

KJELL TORBIÖRN

Head of the Office of the Secretary General of the Parliamentary Assembly of the Council of Europe

Thank you, chairman. This is just a comment on something that you mentioned about the WTO. You expressed the wish that maybe the WTO could be equipped with a parliamentary assembly. It's a very interesting phenomenon what's happened there. The WTO is allergic to any parliamentary involvement. They consider themselves, the member states, as a strictly intergovernmental organisation. They argue that they arrive at agreements and these agreements are then ratified by the parliaments of each member state.

So in this situation you have the European Union and the European Parliament. The EU is of course a very important factor in the WTO negotiations because the Commission is given the authority to negotiate on behalf of the European Union. In this situation the EP says: "Look, we have the European Commission negotiating and we have no say. We want to have a say". Then, the WTO says: "Sorry, first of all, you're not a party to these negotiations, we cannot have a parliamentary assembly coming to us, consisting of one block of, you know, one party to negotiations alongside the United States, Japan and others. So, that's not possible. Also the membership, just 25 today out of hundred and forty four, or whatever members of the WTO. In this situation the European Parliament allied itself with the Interparliamentary Union. The IPU has a world-wide membership and could claim that "we could be a natural parliamentary partner to the WTO, but we do not have any money". The European Parliament said: "We had the money". So that's how it operates. They meet regularly and play a very useful role together with, as a junior partner I should add, the Parliamentary Assembly of the Council of Europe. We always send delegations to their meetings and we have very good relationships, both with the EP and the IPU. So, the EP pays the majority of the funding necessary and the IPU provides the world-wide membership. So the WTO has a parliamentary instance without having to recognise itself as having one. It's very interesting. Thank you.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you, Kjell for the supplementary information. Indeed, the WTO is allergic to parliamentary involvement, but we have the parliamentary involvement and the EP indeed bases on the fact that the Commission negotiates. But we cannot do it on our own so we have to co-ordinate, to exchange views with the parliaments of the EU member states and beyond just for the very sake of accountability etc. in this area.

Two questions were raised by Andreas Maurer about accountability and co-ordination between parliamentary bodies, questions addressed to the three speakers. Let's start with Guy.

GUY LINDSTRÖM

Deputy Director of International Department, Parliament of Finland

I'll say something about co-ordination. I think we have to admit that parliaments are bad at co-ordinating. We are bad at home at national level and we are not very good at co-ordinating between organisation, either. Maybe one reason is that we have very few links between parliaments and different international processes. We can of course have co-ordination in the sense that we have joined meetings of different types and seminars etc. This all is very good, especially for the work that is being done on the national level, but it doesn't really help to make parliamentarians, or give them a voice in international negotiations. I was a few years ago involved in one attempt at co-ordinating. That was when the Johannesburg Summit on Sustainable Development was going on. Finland was at that time chairing the Arctic Council which also has a parliamentary body connected to it. We were trying to get some parliamentary input directly to Johannesburg. It was very hard work and I think it ended up with a five minute statement by somebody. And that was sort of parliamentary voice in the end. OK, we were there. It was good as such but I don't really have any solution. I know it's on everybody's mind that we would like to do more but at the end of the day it's very difficult to find right channels if you really want to have impact.

MIKOŁAJ KARŁOWSKI

Expert in the Chancellery of the Polish Sejm

I agree with the preceding speaker that it is difficult to carry this through in parliaments. But in assemblies, even though there exist secretariats that assist deputies, the agenda is largely up for discussion and priorities are set by members, in the case of the NATO Parliamentary Assembly – by the standing committee, and it is these assemblies that chose what they want to talk about. Discussions, topics, are selected from their perspective, from the angle of what they are interested in.

There also exists an informal network of contacts and cooperation, either at the level of secretariats, national delegation secretariats, or also between deputies who regularly meet on different occasions. For example, we had situations such as that in OSCE, whose parliamentary assembly was conducting election monitoring missions and repeatedly asked other assemblies to select representatives from other delegations to participate in these missions. In the case of monitoring missions in Ukraine or Belarus, our deputies from Poland participated very willingly. Indeed, there were more volunteers than these missions could handle. So that cooperation is indeed taking place somehow, showing that it is what deputies expect. We can only give advise or channel their energy when they have it, which in any case is better than trying to drum up energy where there is none.

PAUL COOK

Director of the Economics and Security Committee, NATO Parliamentary Assembly

First on the accountability issues. I would think, from the secretariat's perspective, that's very sensitive because we are not in the business of telling parliamentarians how they relate to the constituents, that's their own decision. I hope we give them a kind of intellectual equipment to go to their constituents and share information. I know for example that a lot of our members put on their own personal websites, links to our website. That is one way that the constituents, if they are curious enough, can directly tap into our papers and reports. I think this is about all we can do on that front (because I have another perspective on this, from the national parliament). That was the first point. As regards co-ordination, I think it's a good point. The fact that five or six parliamentary assemblies are dealing with energy security is probably the good thing. The issue is so serious and the

approaches you can have to that questions are so varied that, I think, it actually makes sense that we're all doing it in one way or another. So that would be my first point.

Thinking about it, it does raise the potential usefulness of a clearing house, maybe a virtual one, a website where we could all post our agenda, or the kinds of papers we would be working on, so at least we're informed. I know that members of my committee have a very informal group of parliamentarians – they have no problem with hooking on to other groups' work. We do a lot of work with the OECD, for example, we do work with the World Bank. I mean there are ways we can hook in, it doesn't need to be a very formal process, but I think a clearing house might be an interesting idea, something posted on the web where we all could find particularly reports and the issues that we are working on. I think that it would be useful.

On the WTO I just want to mention that this is an issue that in fact we are dealing with. I have a sub-committee on transatlantic trade relations. It's not just focused on WTO but a lot of the WTO-related issues. The thinking behind this was that in the post-Cold War era we've lost transatlantic sense, we've lost the discipline to keep trade disputes on the leash, and they actually have the potential to unwind the political relationships. So our members decided, with a strong American input, to create a sub-committee to deal with trade issues. So, there again is an issue that NATO has absolutely no competence at all, but we're are dealing with that question because it's politically important to relationship.

One more point on co-ordination. I don't know where it stands but there has been an effort to create something called the e-parliament which is a global, virtual parliament. It is a place where you can post information about the work of national parliaments, share legislative ideas. But I don't know of any sort of interparliamentary equivalents, so that goes back again to this notion of a clearing house.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you, Paul. I think the idea of an e-parliament, which has been under consideration for about ten years now is an interesting one. The debate didn't develop further but the parliamentarians should use the new information technologies, to network and to cooperate.

We have two other persons who asked for the floor and then I would like to conclude to leave enough time for the concluding session, animated by the rationalisation expert Morten Knudsen from the Danish Folketing. So first Wojciech Sawicki and then Michel Antoine.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thanks, Thomas. Just very much in line in fact was that what Paul has just said, replying to Andreas' question on co-ordination. Personally, I don't believe so much in co-ordination, because who is this body to co-ordinate, to co-ordinate whom, to decide "you do this, you do that"? This is difficult. But what I really believe in is an exchange of information. The issue Andreas raised – IPEX – is something quite important. What I expect to see is the exchange of information about EU legislation in national parliaments. We can really think at the level of secretaries general of international assemblies how to exchange information, how to make it available also to national parliaments – about our agendas, about coming subjects to be discussed. This is quite important. We all know that we have our websites which provide for this kind of information, but in order to get all this together you have to go to different websites, to check, to verify etc. To create a common system of exchange of information might be interesting and I think that we should develop it further. It could also be coming backward to next point of our agenda, it could be one of our conclusions of this seminar – to ask secretaries general of interparliamentary assemblies to develop this idea further.

MICHEL ANTOINE

Chief of the European Research and Comparative Law Unit, National Assembly, France

I would like to share with you some observations I have made in my capacity of a national parliament functionary as to the way that parliamentarians present their international activities to the electorate and in parliament. It is not always easy. The media are often disinterested in international organisations. The media are not interested in what Mr X thinks about a given international issue. And yet, there are interesting exceptions. I am surprised by the number of TV debates that feature national parliamentarians who at the same time are members of an international parliamentary assembly and who by virtue of participating in its work have an understanding of international issues. As a result, they have interesting things

to say or can come forward with new ideas, or can support the minister on a given international issue, or, to the contrary, can oppose him. It is very difficult for national parliamentarians to exercise their government scrutiny prerogative by simply telling a minister: “Mr Minister, here is a problem you have not tackled, what do you think about it?” Whereas the duty of parliamentary functionaries is to provide parliamentarians with enough background information so that the minister can never say: “Mr Deputy, you have no idea what you are talking about.”

The development of chains of international information, parliamentary information, and TV broadcasts of international debates, so frequent in France and, judging from watching BBC and Deutsche Welle also in other countries, create a very interesting phenomenon – connection with the population. And I am convinced that the better is the quality of work performed by a given parliamentary assembly, the better it can exercise its mandate. I have in mind certain reports of the Council of Europe worthy of emulating. I have also in mind the excellent work done by Ms Gebart concerning the directive on “services”. The more often national parliamentarians participate in this type of debates or act as rapporteurs or committee chairmen, the greater will be their role in international issues. Can one speak of parliamentary democracy? That is a completely different matter. What is certain is the fact that the international debate is present both in international organisations and also, increasingly, in the media. Various experiences gathered in this area are also worthy of sharing.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you, Michel. I think that what has been said here, particularly on the issue of the development of information chains that already exist in many parliaments, and the European Parliament is in the process of developing its own, dissemination of the activities of national parliamentarians at the level of international assemblies is our common task and should be continued in the future. I believe that there is a great deal of work left to be done and that, thanks to new information technologies, a great deal can be done for parliamentary diplomacy to become more effective and for parliamentarians to get closer to citizens – as that distance is presently immense and must be reduced.

I wonder if any of our three panellists would want to add something. Yes, Mikołaj.

MIKOŁAJ KARŁOWSKI

Expert in the Chancellery of the Polish Sejm

Do national parliament deputies feel such responsibility toward their electorates? That depends to a large degree on the level of political culture in the given country, how its parliament operates and how its deputies are selected for interparliamentary work. In Poland, for example, deputies are often glad to and proud of participating in interparliamentary delegations, and share that satisfaction with their voters. But I am often present at meetings with voters and I can see that they are not interested in international issues – they want to hear about taxes and reasons for high unemployment in their electoral district.

It's very interesting what Mr Antoine from the French National Assembly said about mediatisation, i.e. application of new technologies to maintain contacts with voters. Indeed, we are witnessing the arrival of new generations of voters who are skilled in information technologies. Maybe that's a field where both parliaments and assemblies could be doing more.

An interesting example is provided by the NATO website where, in addition to providing information on what is currently happening at the headquarters, once a week or every couple of weeks visitors can download several minutes of commentary by the press officer or general secretary on the occasion of a meeting of ministers or the Ambassadors' Council. It is a new form of maintaining contacts with voters. They or anybody else who is interested in this information, even if for another reason – I get it on my computer too – have the opportunity, albeit one-sided, to participate in the process. Maybe deputies can also use something like that.

One more thing: to date, our parliaments have not been involved in supporting deputies in their contacts with voters. That task was left to voters and political parties. The parliamentary administration has been concentrating on improving parliamentarians' work within the parliament and as far as their purely "parliamentary" or "interparliamentary" activities were concerned.

THOMAS GRUNERT

Head of Unit for Interparliamentary Delegations – European countries,
European Parliament

Thank you, Mikołaj. Do Paul or Guy want to add anything? All right, then I thank our three panellists and all participants in the discussion. I think it was a very interesting "journey" even though we have not been able to visit the entire

Discussion

terrestrial globe. Indeed, we have not mentioned relations with Latin America or Africa. Maybe, if you are interested, we can tackle that issue in the last round of the discussion, or maybe it will be subject of a future conference. I thank you very much and now hand the presidency over to Liam Smith for the final part of this session. Thank you.

Session VII
Supranational parliamentary
and interparliamentary assemblies
in 21th century Europe:
debate conclusions

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

I was in Strasbourg in 1989 when Gorbachev spoke of the common European home. For those years at the end of the 1980s I was secretary to the Delegation to the Council of Europe, the Western European Union and the NATO Parliamentary Assembly. It was a wonderfully exciting and inspiring time to be there and it's enormous pleasure to come back at this stage of my career into the international world to see how much we've gained and how much remains to do.

In recent years I've been concerned with European matters, in particular with the development of the IPEX website, to which we owe so much to Ms Agostini, her colleagues in Italy, Morten Knudsen and his colleagues in Denmark, and a very good cooperation with my Polish friends, Regina Wąsowicz and Andrzej Dziubecki. It's great pleasure to be here.

I think it's an extraordinarily interesting seminar. We've heard some very good papers, but I'm rather conscious of the fact that around the table there are a lot of people who have come here with the mandate to listen and not really to participate, or they don't feel they can speak on behalf of their parliaments. We can understand and respect the reasons for that. So perhaps we need to be realistic about what we can achieve in this next hour. I don't think we are going to achieve a very form set of recommendations to take to our political masters.

Our Polish colleagues have prepared some thoughts, conclusions of the seminar. This is really for us to think about, to absorb. Certainly, you're welcome to make comments now, in this next period, and over the next couple of weeks by e-mail, perhaps. If I just can offer some preliminary thoughts of my own.

I recently had to undertake a risk analysis for my business. What is the risk? How do I manage the risk? And for my staff who support the work in the international assemblies, I suppose I do my best to get the members of parliament to the meetings they have to go to. But the reality is that if they don't go to the meetings, I don't think it matters very much. In the long run perhaps the United Kingdom would loose some influence, some credibility, members would perhaps miss their opportunities. But we really have to address the

question whether this interparliamentary activity is vital or not. I think it's very interesting to hear the different approaches the interparliamentary assemblies themselves are presenting to us. The Western European Union Assembly – perhaps the extreme case – when they talked about the importance of the treaty, the necessity of having a base. But by contrast, the NATO Parliamentary Assembly has spoken of the liberation, of being able to choose members to dictate their own methods and activities. I think it's absolutely clear, there's very little scope for rationalising parliamentary assemblies. Look at the difficulties that Valeria pointed out about even the women of the Mediterranean agreeing to have one group instead of two. It's enormously complicating. So perhaps we should be looking at a rather different direction. As the European Centre for Parliamentary Research and Documentation, I think this has been a very good seminar for research. And I'm wondering about the documentation, I'm wondering how well we have records of what happens in these interparliamentary assemblies, how good is the institutional memory that's carried on. We can admire very economical way that the OSCE Parliamentary Assembly, for example, runs. But it doesn't have the very sophisticated transcripts of sessions that we see, for example, in the Parliamentary Assembly of the Council of Europe. I think we need to do more in our national parliaments to support our members of parliament to get the most out of their activities. I find most of our effort goes into finding the aeroplane and finding a hotel. I don't think I'm able to devote enough resource to helping my members perform when they're there, providing them with information. I don't think we do enough to harvest the information. And I think what's going to be one of the most valuable things that comes out of our experience here is taking up the invitation from Paul Cook to harvest and use the information more.

I respect and understand the importance of what colleagues say about the experience of members of parliament who attend, the network, the friendships that are created. But these are very ephemeral and very personal experiences. I think it's our task as parliamentary officials to try and find a way in which these experiences can be supported. But also in which they can enrich and develop the lives of our parliaments. And there, I think, the challenges that Andreas Maurer has put to us, are extremely pertinent.

I've found this a very interesting seminar. I think the papers will be enormously rewarding. I hope in the time I've made these rambling remarks you had time to just look through the conclusions here. I think what I'll now do is ask Morten Knudsen to make some remarks and I invite you all very earnestly to participate and comment on the papers we have.

Morten is supporting the Conference of European Speakers, very soon. He has recently left the task of being the first person committed to the secretariat of COSAC, donated very generously by the Danish parliament. He was a great inspiration to us in the way he created the role, in Brussels, of representatives of the national parliaments, and I'm looking forward to what he has to say.

MORTEN KNUDSEN

Secretary of the Working Group
on Rationalisation of Interparliamentary Cooperation
in Europe, Danish Parliament

Seminar conclusions:
is it possible to make
interparliamentary relations / cooperation
in Europe more rational and functional?
If yes, what should be done to achieve that?

Thank you very much, Liam.

Ladies and Gentlemen, dear friends. Even though this is my first appearance at the ECPRD meetings I can say “dear friends”, because I can actually recognise many of the faces I know from other interparliamentary meetings, first and foremost in COSAC since, as Liam said, I have a past in COSAC. Therefore, before I start my intervention, I have to get one thing right, that is what Mr Grunert said mentioning to me as a rationalisation expert. With my hand raised I can say I have absolutely no expertise in rationalising anything. Quite on the contrary, I have contributed to the creation of a new bureaucracy in COSAC, which in many ways, I think, has made COSAC more efficient. And since this is sort of the whole objective of this exercise, this is not necessarily to scrap organisations but to make them more efficient.

Before I start, let me thank our hosts, the Polish Senate, for a marvellous, very well organised seminar. I have learned a lot in the course of the past one and a half days about interparliamentary organisations. I can only pray that the Danish parliament will be able to host a similarly successful conference in Copenhagen when the Speakers of the EU parliaments meets on 29 of June until 2 of July. Thank you very much and particularly for a very good dinner we had last night, which I enjoyed. I can tell you, it looks as if I have a speech – I’ve brought this laptop – it’s correct, I have some notes which I prepared after the dinner last night. If I say something what sounds dubious in any way, it’s

simply due to the good Polish wine. Let me just add that whatever I say, I say in my personal capacity. I do not in any way represent the Danish parliament. I'm not going to be provocative as Mr Maurer or Mr Grunert were yesterday, but I'm just taking my precautions if anyone should report what I've said to my masters in the Danish parliament. Of course, I cannot in any way anticipate decisions of my political masters when they meet in Copenhagen.

The question I've been asked to address is "Is it possible to rationalise interparliamentary cooperation? If yes – what should be done to achieve it?". Before I answer – all the time I'm trying to avoid to answer the question – I would like to walk through the background in the context of the Conference of Speakers on this issue. At least for those who do not follow the activities of the Conference of Speakers on a daily basis it could probably be very helpful. The question was raised for the first time by the Conference of Speakers held in the Hague in July 2004. This was where the then speaker, president of the Italian Chamber of Deputies, Mr Casini, and the then president of the German Bundestag, Mr Thierse, suggested the need for debates on the possibility to rationalise interparliamentary organisations. The exact wording was that they wanted a debate which examined the development of interparliamentary structures, assemblies and institutions at the European level and to review their effectiveness.

You should always be cautious to propose things because before you know of it you will be appointed a rapporteur. That's what happened to Mr Thierse. He was asked to prepare a report for the following conference which took place in Budapest last May. He circulated a questionnaire with several references to the Thierse report, which was a basis for the discussion that took place in Budapest last year on the issue of rationalising interparliamentary organisations. The debate was relatively focused because at that time it was focusing only on the six different European interparliamentary organisations. However, there was no agreement among the Speakers in Budapest on any specific proposals for reform of the interparliamentary cooperation in Europe. The good old classical trick of kicking the ball into the next presidency's courtyard was used by the Speakers. They decided to ask the Danish presidency to establish a working group that should look into the possibility to rationalise and, if possible, to come forward with a proposal for reform.

Before I tell you more about the working group's work, I'll just mention that Mr Thierse, despite the lack of conclusions in this area from the Speakers' Conference, concluded in his report that it was an overwhelming majority of the parliaments who found no ways forward for rationalising interparliamentary cooperation. However, he also said that there were three

areas in particular where, at least from his personal point of view, the reform was possible, and even necessary. A couple of these have been highlighted in the course of the past one and a half days. And these areas were the cooperation between the Council of Europe Parliamentary Assembly and the OSCE Parliamentary Assembly in certain matters, the second one was the role of Assembly of WEU, the third one was the interparliamentary work in the Mediterranean region. The working group established by the Speakers' Conference met only once, last February in Copenhagen. Initially, before the meeting, it was the intention of the Danish presidency to have a discussion about the three questions raised by Mr Thierse, because we were of the opinion that you cannot focus on everything – the field of interparliamentary cooperation is extremely broad and you do not have a chance of achieving any kind of results if you do not focus your efforts.

However, there was, I have to say again, no real will to discuss the possibilities of rationalising interparliamentary organisations among the parliaments. The second point, which is quite important, was that at that time there was not sufficient information available on the work of many interparliamentary organisations, structures etc. in Europe. There was not sufficient consultation of the many interparliamentary organisations in question. Of course, since we suggested that these three issues were raised in the working group, in particular these organisations have not been consulted adequately.

I think, and I'll come back to this later, that if we are to progress with reforming or rationalising interparliamentary cooperation we need to have a much more thorough overview of the existing European interparliamentary organisations, their tasks and functions. But I'll come back to this.

The outcome of the working group was quite poor in terms of suggestions on how to rationalise interparliamentary cooperation. In fact, there is one page of conclusions, approved by the Secretaries General on the following day, and I think it's available on the website of the Danish presidency's Conference of Speakers. If you have any interest, I'll give an address where you can find it.

What makes in particular this forum relevant is that one of the conclusions was that the Danish presidency should draw a factual report for the next Conference of Speakers in Copenhagen, which should be based on different important sources of information. One of them should be the Thierse report, the second – a survey conducted by the Danish parliament prior to the meeting of Secretaries General (this was about the resources used by the parliaments on different interparliamentary activities), and the third – conclusions of this

seminar. That's why I've been listening very intensively since I arrived yesterday morning. This is when the listening phase, to use the convention's expression, started, but I can assure you that the listening phase will go on for a couple of week. Therefore, if anyone has any good ideas and contributions he forgot to mention at this seminar, please don't hesitate to contact and contribute.

The fourth item in the working group's conclusions was that, apart from looking into many parliamentary organisations outside the European framework, the report should also have a look at any possible problems with the implementation of the Hague guidelines. Adopted by the Conference of Speakers in July 2004, they set out the guidelines for the interparliamentary cooperation inside the EU. This includes the Conference of Speakers, the COSAC, all the meetings organised by sectoral committees of the national parliaments, either organised by the EP or the national parliament from the country holding the Council presidency. This is the whole separate issue and I'm not going deeper into this now, but this is something we will look at the EU Speakers' Conference. In that report we will not come up with any recommendations because we are not entitled to, we shall only identify possible problems with the implementation.

This was basically the mandate from the working group. Tomorrow, together with one of the colleagues we are starting to draft the report which will cover the things I've just referred to and it would be very factual. If you're waiting for us to suggest to scrap any organisations, don't hold your breath because presently there is no political will to do so. But does it mean that it is impossible to rationalise European interparliamentary organisations or it is not wanted, or needed to do so? I think this seminar has proved that there is certainly a need to reform interparliamentary cooperation and there are some possibilities. In the course of the past one and a half days a number of interesting ideas were launched by different speakers. I think it was Mr Karłowski who suggested that we should leave the rationalisation to the market forces. If we cannot agree on anything either in the context of the Speakers' Conference or in another future context, this is probably what is going to happen. Mr Grunert proposed, and it was one of the most provocative proposals, that we should scrap the WEU, a proposal which was defended very fiercely with many good arguments by Mr Hilger. Mr Maurer suggested, if I understood him correctly, that COSAC, as well as national parliaments, should give up putting so much emphasis on the subsidiarity principle. I don't entirely agree either with Mr Grunert or Mr Maurer on this but I think we'll leave this for later occasions.

Mr Oliver proposed that a special effort should be made when it comes to rationalising many Mediterranean groups. Here is a clear overlap with what Mr Thierse also suggested. Of course, it's not up to me to make any conclusions on this.

As my final remarks I would say that before we start discussing the rationalisation of European interparliamentary cooperation we need to define the scope of our investigation. What organisations are we talking about? Is it only the six interparliamentary organisations mentioned by Mr Thierse? Or should we expand the field to include many different, regionally based interparliamentary organisations we've heard about this morning?

Personally, I believe we need to focus our efforts only on a few problems where there is a need and where we have possibilities. I'm not going to give any answers to where this is today, I'll leave this to political masters when they meet in Copenhagen. But before we can come so far, I think, as Mr Puzyna mentioned, it's necessary to carry a thorough review of the interparliamentary organisations, their different tasks, objectives, legal basis. Are they overlapping, duplicating each other's work, are they governmental? The problems with rationalising are basically governmental problems, not parliamentary problems.

And the two last questions before we can start this process would be: "Who should conduct this review?" and "Who's business is it to rationalise European interparliamentary organisations?"

My response to the first question is: I think the ECPRD and the Polish Senate have made a very good job as regards the preparation of this meeting. I would certainly trust the Polish Senate and the ECPRD to carry on with the good work and perhaps send out a new questionnaire, looking into some of these issues which I and other colleagues have mentioned over the last two days.

The other question: "Who's business is it to rationalise European interparliamentary organisations?". I think, and the EU Speakers' Conference may not like to hear this, it is certainly not the EU Speakers' Conference task or responsibility to rationalise any of the many interparliamentary organisations. All they can do is to feed into the process, identify areas where they see duplication of work, report back to the parliaments, and, hopefully, facilitate discussion in national parliaments, because I think that national parliaments participating in interparliamentary organisations are the key players. And of course, the interparliamentary organisations themselves can do a lot to make work more efficient and more transparent (this has been mentioned particularly by some Polish colleagues). This is something, I could imagine, that would go into the conclusions of the Speakers' Conference, and would be

a call on the interparliamentary organisations to improve effectiveness and transparency.

I think, Liam, I have already spoken for more than nineteen minutes I was given, but you know how time is flying when you are in a good company. Thank you very much.

DISCUSSION

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

Thank you very much. We've got a conclusions paper here so suggestions and comments are welcome on that. I would be very keen to hear some new voices as a challenge of efficiency and transparency. So I'll start off with Wojciech Sawicki.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you. I'll try to be brief. I very much agree with a number of conclusions which have already been formulated. As regards rationalisation, the first question to be answered is what exactly we mean by rationalisation. What does this word mean? When I used to work in this place – as the head of the Senate Chancellery – when my political bosses invited me to rationalise the work of the chancellery, they usually meant to fire someone. So, we have to define what we talk about.

The second point is that when we talk about rationalisation, modification of work of interparliamentary assemblies, these assemblies should be fully involved in the process. This is something like “Nothing about us without us”. They have to be involved in this discussion.

I know that we address our message to the same players, that is members of national parliaments. These are our actors, they contribute to the work of our assemblies, without them we cannot function. So we address – in different international assemblies – the same group of people. In fact, we rely on their work and they contribute to the work of a number of assemblies. So, “to rationalise”, does it mean to modify the work of members of national parliaments in international assemblies? Does it mean to spend less money on their activities? Is rationalisation mainly about money? I look at this from the perspective of national parliaments. Is this just about possible duplication of that what different organisations do? These questions have to be answered.

Of course, we cannot forget that within the assemblies we also proceed with review of our working methods and that what we are doing. In the

Parliamentary Assembly of the Council of Europe we have now a debate about the functioning of the assembly, namely about coming back to the core business of the Council of Europe, about how we should organise work of committees and plenary, how to deal with the question of low participation level, what it means and what the reasons are. We know that for a number of members the priority is at home, not in our assembly. So if they have urgent business at home, they go back and do not participate in our work. How to deal with all these questions? This is not the case that we do nothing, that we're just waiting for the Thierse report or the EU Speakers' Conference, and then we start to think "OK, maybe we should do something, because something dangerous is coming". This is not the case. I think that efforts should be combined and we should not forget that this is not only the task of national parliaments but also of those institutions as well.

MAŁGORZATA KORZENIOWSKA

Information and Documentation Office, Chancellery of the Polish Senate

I would like to not so much protest what Liam has said as somewhat soften his statement that, most often, we spend the bulk of our time looking for a free airplane seat.

From the perspective of our very humble Information and Documentation Office, I would like to say that we put a great deal of effort into preparing our parliamentarians for participation in various international assemblies. I do not wish to repeat all the reasons why this preparation is such a difficult task. Suffice it to point to the absence of sufficient information, absence of databases, but, of course, the most important for us is absence of feedback. In other words, after our parliamentarians participate in a meeting of some specific assembly, we get from them no information about what has happened there. Obviously, that absence of feedback makes it difficult for us to prepare materials for the subsequent meeting. That's evident.

And now there is a question. We have this seminar. An ECPRD seminar is a seminar for civil servants. In what way should we now take its conclusions to our parliamentarians so that they realise that the quality of those parliamentary assemblies depends on their activeness, their very active participation therein, and that we expect information about what has happened at those assemblies so that we can prepare decent subsequent materials?

Thank you.

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

I should in humility recognise the advantage that all the documents are always prepared in the national language of my parliament. Now, Ms Szymanowska.

IRENA SZYMANOWSKA

Information and Documentation Office, Chancellery of the Polish Senate

I have a quick comment of a methodological nature. As Stanisław Puzyna has mentioned, non-uniform terminology is a gigantic hurdle in the analysis of the current system of interparliamentary cooperation.

For example, please note the multitude of terms used to designate structures engaged in interparliamentary cooperation: forum, conference, organisation, association, assembly, etc. If there are reasons of an organisational or administrative legal nature for this differentiation, they should be very precisely defined. I believe that measures need to be taken to standardise this terminology.

DIONYZ HOCHÉL

Directorate General of Internal Policies, European Parliament

Thank you very much, Mr Chairman. I hope that we will be able to distribute among you a summary of the joint parliamentary meeting that we have just finished in Brussels. In the EP we are waiting for the final conclusions from the debate. I would like to recall what Mr Knudsen has been referring to. The work of national parliaments *vis à vis* the rationalisation is also the task of national parliaments and I may recall that interparliamentary cooperation between the European Parliament and the national parliaments is essentially about reinforcing the parliamentary dimension by extending democratic control and accountability over decisions at the EU level. In order to ensure more efficiency and transparency I would like to recall that so far out of 25 countries of the EU 21 have their own permanent representatives in the EP. This is also a contribution to more efficient and more rational way in interparliamentary relations. Thank you.

MARIA VALERIA AGOSTINI

Head of International Affairs Department, Senate of the Republic of Italy

Thank you. The seminar has been very interesting and complete and I would like to congratulate our colleagues from the Polish Senate for the perfect organisation and hospitality. I think that all of us will bring home a better knowledge of a wide range of parliamentary entities operating in Europe, and this is very important for our work.

There are two important issues which have been raised, but which deserve, in my opinion, to be stressed even more. One is the problem of documentation, which has been stressed by Liam. I think this is very important not only when our parliamentarians go to participate in an international assembly, but also when they come back. And this is a problem raised by our colleague from the Polish Senate. The other issue is the problem of feedback on the side of intergovernmental entities. I mean, there are two problems. The feedback of the work done in the interparliamentary entities and the governmental entities, and even more important – the feedback inside each national parliament. As far as I know, it is quite rare that resolutions or any documents adopted by an international body are discussed in the national parliaments. That is why we hear quite often the speakers or even secretaries general complaining “too many meetings, too many parliamentarians abroad, too much money”. I think that these complaints would cease if the parliamentarians were given the opportunity to share with their assemblies and the committees their experience in the international bodies. I think that we should try to study this problem in-depth. I don't have any solution myself and it is all but easy to find one. But this is the subject which deserves to be focused at a seminar on its own in order to make a survey of responses given by each national parliament, or by the international organisations, I mean governmental organisations, and to suggest the way to enhance the awareness of importance of international activities inside of each national parliament. Thank you.

ANDREAS MAURER

German Institute for International and Security Affairs, Berlin

Thank you. I have no right to interfere in this debate, because it becomes very practical and critical. As an outsider I have no right to participate in it. However, during this debate yesterday and today I thought about what I would do if I were supposed to write a report for my institute or for the Bundestag's

president on the question of rationalisation. I've never been asked by the Bundestag, to be clear. Firstly, I would start with the report prepared by the Polish colleagues on the levels of international, transnational parliamentary assemblies, i.e. on the categorisation which I find very useful. But I would propose to move one step further. If it comes to rationalisation and the question about my indicators for rationalisation, I would propose to identify four dimensions. The first dimension would be geography, i.e. the membership of international and transnational parliamentary assemblies. The second dimension would be the political scope, i.e. the policy areas with which these organisations and assemblies are concerned. The third dimension, and that leads to your question of risk analysis, Liam, would be the level of formality, i.e. what happens in these transnational assemblies if you are not there. There are assemblies which have the rules of procedure and it's quite different from transnational assemblies which are simply for information networking etc., but which have another level of formality. The fourth dimension would be the question of timing. I think that all these assemblies to which we referred yesterday and today are quite different with regard to this dimension, i.e. when do they act. Some of them act only *ex ante*, deliberating on issues which are not necessarily at stake at the political level. Some of them work only *ex post*, e.g. WEU Assembly. Some of them work starting at the preparatory stage of decision-making, which means that there are results of decision-making at organisation which these assemblies are concerned with. They participate at the deliberative stage, they participate at the decision-making stage, and they participate at the implementation stage. So they carry *ex ante* and *ex post*.

If you want to answer the question about rationality and rationalisation of transnational assemblies, bring together these four dimensions and try to look where the overlaps are. If there is an overlap between two dimensions, it does not necessitate any political action. But the more overlaps you have across these dimensions, the more difficult it becomes for citizens and national parliaments to understand why we have all these structures.

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

Thank you very much. I've found it very valuable to have the cold shower of an academic approach challenging our sometimes rather muddled pragmatic praxis. So thank you very much. Now Stanisław Puzyna and Michel Antoine.

STANISŁAW PUZYNA

Expert in the Chancellery of the Polish Senate

I would like to refer to what Mikołaj Karłowksi was saying (and which, in turn, was commented by several subsequent speakers), that rationalising interparliamentary cooperation can be done on the basis of free-market forces of demand and supply. And I understand that he does not mean a financial system but a free, rational selection based on demand as an expression of realistic needs, which should lead to limiting the often uncontrolled pace of growth of the number of interparliamentary forums (on the supply side).

Mikołaj Karłowksi made a parallel with the stock exchange. Indeed, the free market is not a jungle: its correct operation requires regulatory institutions. The stock exchange is one of such institutions. Its task is to supply information about companies which is needed to assess their market worth. When the stock exchange gives good marks to a company, its worth increases. When the stock exchange assessment of a company is poor, the company weakens and can even go bankrupt. But access to information on companies present on the stock exchange is key to the entire process.

It seems to me that today's seminar is a sort of stock exchange in that it presents comparative information about different interparliamentary forums. That information should penetrate decision-making circles and end up reinforcing forums that are productive while weakening those that are unproductive.

Another issue raised by my predecessors was that of the absence of the flow of information (or the incentive to act) from interparliamentary meetings to national parliaments. Parliamentary administration officials have been pointing to that problem for a very long time. For example, it was recognised at the meeting of the Association of Secretaries General of Parliaments in Budapest in 1988 that "an important problem which international parliamentary institutions have encountered was their weak impact on what was taking place in national parliaments". Therefore, the problem has existed for quite a while and both parliamentary officials and experts have been aware of it. We raise it again today and again we do not know how to solve it.

Now I would like to comment on the structure and content of the draft of seminar conclusions that we have received.

The structure of the document is based on headers. I propose to modify it a little and introduce the following headers:

– Review of multilateral interparliamentary relations in which European national parliaments participate;

- Transparency of interparliamentary relations in Europe;
- Rationalising interparliamentary relations in Europe; and
- Annex: questions for the second round of the ECPRD survey on the participation of European state parliaments in international parliamentary forums.

In respect of the first header, I suggest to replace the phrase *international cooperation in Europe* with *multilateral international relations in which European national parliaments participate*. This is because, for example, the parliament of Russia participates in interparliamentary forums in Asia as well as in Europe.

The suggested sequence of headers reflects the fact that, before interparliamentary relations can be rationalised, they must be first reviewed and then scrutinised – their structure must be made transparent.

As for the annex, seminar organisers will be grateful for any suggestions you may have for the second round of the ECPRD survey on the participation of European state parliaments in international parliamentary forums. You may submit them while the seminar is still taking place or e-mail them in later. There is no doubt that the survey must contain a question about the impact of interparliamentary forums on the activities of national parliaments.

Moving on to the content of the draft of the seminar conclusions, I propose that they include summaries of opinions stated during the seminar on the three areas of interparliamentary cooperation in Europe which Bundestag President Wolfgang Thierse had cited as problematic in his report at the Conference of Presidents of Parliaments of the European Union in Budapest in 2005, to wit:

- Cooperation between the Council of Europe and OSCE Parliamentary Assemblies;
- Role of the Assembly of the Western European Union, and;
- Interparliamentary cooperation in the Mediterranean region.

Thank you for your attention.

LIAM LAURENCE SMYTH

Clerk of the Overseas Office, House of Commons, United Kingdom

I think we are really now at the end of our programme's time so it is not possible to have a big discussion now on the drafting. I think it's best if people think, absorb, reflect and come back by e-mail. So if you could send us or remind your e-mail, giving us a deadline for responses, I think it is the most effective way to respond.

What I want to do now is really to wind up. I intend to give the final word to Wojciech Sawicki but on my way there I'd like to ask Michel Antoine, if you have anything to say? And Leszek Kieniewicz, because I still think he made the most provocative set of remarks, which I've not picked up entirely. Then, as the expert on economic metaphors, perhaps Paul Cook have a very quick last word before I get to Wojciech.

MICHEL ANTOINE

Chief of the European Research and Comparative Law Unit, National Assembly, France

I would like to make three brief comments. Firstly, we must be very careful how we use the terminology. Speaking about the market in the context of interparliamentary cooperation is something surreal. I know that in some cultures it is acceptable to use terms borrowed from the private sector or commerce in such discussions, but in others, including mine, it is totally unacceptable. Therefore, please be careful with the terminology you use. We must put an end to playing around with definitions.

The second comment: I am astonished that nobody during our discussions on rationalising international parliamentary assemblies has spoken about budgetary restrictions. We should remember that budget concerns were the reason for starting the debate a few years ago. Our countries face budget problems and must make cuts. So the question is how much money exactly each interparliamentary assembly needs and how much should be spent on national delegations and on those assemblies. The question is topical as all parliamentary assemblies need national parliament's or government's support. The higher the awareness of problems faced by national parliamentarians participating in these assemblies, the grater their influence on their governments and, hence, fewer problems. But one must be careful, because duplicating activities will undoubtedly end in budget cuts. I was impressed with a comment of the General Secretary of the OSCE Parliamentary Assembly: "We had decided to do only a few things but do them well, to get high-quality results." That is exactly how should be proceeded. We at the French National Assembly are increasingly often asked to organise very short missions, lasting a day or two, for one or a couple of parliamentarians going to Brussels or another capital, or to an international parliamentary or intergovernmental organisation to collect required information. The purpose of these missions is very well defined, post-debriefing reports are standard and results are usually of a very

high quality. Moreover, these missions are not expensive. It is indeed true that we know perfectly well what type of activities is effective and cheap. When we set up election observers' missions, which OSCE is very good at doing, we are able to collect in 3 or 4 days a huge volume of information about the given country much more relevant than the huge volume of information collected during a one-week courtesy visit. When an international parliamentary organisation sets up a debate with a well defined purpose and participation of a top-notch guest, the problem at hand and its complexity are easier to understand. The Council of Europe debate on the Middle East was such an added-value undertaking.

So we should try to think of activities that would give that added value to the organisation and parliamentarians either through presenting them with new ideas or providing them with an opportunity to have more impact on international issues. After all, the fundamental question remains: what role should parliamentarians play in international affairs and is it their task to participate in debates on important international matters? I believe that we all agree parliamentarians should play a role in international affairs, whereas the current pace of political, economic and social life compels every parliamentarian to reach beyond the domestic dimension and go international if he wants to be influential.

Of course, the situation is complex as many of our parliamentarians are not engaged in any international activities. Many will never have a chance to play a role in an international parliamentary organisation. Yet we, parliamentary functionaries, are increasingly often expected to provide parliamentarians with information that will allow them to understand the weight of international problems and, most important, to act upon them.

When we send a parliamentarian to Brussels to contact a European commissioner or committee chairman, we jointly prepare his support documentation so that he can ask the right questions. When our members of an international parliamentary assembly become rapporteurs or committee chairmen, we allow them to exercise the powers of that position.

It seems that the main purpose of international parliamentary assemblies is to provide parliamentarians with an opportunity to fully participate in the international political debate. In our times, that debate has varied dimensions. There is, of course, the local dimension, which in France interests a great number of parliamentarians. There is the national dimension and there is the European and international dimension. And the parliamentarian must wear all these hats. Consequently, I am convinced of the utility of international organisations. Their rationalising will be an extremely difficult task as their establishment was based on

historical reasons. They deal with various issues and include many forms of participation. We must think of how to focus the activities of each organisation so that it can perform its principal duties, those for which it had been established.

And the third comment on a totally different subject: exchange of documents and ECPRD role. Of course, we are getting IPEX. We do not know exactly how it will work but I am convinced that it will work very well. Why am I so sure? Because the bodies responsible for Community issues, either those associated with the European Commission or with delegations, as is the case of France, have done all the work on IPEX from the ground up. That work went far beyond drawing up Community legislation. It also required delving deep into the very vast area of member state legislation, learning it and finding out how it is applied in practice. We are talking here about comparing individual legal acts, which is a particularly difficult task and which, I can well imagine, could be done in the future by ECPRD. Certain attempts at comparative studies are undertaken within national parliaments. The French Senate was the first to conduct very interesting studies and the National Assembly quickly followed suit. ECPRD gives us the opportunity to send queries to administrative bodies in other national parliaments. It is a very useful exercise. I think that time will come when we will need to discuss the quality of responses received to these queries and share best practices.

Finally, I would like to inform you about a rationalising activity taking place at the French National Assembly. We are in the process of merging all departments engaged in European cooperation, i.e. the defence committee, foreign affairs committee, European department and international cooperation department. We have decided to introduce a system we call “common documentation”. It consists in rationalising the volume of documents within these four bodies, which is turning out to be an extremely difficult task. We noticed that we were able to motivate personnel by creating an intranet portal – a small website – where everybody can post interesting documents prepared in the past for delegations sent to international parliamentary organisation meetings.

And indeed, it turned out that a presentation delivered at the North Atlantic Assembly can be used with relevance at the WEU Assembly or the Council of Europe Assembly. The portal also contains a list of links to interesting websites and international organisations. Consequently, you will not only find on that list all international parliamentary organisations which you represent but also instructions how to find websites of the largest universities, international periodicals, international think tanks and research centres. That is the kind of information we collect. Although at this time it is only available on our intranet,

we are perfectly willing to share with you our experience in setting up such portal, and I must tell you that jointly with Pascal Forget and an IT team we have worked on it for full six months. And when one is a parliamentary functionary – lawyer or economist – one is not at all prepared to collaborate with IT personnel. When a parliamentarian sends us a query, we say: “We are not sure if we can find you an answer but we will do our best.” We usually say “yes”. When we ask an IT specialist if he can program in a particular operation, he inevitably says “no” and then, after 15 or 30 seconds, he reluctantly adds: “Oh well, maybe I can find an answer, I am not sure myself, and it will be very difficult...”

What we can share, then, is this type of experience in establishing new IT tools. We can share such experience among us as I believe that it is precisely an area where we can cooperate within ECPRD.

LESZEK KIENIEWICZ

Head of the European Union Division, the Chancellery of the Polish Sejm

Just a few words so that you can also see my better face, the “good policeman” in me. I think that a remarkable expansion of parliamentary assemblies after '89 was driven mostly by the prospect of achieving EU membership or a desire to establish structural relations with the EU. After such an increase in members and numbers one could think that Parkinson law should apply. And it did but only for a while, because due greater enlargement the absorption capacity of the EU has been radically enhanced, I would even say, restored to the level of 1995. So presently, the absorption capacity of the EU is bigger, at least in the parliamentary dimension.

MIKOŁAJ KARŁOWSKI

Expert in the Chancellery of the Polish Sejm

I'd like to make three brief points. I was inspired by the papers of prof. Nowak-Far and then I agree with Ms Korzeniowska and Ms Agostini who talked about the necessity of parliamentary feedback. I think that since we've made the first step here – we had a presentation of parliamentary activities – the second step would be to exchange experiences and good practices of parliamentary work. Because I think that rationalisation should start at home. We would need the exchange of information, and then discussion on what

support the administration offers to members and information on how members give account of their work in front of their colleagues. This is something that is always an enigma and we don't know how it works in other parliaments.

The second point, very short one. We discussed about the budgetary restrictions. I think it's important to stress that money is not everything. Sometimes it's more important what people you have to work with and what kind of people we are. Since we, or some parliaments, are able to organise contests of parliamentary tennis or football players, I think that there are still some resources to be well spent.

The third and last point, on the exchange of documents. This is important because it does enhance the volume of information that can be turned into knowledge. But we should not forget about the added value, that parliamentary assemblies create democracy in action. There is a unique thing when you see the members of assembly gathered in one place at one time, when they finally manage to give their concerted voice. This is what parliamentarism is about, to gather, to discuss and to agree on something finally. And this is what I would call democracy in action. Thank you.

PAUL COOK

Director of the Economics and Security Committee,
NATO Parliamentary Assembly

I want to go back to the point I made earlier today and that I think could be helpful when we come to conclusions. It's a concept of the network of networks. It doesn't have to be at all formal. It could be just virtual. But it just seems to me that we are collectively generating a lot of good information and we are not sharing it properly. We are not getting the bank for the buck. And it's not only the reports and papers and trips. By the way, we do *post facto* summaries of every meeting we have. We eventually would post the summary of those meetings so that the meetings don't die right there, there is a summary written which can be used as speaking points for politicians afterwards.

I'm thinking about this Mediterranean problem we seem to have with five different groups working on Mediterranean issues. We spend a lot of time on developing the report on some dimension of the problem with a rapporteur. He or she will only present that report once as far as I know, maybe twice in our own body. But it seems to me there be ample opportunity if that rapporteur could then present the same report to another parliamentary organisation so that this work

doesn't just fall by the wayside or it's used by our narrow network. It seems to me we could find ways to share this information and even to share the knowledge and talent of our members so that they can actually make an impact in a broader way.

ANDRZEJ DZIUBECKI

Director of the Information and Documentation Office,
Chancellery of the Polish Senate

Yes, very short. I would like to say that we are prepared, we are actually happy, and feel obliged to continue the research work on the subject of this seminar. We are going to work on description and systematisation of the organisations we've been talking about and we hope to prepare it in such a way that it could go into the ECPRD website.

Secondly, we are going to work on the conclusions, the draft of which we've presented to you. If you have any remarks, we would be happy to learn about them within the next two weeks, please. Finally, I would like to say that we're going to prepare as soon as possible a publication with all the papers and discussions of this seminar. Originally, we've been thinking about the publication in Polish and English versions only, but seeing the interest of people gathered here and also presuming the interest of parliamentarians and other people working in different parliaments, I'm going to talk to my boss about finding some money to prepare French, German and Russian versions too. Thank you.

WOJCIECH SAWICKI

Co-Director of the ECPRD

Thank you very much. Allow me to speak this time with the ECPRD hat on my head. I would like to start by thanking all of you for so many kind words about the ECPRD. In a number of interventions you said that the ECPRD could or should do this or that. In fact when we formulate the things in such a way we assume that there is an institution behind. In fact, the ECPRD is not the institution. The ECPRD is people, people who work in national parliaments. The ECPRD is you and here, because the ECPRD is about creating a network of people who deal with similar issues in national parliaments. All of us are ECPRD in that sense. Even if you run via correspondents in national parliaments about a number of occasions, these correspondents ask their

colleagues in national parliaments to cooperate, to intervene in the ECPRD issues. So every initiative in order to be done, to be realised within the ECPRD context has to come from people from national parliaments. I'm very grateful to the Polish Senate for their readiness to continue with the follow-up to this seminar. If we say ECPRD should proceed with an overview of interparliamentary institutions, it's someone who should do it. We are looking for a volunteer and I'm very grateful that the volunteer is already there. Thank you very much indeed for this. You said that you would continue with the follow-up questionnaire to this seminar. Thank you very much indeed for this. But many thanks to all of you also for your, I hope, readiness to answer this questionnaire because it's not enough to send out the questionnaire. We expect that the colleagues in national parliaments will answer these questions. So on both side you have volunteers in a way, those who initiate and those who then react. And this is the basis in fact for ECPRD work, this voluntary input coming from national parliaments. I remember a colleague from the Australian parliament who sent us an e-mail, to my colleague from the European Parliament and myself that while being in Europe next month he would like to visit the headquarters of the ECPRD. Well, we had a problem where to find the headquarters, because nothing like this exists, of course.

So, once again I would like to thank all of you for your contribution to ECPRD activities, to which in fact all of us can contribute.

I would like also to thank all of you who contributed to our two day debates, to the keynote speakers, to all who intervened in the debates by asking questions, making comments. Thank you very much indeed for your input to our debates.

At this stage, if you allow me to profit from this rare occasion that my mother tongue is available at the international conference, I will switch to Polish with your permission.

This is the time to convey on behalf of us all our expression of warmest thanks to the Senate, Senate Chancellery, Madam Minister and all Senate Chancellery employees who have participated in the organisation of this seminar. We want to thank all of you whom we have been seeing in the room today and we ask you to also convey our thanks to those employees whom we have not been seeing today but who have participated in preparing this seminar. We would not have the seminar without hard work of Chancellery personnel. Thank you on behalf of everyone for what you have done for us.

Also, I would like to thank the interpreters in the cabins at the back of the room. It is thanks to their work during these two days that we were able to understand each other. So I thank them on behalf of us all.

(Applause)

To conclude, I would like to say that I am already looking forward to meeting you again in Strasbourg or at another ECPRD encounter somewhere in Europe. It would be great if we kept in touch. And again, I think we should thank our Polish hosts for ensuring such wonderful weather during these two days. It looks like you have excellent relations with those who command the weather.

Finally, I would like to wish you all a safe return trip home.

I thank you very much for your participation and presence in Warsaw.

CONCLUSIONS OF THE SEMINAR¹
“SUPRANATIONAL PARLIAMENTARY AND
INTERPARLIAMENTARY ASSEMBLIES
IN 21ST CENTURY EUROPE”,
HELD UNDER THE PATRONAGE
OF THE EUROPEAN CENTRE FOR PARLIAMENTARY
RESEARCH & DOCUMENTATION (ECPD),
Warsaw, May 8–9, 2006

Overview of multilateral interparliamentary relations in which European national parliaments are involved

- 1.1. The seminar has confirmed the need for a catalogue of classification of current forms of interparliamentary relations in which European national parliaments are involved, chiefly because of the following factors:
 - i. the dynamic development of interparliamentary relations after the turning point in the history of Europe in 1989, particularly the growing number of international parliamentary (or quasi-parliamentary) institutions not firmly entrenched in law and not abiding by strict formal procedures;
 - ii. information concerning interparliamentary relations is difficult to access and scattered.
- 1.2. The above mentioned catalogue of current forms of interparliamentary relations should primarily be based on the responses to the ECPD Questionnaire of September 2005, and the prospective replies to the additional follow-up questionnaire adopted during this seminar (see the Annex to the Conclusions).
- 1.3. In view of the multiplicity and diversity of interparliamentary cooperation forums in which European national parliaments and the European

¹ The Conclusions have been prepared by the editorial group composed of: Thomas Grunert, Head of Unit, Secretariat of the European Parliament, DG 3, Directorate B - Interparliamentary Delegations and Policy Support; Interparliamentary Delegations - European countries, Michael Hilger, Head of External Relations Service, Assembly of WEU, Morten Knudsen, Expert, Danish Folketing, Artur Nowak-Far, Professor of European Law, Warsaw School of Economics, Stanisław Puzyna, Expert, Polish Senate, Wojciech Sawicki, Deputy Clerk, Parliamentary Assembly of the Council of Europe, and Liam Laurence Smyth, Principal Clerk, Overseas Office, British House of Commons.

Parliament are involved, it is essential to select appropriate classification criteria so as to ensure that a proper weight is given to each such forum. These criteria should be adapted to the current international and geopolitical situation in Europe and should take into account structural transformations in interparliamentary cooperation after 1989, particularly the intensified participation of individual MPs in interparliamentary (or quasi-parliamentary) meetings, as well as the increased collaboration at the level of speakers / presidents of parliaments and chairpersons / representatives of parliamentary committees.

- 1.4. The first criterion should be a political and organizational one (dividing interparliamentary relations into categories depending on whether they involve parliamentary representations - reflecting political parity or internal structures of parliaments, or whether they encompass individual parliamentarians, selected on the basis of their individual merits, regardless of their formal position in the structure of parliaments). Another criterion should be the geopolitical framework of interparliamentary cooperation (dividing interparliamentary relations into categories depending on what parties / parliaments they involve in cooperation and from which geographical groupings of states they are drawn)².
- 1.5. It is important to choose an appropriate, topical term that encompasses the entire range of interparliamentary relations. Currently, the term “international parliamentary forums” seems to be sufficiently general and precise³. It is meant to include, for example, meetings of representatives of parliamentary committees, which do not fall into the category of “institution”, “assembly” or “association”.
- 1.6. In general, an effort should be made to use the English nomenclature of international parliamentary forums as the standard – their names in other languages would be translated from English. This would facilitate more precise usage of the names.
- 1.7. The catalogued current international parliamentary forums in which European national parliaments are involved should then be assessed specifically from the perspective of their separateness, mutual

² In the reports on interparliamentary relations development to date - by the Clerks of the Council of Europe Parliamentary Assembly John Priestman (1980) and Heinrich Klebes (1990), the main criteria for classifying international parliamentary institutions were the legal basis of their operation (whether it was considered based on international law or not) and geographical location.

³ In the above mentioned report by John Priestman (1980), the term chosen was “international parliamentary assemblies and associations”, whereas in the report by Heinrich Klebes (1990) it was “international parliamentary institutions”.

complementarity or overlapping of their functions and tasks, and, in the case of the European Union, also from the perspective of democratic legitimization of particular areas of activities of the EU executive branch. The assessment should be made within the framework of the particular categories mentioned above – political and organisational, as well as geopolitical.

Transparency of interparliamentary relations in Europe

- 2.1. The cataloguing and classification of existing forms of interparliamentary relations in which European national parliaments are involved will make them more transparent. They should be put on the ECPRD website and be regularly updated.
- 2.2. Moreover, it seems reasonable to request that all international parliamentary forums provide the following data on their websites (assuming they have them), as a matter of standard procedure:
 - i. information about the legal basis of their activities (including their objectives and mission),
 - ii. operating regulations,
 - iii. membership procedures,
 - iv. history (when and how they were established), and
 - v. main achievements.
- 2.3. It would also seem justified to request that the dates of meetings of all international parliamentary forums in Europe, within the framework of their particular geopolitical categories, be made known a year or six months ahead of time (as is already becoming the case in the European Union).

Rationalization of interparliamentary relations in Europe

- 3.1. The cataloguing and classification of existing international parliamentary forums, and generally ensuring greater transparency as to their functioning, should be the starting point for rationalizing interparliamentary relations in Europe.
- 3.2. The rationalization of interparliamentary relations in Europe also requires:
 - i. making the objectives of interparliamentary cooperation in Europe more specific and adapting activities to the objectives;
 - ii. elaborating standards of supranational parliamentary democracy, modelled on those often formulated with reference to national states;

- iii. determining which European interparliamentary assembly should play a coordinating role with respect to all other structures of interparliamentary cooperation at the political level⁴;
 - iv. ensuring appropriate substantive and administrative support to activities of a political nature.
- 3.3. There was no consensus on any specific proposal for rationalising interparliamentary cooperation in Europe. However, the following opinions were expressed on the three areas of cooperation that need to be reformed, as indicated by the Bundestag President W. Thierse at the Conference of Speakers of the EU Parliaments in May 2005 in Budapest:
- i. Cooperation between the Council of Europe and OSCE Parliamentary Assemblies
 - The Parliamentary Assemblies of the Council of Europe and the Organization for Security and Co-operation in Europe (OSCE) form the parliamentary dimensions of these organizations: the former founded on an international treaty⁵ and the latter a political one - without legal status⁶; hence, firstly, the main tools for rationalization of the Assemblies are in the hands of governments and, secondly, the two organizations are of a different nature: documents of the Council of Europe are legal ones, whereas the documents of the OSCE are not of a legally binding nature, reflecting political obligations or promises;
 - The Council of Europe and the OSCE were established at different times (CoE in 1949 and CSCE / OSCE in 1975). Hence, they have different tasks and missions. The same holds for the Parliamentary Assemblies of these organizations;
 - As regards their membership, the Council of Europe is a European organisation and the OSCE is a transatlantic one; and the OSCE extends much further to the east, where democracy building is of the greatest importance;

⁴ Since July 2004, pursuant to the Guidelines for Interparliamentary Cooperation in the European Union, the "responsibility for supervising the coordination of interparliamentary EU activities" rests with the Conference of Speakers of the European Union. It would make sense to decide whether a similar coordination is necessary with respect to interparliamentary relations at the pan-European level and which parliamentary institution should play such a coordinating role.

⁵ The Council of Europe is an international organization founded on the Treaty of London signed on 5 May 1949. It is referred to as the Statute of the Council of Europe.

⁶ The OSCE is a political process based mainly on the Helsinki Final Act (1975) and the Charter of Paris for a New Europe (1990).

- The Council of Europe and the OSCE have enjoyed very good cooperation for a long time. It has developed at the level of secretaries general, presidents, during election monitoring missions and in assisting state-building activities in, for instance, the Balkans or Belarus. Joint parliamentary committee or plenary meetings are difficult to organise from a logistical point of view. Committee structures in PACE and PA OSCE also differ. Furthermore, the work of PACE relies heavily on political groups, whereas these do not exist in the PA OSCE.
- ii. Role of the Assembly of Western European Union (WEU)⁷

Arguments against further functioning of the Assembly of WEU

- Since the European Councils in Cologne in June 1999 and Helsinki in December 1999 there has been a continuous transfer of WEU competences and operational activities to the EU. Following the decisions of the Council of Ministers of the WEU in Marseilles in July 2001, all the activities of WEU have been stopped or have remained 'dormant'. There is an informal agreement that the WEU is to be maintained until the Constitutional Treaty has come into force. This should enable the EU to assume all WEU obligations under the Brussels Treaty. At the moment, the only active WEU-related institution is the Assembly of WEU;
- The Assembly of WEU has only a consultative role, which can be easily assumed by the European Parliament. From the point of view of rationalisation of interparliamentary relations in Europe, there is no need to have another consultative assembly on European security and defence policy at EU level;
- The remit of the European Parliament Committee on Foreign Affairs (AFET) comprises, in particular, the common foreign and security policy (CFSP) and the European security and defence policy (ESDP). In this context, the committee is assisted by a subcommittee on security and defence (SEDE). The European Parliament's Committee on Foreign Affairs has over the past years started inviting members of foreign affairs committees of national parliaments to participate in biannual meetings in Brussels. Furthermore, in recent years, regular biannual meetings of the foreign affairs committees together with the security and defence

⁷ It is also named "The Interparliamentary European Security and Defence Assembly".

committees of EU member state parliaments and the European Parliament have been arranged by several EU presidencies. This regular platform for parliamentary exchange of information and policy coordination, in addition to the EP's enhanced dealings with security and defence issues, makes the WEU Assembly increasingly superfluous. Such meetings could provide joint EU interparliamentary oversight over the CFSP and ESDP.

Arguments in favour of the continued functioning of the Assembly of WEU

- Governments support the work of the Assembly and have repeatedly confirmed its value as a forum for strategic reflection on security and defence questions. The modified Brussels Treaty of 1954 continues to be fully valid. The Assembly scrutinises the application of the unconditional collective defence engagement under Article V of the Treaty and cooperation with NATO specified in Article IV. The European Union does not have a similar mutual defence clause;
- The EU Treaty does not provide national parliaments with a tool for accessing information about EU activities in the field of security and defence, exchanging views or engaging in a collective dialogue with the EU executive. However, national parliamentarians are the ones who take decisions on the defence budgets that provide the resources for European military operations and have the last word on troop deployments, as these represent a risk to lives of citizens of their countries. These responsibilities of national parliamentarians are complementary to those of the Members of the European Parliament. The latter cannot replace them;
- The WEU Assembly is the only instrument available to national parliaments to allow them to engage in proper debate about all aspects of European security and defence. It provides a fully-fledged interparliamentary structure, which enables national parliaments to make use of the extensive information and consultation prerogatives that are available through the WEU framework for scrutinising intergovernmental activity at EU level;
- The Assembly proposes setting up an interparliamentary forum at EU level for debating security and defence questions, once the conditions (concerning the mutual defence clause for the EU and

EU-NATO relations) are met to abandon the modified Brussels Treaty. That forum would replace the Assembly and be based on its proven working methods. It would cooperate closely with the European Parliament.

iii. Mediterranean Region

- A proposal was made to merge the Forum of Euro-Mediterranean Women Parliamentarians with the Euro-Med Parliamentary Assembly's *ad-hoc* Committee on Women's Rights;
- An idea was put forward that the Conference of Presidents of Euro-Mediterranean Parliaments should be the only meeting of the presiding officers of parliaments in the region;
- A proposal was made to create a Conference on Security and Cooperation in the Mediterranean (CSCM), with the involvement of delegations from the USA, and possibly from China and Russia, along the lines of the CSCE in Europe which contributed to bringing the Cold War to an end. However, one participant argued that the creation of another Mediterranean interparliamentary forum appeared unjustified after the establishment in 2005 of the EMPA with its elaborate structure (committees, working groups and multiple activities);
- A suggestion was made to organize the Euro-Med Parliamentary Assembly around political groups in order to enliven it.

3.4. As the Hague Guidelines for Interparliamentary Cooperation in the European Union (adopted in July 2004) refer to "overseeing coordination" rather than to outright coordination, the Conference of the Speakers of European Union Parliaments might usefully proceed to consider annual reviews or reports on the state of such cooperation, prepared by the Secretaries General of EU parliaments.

Points for the 2nd round of the ECPRD questionnaire
on the participation of European national Parliaments
in international parliamentary forums
Warsaw, May 8–9, 2006

Further requests and questions for ECPRD correspondents:

1. If you have not yet had a chance to respond to the ECPRD Questionnaire No. 456 of 2 September 2005, please do it now. We would also greatly appreciate it if you could indicate international parliamentary forums in which your parliament participates, by using the categories listed in the attachment.
2. If you have already responded to the above Questionnaire, please verify whether the international parliamentary forums in which your parliament participates have been sorted under the proper categories listed in the attachment.
3. Could you explain the particular status of the Speaker of your parliament. Does he, upon election, continue to be a leader of a political party, or is he obliged to represent the whole parliament and stand above political parties? What laws or orders, if any, define the relations between Speaker and Parliament?
4. How is the flow of information from interparliamentary forums, in which your parliament participates, channelled to the various bodies of your parliament and how does the information influence its work and its decisions? Are reports prepared and presented after all the interparliamentary meetings and what impact, if any, do such reports have?
5. Could you explain the methods for selecting parliamentary representatives to forums in which your parliament participates? Please, specify whether they are based on political parity, individual qualifications or other criteria.

Questions to international parliamentary institutions concerned:

1. What legal foundations underlie the activities of your interparliamentary forum?
2. What regulations govern the functioning of your interparliamentary forum?
3. What are the main objectives and tasks of your interparliamentary forum?
4. What have been the main activities of your interparliamentary forum in the course of the past year (2006)?

Has your interparliamentary forum concluded cooperation agreements with other interparliamentary forums?

REPORT ON
THE PARTICIPATION OF THE EUROPEAN STATES' PARLIAMENTS
IN INTERPARLIAMENTARY ASSEMBLIES, CONFERENCES, ASSOCIATIONS,
ORGANISATIONS, NETWORKS, UNIONS, COUNCILS,
FORUMS, JOINT COMMITTEES
BASED ON THE REPLIES TO THE ECPRD REQUEST
N° 456 FROM SEPTEMBER 2005

I. Survey on multilateral interparliamentary cooperation in Europe

On 2nd September 2005, the Polish Senate addressed request no. 456 to the ECPRD correspondents for responses to two questions:

- To what interparliamentary assemblies, conferences, associations, organisations, etc. does your parliament presently belong (as a member, associated member, observer, etc.)?
- Which interparliamentary assemblies, conferences, associations, organisations, etc. is your parliament planning to join (as a member, associated member, observer, etc.) in the foreseeable future?

These questions were posed in view of a perspective to organise a seminar in Warsaw under the patronage of ECPRD between 8th and 9th May 2006 on: *Supranational parliamentary and interparliamentary assemblies in 21st century Europe*.

II. Survey respondents

35 out of **58** correspondents of the Centre¹ replied to the above-mentioned two questions on interparliamentary cooperation in Europe directed at ECPRD. **Two** replies out of the said **35** replies have been sent by the non-European parliaments: Israel (the Knesset) and the USA (the Congress).

Thus, as regards the European states² **33** out of **56** European ECPRD correspondents provided their responses [approx. **59%**] and **23** correspondents failed to respond.

¹ **58** chambers of national parliaments and **3** interparliamentary assemblies belong to ECPRD.

² In this text, the *European* criterion of a given country means its membership in the Council of Europe in the character of a full member.

Out of the said **33** responses from ECPRD correspondents originating from the European states, **3** have been received from two-chamber parliaments – separately (from Belgian, Slovenia and Great Britain) and **3** – jointly (from Austria, Bosnia and Herzegovina and Switzerland).

Thus, responses from **30** European states have been received out of **46** Member States of the Council of Europe³ [over **65%**].

Responses from the following **16** Member States of the Council have not been delivered: Albania, Andorra, Azerbaijan, Spain (two chambers), Ireland (two chambers), Iceland, Liechtenstein, Luxembourg, Malta, Moldavia, Monaco, San Marino, Serbia and Montenegro, Turkey, the Ukraine and Hungary.

Moreover, responses from **8** chambers of two-chamber parliaments of the of Member States of the Council of Europe have not been delivered: the Chamber of Deputies of the Czech Republic, French Senate, German Bundestag, Italian Senate, Dutch Senate, Polish *Sejm*, Romanian Senate and the Federation Council of the Federal Assembly of the Russian Federation.

To summarise, **36** out of **60** parliamentary chambers of the Member States of the Council of Europe provided their responses [over **60%**] and **24** chambers failed to provide any.

III. Classification of respondents responses: political dimension of the interparliamentary relations in Europe

Responses to the question on interparliamentary cooperation which involves parliaments of the European states have been categorised on the basis of a two-dimensional classification adopted and based upon two criteria: **legal and organisational and geopolitical**.

A. Legal and organisational framework of interparliamentary cooperation

The first dimension of that classification categorises the information on interparliamentary cooperation received according to the **legal and organisational** frameworks of that cooperation.

³ Parliamentarians from **46** Member States of the Council and **3** non-European countries as observers are delegated to the Council of Europe Parliamentary Assembly. Out of the said **46** Member States, **30** have one-chamber parliaments and **16** two-chamber parliaments. Thus, the Assembly hosts parliamentarians from **62** chambers of Member States of the Council. Only Belarusian parliamentarians do not belong to the Council of Europe Parliamentary Assembly.

Six categories of that classification have been distinguished:

1. conferences or meetings of speakers or presidents of parliaments;
2. interparliamentary unions, councils, assemblies, joint committees, associations, conferences or forums;
3. conferences or meetings of chairpersons or representatives of corresponding parliamentary standing committees
4. interparliamentary or parliamentary organizations, associations, conferences, meetings, networks [for MPs]
5. associations or meetings of Secretaries General of parliamentary chancelleries;
6. meetings or networks of civil servants of parliamentary chancelleries.

The political aspect of the interparliamentary cooperation is encompassed by the first four categories, whilst the administrative aspect – by the last two. We shall now focus on the political aspect and will discuss the administrative aspect separately.

Re. 1 Conferences or meetings of speakers of the parliaments are autonomous or superior to other forms of interparliamentary relations. They often constitute a forum of the debate⁴ on development directions of such relations. Sometimes they take initiatives in this respect⁵. Formally, conclusions from their meetings have no binding force but are significant due to their political value. Meetings of speakers of parliaments are in principle autonomous of intergovernmental relations. Such meetings may be restricted for the speakers only but may also allow for the speakers to be represented by their deputies or other authorised members of parliaments.

The Commonwealth Speakers and Presiding Officers Conference (CSPOC) has the longest history dating back to 1969⁶. It is held once every two years. However, a non-European parliament, i.e. the Canadian parliament was the initiator of the CSPOC which presently comprises parliaments of Commonwealth Member States which include only three European states.

⁴ Such a political role is disputable (speakers of parliaments are often above the political divisions in their parliaments) and so is the decision-making force of these bodies (it is not totally clear who their potential decisions should be directed at).

⁵ For example, the Conference of Community and European Affairs Committees of Parliaments of the European Union (COSAC) was created at the Conference of the Speakers of European Union Parliaments held in Madrid between 19 and 20 May 1989.

⁶ It consists of 19 two-chamber parliaments and 36 one-chamber parliaments which gives 74 members from 55 states. In Europe (the British Isles and the Mediterranean region) four members from three countries (Great Britain, Cyprus and Malta) participate in the Conference.

In Europe, regular meetings of speakers of parliaments have been held since the first half of 1980's. Since then until the end of 1990's, every year (alternately) the European Conference of Speakers of Parliaments and the Conference of the Speakers of European Union Parliaments have been held. The role of the Conference of the Speakers of European Union Parliaments has formalised⁷ gradually and increased⁸ in 2000's and presently the Conference is held once a year and its work is coordinated by the parliaments of the three presidencies of the Conference. The European Conference of Speakers of Parliaments is still held once every two years; it has also made attempts to formalise its role⁹.

Re. 2 The distinguishing feature of that category of international parliamentary institutions grouping interparliamentary unions, councils, assemblies, joint committees, associations, conferences and forums is the fact that they consist of the delegations - the most often selected and permanent during the term of office of particular member parliaments. The composition of the delegations usually reflects political parities. The political representativeness of delegations is the consequence of increased formalisation of the organisation and procedures of work of the institution belonging to that category: their operations are based upon multilateral or bilateral international treaties or agreements or interparliamentary as well as internal work regulations. Such institutions are most often created as the instruments of supranational integration around particular interests or values. Some of them constitute parliamentary dimension of international governmental institutions and scrutinise their work.

The oldest international parliamentary institutions in this category in Europe include the InterParliamentary Union (formed in 1889¹⁰) and the Commonwealth Parliamentary Association (formed in 1911¹¹). However, both

⁷ In September 2000 in Rome, the Conference of the Speakers of European Union Parliaments adopted guidelines (Regulations) determining the rules and procedures of its work. In July 2004 in The Hague the Conference adopted the Guidelines on the interparliamentary cooperation in the European Union.

⁸ According to the above mentioned guidelines on the interparliamentary cooperation in the European Union adopted by the Conference of the Speakers of European Union Parliaments: "The Conference is responsible for supervising the coordination of EU interparliamentary activity".

⁹ In 2004 the Conference has prepared the draft regulations of its activity.

¹⁰ At the beginning the organisation was open to individual parliamentarians, however in time it turned into an international organisation of parliaments of sovereign states. At the beginning, arbitration in the event of international conflicts was the IPU goal. In time its mission was to promote democracy and agreement between parliaments.

¹¹ The Imperial Parliamentary Association was formed in 1911. Its current name was adopted in 1948.

these institutions are non-European institutions within our meaning of this word. The first is of a global dimension and thus includes all national parliaments of the old continent, whilst the second includes the Commonwealth countries (see footnote no. 6).

The oldest European parliamentary institutions of that category began to emerge in connection with the integration pursuits on that continent after the Second World War. The Consultative Assembly¹² (at present Parliamentary Assembly) of the Council of Europe formed in 1949 is regarded as their forerunner, which also gave rise to the European Parliament.

In the international parliamentary institutions of that category in the area of EU external relations, the EU is sometimes exclusively represented by the European Parliament, for example in the Transatlantic Legislators' Dialogue (TLD)¹³ or Joint Parliamentary Committees (JPCs)¹⁴: EU – Bulgaria, EU – Croatia, EU - Macedonia.

Re. 3 This form of interparliamentary cooperation comprises conferences or meetings of speakers or corresponding parliamentary representatives of standing committees. It has been developed over the last twenty or thirty years due to the fact that the integration process within the European Communities and then European Union deepened and extended.

The Conference of Community and European Affairs Committees of Parliaments of the European Union (*Conférence des organes spécialisés dans les affaires communautaires*, *Conference of the Community and European Affairs Committees*, COSAC) formed at the Conference of the Speakers of European Union Parliaments held in Madrid in May 1989 in Madrid is the oldest forum of interparliamentary cooperation at the committee level. The first meeting of COSAC was held in November 1989 in Paris.

Soon after, in January 1993 in Paris, the first meeting of the Conference of Chairpersons of Foreign Affairs Committees of EU Parliaments¹⁵ was held upon the invitation of André Bellon, socialist deputy of the Foreign Affairs Committee of the French National Assembly.

¹² At the beginning, the members of the Assembly included representatives of governments of the twelve states – founders of the Council. However, since 1951 to date it consists of representatives of national parliaments of the Member States of the Council.

¹³ Members of the European Parliament and the Congress of the United States of America meet within TLD.

¹⁴ These Commissions constitute parliamentary dimension of relations between the EU and the EU candidate countries.

¹⁵ At the beginning it was called the Meeting of Chairpersons of Foreign Affairs Committees of Parliamentary Assemblies of the Twelve States.

Both above-mentioned forums of cooperation of EU parliamentary committees commenced meetings of further standing committees in the parliaments of the presiding states (presidency) of the EU.

The cooperation of the EU Parliamentary committees with parliamentary committees of the EU Member States has developed over the past few years, in particular due to the work of the European Convention. It is currently functioning in the EU Parliament in two forms: Joint Parliamentary Meetings (JPMs) and Joint Committee Meetings (JCMs). Since the second half of 2005, the concept of Corresponding Committee Network (CCN) of EU Parliaments has been developed within the EU Parliament.

Moreover, cooperation is often undertaken by parliamentary committees of the Member States or EU (or NATO) candidate countries - most frequently committees for European integration, at the sub-regional level of, for example, Central Europe (the Visegrad Group or Regional Partnership) or the Balkans region.

Re. 4 The distinguishing feature of that category of international parliamentary (or quasi-parliamentary) institutions grouping interparliamentary or parliamentary organisations, associations, conferences, meetings networks [for members of parliament] is the fact that individual parliamentarians take part in their sessions, appointed not on the basis of political parity but on individual features, interests or qualifications. It is characteristic for these institutions that they have less established legal basis of their operations and less formalised organisation and procedures of work and it is often difficult to access any information regarding them. In the event of such institutions it is often difficult to talk about parliamentary scrutiny of the executive due to the fact that there is no political representativeness.

Such type of international parliamentary (or *quasi*-parliamentary) institutions have emerged over the last decade. Their appearance and increase in number is related to a large degree with the globalisation process, technological revolution and crystallisation of post-industrial or post-modernistic model of society. Such institutions include: Parliamentarians for Global Action (PGA), International Parliamentarians' Association for Information Technology (IPAIT), etc.

Some forms of parliamentary cooperation of that type are also created in Europe in areas of tension and international conflict in order to stabilise the political situation and build foundations for further social and economic development. They often take the character of cooperation frameworks comprising various types of interparliamentary meetings at the level of speakers of parliaments, committees, etc. Such forms of cooperation include,

for example: the Cetinje Parliamentary Forum or the Parliamentary dimension of the South-East European Cooperation Process (SEECF). Such forms of cooperation may be transitional and concern the transformation period only; they may also strengthen, as for example in the event of the parliamentary dimension of the Visegrad Group¹⁶.

B. Geopolitical frameworks of interparliamentary cooperation

The second dimension of classification adopted categorises the information on interparliamentary cooperation delivered according to the **geopolitical** frameworks of that cooperation.

Ten levels have been distinguished upon which interparliamentary relations of European states develop depending on geopolitical frameworks of such relations:

1. global relations;
2. North-Atlantic or Transatlantic relations;
3. pan-European relations;
4. sub-regional cooperation within Europe (as a continent);
5. European state or groupings of states external relations;
6. European Union internal relations or governance¹⁷;
7. sub-regional cooperation within the European Union;
8. European Union external relations;
9. Commonwealth of Independent States (CIS) internal relations; and
10. non-European states or groupings of states relations with European states.

The above classification reflects international relations *Anno Domini* 2006. Generally, such relations are historically conditioned and are of a dynamic character from their very nature. Before the end of the Cold War (1989) the interparliamentary relations in Europe developed mainly in its western part: European Communities or European Free Trade Association (EFTA). After 1989

¹⁶ Interparliamentary cooperation at the committee level has been commenced within the Visegrad Group when its Member States were candidates to the NATO and the EU and continues to date when they belong to those integration groups.

¹⁷ The European Commission developed its own concept of governance in the White Paper on the European governance where the term "European governance" refers to the principles, processes and behaviour which influence the way of governing at the European level, in particular as regards the openness, participation, democratic responsibility, efficiency and coherence. The said five rules of "good governance" strengthen the idea of helpfulness and proportionality. In general, the White Paper provides how the EU should use the power provided to it by the citizens. [See:]

there was a global expansion of parliamentary democracy from the west to the east and south, both in the national and supranational dimension of interparliamentary relations. The logic of the expansion in Europe in the supranational dimension reflected a natural dominance of governments in the international relations, therefore the interparliamentary cooperation was often secondary to the intergovernmental cooperation often creating the parliamentary dimension of the latter. Sometimes it served resolution of conflicts by way of mediation or management of conflicts, for example in the Balkans region.

The above-mentioned geopolitical frameworks of interparliamentary relations in Europe presently correspond to the European integration regions, the driving force of which are the European Union and the Commonwealth of Independent States.

The interparliamentary relations reached the highest degree of intensity within the European Union, partly due to the fact that the national parliaments lost significant part of their competencies in national matters. At present their activity on the EU level may be perceived as a search of a new place within the new EU architecture or the new European governance (see footnote no. 14).

The list of responses to the question regarding the share of European national parliaments in the interparliamentary cooperation delivered by the ECPRD correspondents and attached hereto was based on the intersection of the two classifications discussed above: according to the **legal and organisational** and **geopolitical** framework of such cooperation.

IV. Statistics of respondent responses¹⁸

The replies delivered by the ECPRD correspondents provide that the parliaments of the Member States of the Council of Europe are engaged in total in approx. **76** of more or less formalised forms of interparliamentary relations in the political dimension and approx. **9** in the sphere of parliamentary administration.

The analysis below regards the interparliamentary political relations.

¹⁸ Statistics are based on the responses received from the parliaments to date. They will be verified once the missing responses are delivered.

Table 1. Number of forms of interparliamentary relations of European states of political character according to the geographical range or geopolitical framework of such relations

No.	Interparliamentary dimension of political relations	Number of forms of interparliamentary relations
1.	Global relations	13
2.	North-Atlantic or Transatlantic relations	2
3.	Pan-European relations 0	5
4.	Sub-regional cooperation within Europe (as a continent)	16
5.	European state or groupings of states external relations	14
6.	European Union internal relations or governance	8
7.	Sub-regional cooperation within the European Union	7
8.	European Union external relations	7
9.	Commonwealth of Independent States (CIS) internal relations	2
10.	Non-European states or groupings of states relations with European states	2

As regards the geographical or geopolitical structure, the number of forms of interparliamentary political relations of European states was the highest:

- i. at the sub-regional level within Europe (as a continent);
- ii. at the dimension of European state or groupings of states external relations;
- iii. at the dimension of global relations;
- iv. at the sub-regional level within the European Union;
- v. at the dimension of the European Union external relations.

Table 2. Number of forms of interparliamentary relations of European states of political character according to the legal and organisational frameworks of such relations

No.	Interparliamentary political relations according to the legal and organisational frameworks of such relations	No. of forms of interparliamentary relations
1.	Conferences or meetings of speakers or presidents of parliaments	12
2.	Interparliamentary unions, councils, assemblies, joint committees, associations, conferences or forums	24
3.	Conferences or meetings of chairpersons or representatives of corresponding parliamentary standing committees	8
4.	Interparliamentary or parliamentary organizations, associations, conferences, meetings or networks [for MPs]	32

As regards the legal and organisational structure, the number of forms of interparliamentary political relations of European states was the highest in the following areas:

- i. Interparliamentary or parliamentary organisations, associations, conferences, meetings, networks [for MPs];
- ii. Interparliamentary unions, councils, assemblies, joint committees, associations, conferences or forums.

There were almost three times less conferences or forums of meetings among speakers of parliaments than the first above-mentioned form of interparliamentary relations of European states and two times less than the second one. There were four times less conferences or forums of meetings among speakers or corresponding parliamentary representatives of standing committees than the first above-mentioned form and three times less than the second one.

The list of responses to the question regarding the share of European national parliaments in interparliamentary cooperation delivered by the ECPRD correspondents and attached hereto, based on the intersection of the two classifications discussed above, the number of forms of interparliamentary relations of European states of political character was the highest in the regions at the intersection of the following categories:

- i. *Interparliamentary or parliamentary organizations, associations, conferences, meetings or networks [for MPs] **and** European state or groupings of states external relations [11 relations];*
- ii. *Interparliamentary unions, councils, assemblies, joint committees, associations, conferences, forums **and** sub-regional cooperation within Europe (as a continent) [10 relations];*
- iii. *Interparliamentary or parliamentary organizations, associations, conferences, meetings or networks [for MPs] **and** global relations [10 relations].*

V. Administrative dimension of interparliamentary relations in Europe.

The administrative dimension of interparliamentary relations is significant, but is secondary to the political dimension. Nevertheless, over the last decade it is becoming more and more autonomous. A certain degree of autonomisation is necessary due to the following determinants:

- need to ensure HR (human resources), IT (information technology) and technical support to the political interparliamentary relations at the dynamic intensification thereof;

- need to ensure continuous communication in the political dimension of interparliamentary relations within the period exceeding one parliamentary term of office;
- need to rationalise and functionalise political interparliamentary relations at a longer period in the context of international environment which is undergoing dynamic changes;
- need to follow up technical progress, in the consequence of which the information society emerges;
- in the event of the European Union, need to exchange information and coordinate within the EU decision-making process as well as standardise the procedures of inspecting governments of the EU Member States on European matters.

On the pan-European scale, the administrative dimension of interparliamentary relations is related to the political dimension by the European Conference of Speakers of Parliaments. Along with the meetings of the Conference, meetings of Secretaries General of the member Parliaments of the Council of Europe Parliamentary Assembly and ECPRD are also held. During the meetings, reports on the previous work of ECPRD are adopted as well as plans for the future.

During the last few years, meetings of Secretaries General of parliaments of the EU Members States started to institutionalise. They are organically related to the meetings of the Conference of the Speakers of European Union Parliaments.

Numerous networks of the communication officers constitute a significant phenomenon in the interparliamentary relations, ensuring communication within various forms of interparliamentary cooperation: with the European Parliament, COSAC, Conference of the Speakers of European Union Parliaments, ECPRD, etc.

VI. Problems when preparing the responses delivered

Whilst preparing the synthesis of responses to the question posed in the survey on multilateral interparliamentary cooperation in Europe, the following problems emerged:

- translation of names of some forms of interparliamentary cooperation (for example from Russian into English) was sometimes imprecise which made it difficult to identify and verify the same;
- problems with the terminology:
 - lack of uniform nomenclature,

- names of some forms of interparliamentary cooperation distorted (sometimes the same forms of cooperation were named differently),
- similar names for various forms of interparliamentary cooperation (e.g. with respect to the Mediterranean cooperation);
- provisional character of the interparliamentary structures created;
- unclear status of some forms of interparliamentary cooperation (even if a given form of interparliamentary cooperation has been developed over a number of years, it may expire quickly if it is not institutionalised at least to a small degree);
- lack of strict valuation criteria as to what can and what cannot be regarded as a permanent form of interparliamentary cooperation;
- unclear mandate of certain forms of interparliamentary cooperation: who or what is represented – what type of legitimacy they have (determining it as “democratic” legitimacy is sometimes difficult to operationalise);
- loose forms of membership in certain forms of interparliamentary cooperation (loose assembly of parliamentarians, treated lightly by national parliaments);
- negligible effects of activity within certain forms of interparliamentary cooperation;
- one common name being used to cover several different forms of interparliamentary cooperation (including meetings of speakers of parliaments, commissions, female parliamentarians, etc.). This concerns in particular the Southern and Eastern Europe, for example the Cetinje Parliamentary Forum or the Parliamentary dimension of the South-East European Cooperation Process.

VII. Conclusions

The following conclusions can be drawn on the basis of responses to the questionnaire on multilateral interparliamentary relations in Europe:

- In line with the stated multiplicity and diversity of interparliamentary relations involving European national parliaments – particularly in the category of international parliamentary (or quasi-parliamentary) institutions that operate less officially or formally and are thus difficult to pinpoint – the questionnaire confirmed the need to elaborate a compendium of such institutions and a catalogue of their activities as a starting point to a subsequent assessment of the rationality or functionality of

interparliamentary relations¹⁹; this task should be performed at the parliamentary administration or expert level;

- As illustrated by terminological difficulties that have occurred during the processing of questionnaire responses, there is an urgent need for a common nomenclature covering all current forms of interparliamentary cooperation²⁰; it would also make sense if every form of interparliamentary relations had a standard English designation, from which all other language versions would be translated;
- As illustrated by difficulties associated with accessing information occurred during the processing of questionnaire responses, it would make sense if all international parliamentary institutions in Europe provided on their websites, as a matter of standard procedure, information about the legal basis of their activities (including their objectives and mission), operating regulations, membership procedures, history (when and how they were established) and achievements – that would increase the transparency of their functioning;
- In the context of the mentioned multiplicity and diversity of interparliamentary relations involving European national parliaments, it is essential to select appropriate cataloguing criteria with a view to allocate proper weight to each form of interparliamentary relations²¹; these criteria should be adapted to the new international and geopolitical situation in Europe and take into account new interparliamentary structures established after 1989²²;
- Furthermore, there is a need to elaborate the standards of supranational parliamentary democracy modelled on those often formulated with reference to national states; the debate on the European democracy took place within the European Convention²³ and is taking place on the forums

¹⁹ Such compendium and cataloguing is particularly important from the perspective of an assessment of the intensity of parliamentarians' involvement in interparliamentary cooperation (an attempt at this assessment has been made by the Folketing).

²⁰ Past reports dealing with this issue – on relations between national parliaments and international parliamentary assemblies, presented in 1980 by the Clerk of the Council of Europe Parliamentary Assembly John Priestman, and its updated 1990 version presented by the Clerk of the Council of Europe Parliamentary Assembly Heinrich Klebes – used the term “international parliamentary institutions”;

²¹ In Priestman and Klebes reports, principal criteria of cataloguing international parliamentary institutions were: legal operating basis (does the institution function pursuant to international law or not) and geographical location.

²² In particular, it relates to cooperation between parliamentary committees.

²³ The debate in the Convention covered only the European Union and proceeded in the context of the work on the draft of the Constitutional Treaty for Europe.

of the Council of Europe Parliamentary Assembly²⁴, Conference of the Speakers of European Union Parliaments and in academic circles, but it usually circumvents national parliaments; moreover, conclusions of this debate are not forged into documents that serve as recommendations or directives²⁵, and it is not entirely clear which parliamentary body should be endorsing such documents;

- At the political level, there is a need to decide which European interparliamentary assembly should play a coordinating role with respect to all other structures of interparliamentary cooperation; since July 2004, pursuant to the Guidelines for Interparliamentary Cooperation in the European Union, the “responsibility for supervising the coordination of interparliamentary EU activities” rests with the Conference of Speakers of the European Union²⁶; it would make sense to decide whether a similar coordination is necessary as concerns interparliamentary relations at the pan-European scale and which parliamentary institution should play such coordinating role.

VIII. Outstanding issues – supplemental questions to ECPRD correspondents and certain international parliamentary institutions

The following issues concerning multilateral interparliamentary cooperation require further clarification:

- In order to get a full picture of cooperation between European national parliaments, information must be received from parliaments which have not yet responded to the questionnaire;

²⁴ In 2004, the Assembly heard the Report and Recommendations on the crisis of democracy in Europe. The issue was also raised at the Conference of Speakers of the European Union Parliaments in 2004 in Strasbourg.

²⁵ Among the terms that seem to need systematizing in particular are “democratic legitimacy”, “delegation of powers”, or “accountability of the executive branch to the parliamentary assembly” in the context of the existing forms of interparliamentary relations in Europe.

²⁶ However, even with respect to parliamentary relations in the European Union it seems that these coordination competencies of the Conference of Speakers of the European Union Parliaments do not encompass activities of the European Parliament. Generally speaking, it is difficult for the Conference to coordinate interparliamentary relations as meetings usually take place once a year and the Conference can neither count on administrative support equal to that of the European Parliament nor has any EU legislative powers. Maybe that is why Copenhagen Guidelines refer to “overseeing coordination” rather than to unqualified coordination.

- Respondents must verify if their responses to the questionnaire were properly catalogued;
- With reference to conferences or meetings of parliament speakers, there is a need for information as to the status of parliament speakers in national parliaments: in which parliaments do they still function as political leaders and in which are they placed above political divisions?
- The issue of the flow of information from interparliamentary forums to national parliaments and the impact of such information on the parliamentary work and decisions;
- The issue of selection of parliamentary representatives to interparliamentary meetings;
- The issue of legal foundations and regulations governing interparliamentary forums.

Consequently, we have further requests and questions for ECPRD correspondents:

- A request to forward responses to ECPRD Questionnaire no. 456 of 2 September 2005 from parliaments which have not yet responded;
- A request to verify responses already received: have they been properly catalogued?;
- A question concerning the status of parliamentary speakers: in which parliaments do they continue to be political leaders and in which have they been placed above political divisions?;
- A question concerning the flow of information from interparliamentary forums to national parliaments and its impact on the parliamentary work and decisions: are reports prepared from all such meetings and what role do they play?;
- A question about the method of selecting parliamentary representatives to meetings of interparliamentary organisations: is it based on political parity, substantive qualifications or on other criteria?;

We also have supplemental questions to some international parliamentary institutions:

- What are the legal foundations of the activities of each interparliamentary forum?
- What are the regulations governing the functioning of these forums?

By Stanisław Puzyna

Summary of the
replies to the ECPRD Request n° 456 on
“Participation of the European states’ parliaments in
interparliamentary assemblies,
conferences, associations, organisations, networks,
unions, councils, forums, joint committees”

A. To what interparliamentary assemblies, conferences, associations, organisations ... does your parliament or chamber belong, as a participant, member, associate member, observer, ..., currently?

1. Conferences / Meetings of Speakers / Presidents of Parliaments

- Global Relations
 - World Conference of Speakers of Parliaments
Replies from: Poland (Senate) [member]
 - Conference of the Speakers of the Lower Chambers of G8 Countries [G8 Speakers’ Conference]
Replies from: Italy (Chamber of Deputies), United Kingdom (House of Commons) [members]
- Pan-European Relations²⁷
 - European Conference of Presidents of Parliaments
Replies from: Austria, Belgium (Chamber of Representatives), Belgium (Senate), Germany (Bundesrat), Poland (Senate) [members]
 - Association of European Senates
Replies from: Poland (Senate) [member]
- Sub-Regional Cooperation within Europe (as a Continent)
 - Meetings of the Presidents of the Parliaments participating in the Adriatic-Ionian Initiative
Replies from: Croatia, Greece, Italy (Chamber of Deputies), Slovenia (National Assembly) [participants]
 - Meetings of the Presidents of the Parliaments participating in the “high” Quadrilateral Initiative
Replies from: Croatia, Hungary, Italy (Chamber of Deputies), Slovenia (National Assembly) [participants]

²⁷ Pan-European Relations, it means potentially encompassing all member states of the Council of Europe.

- Meetings of the Presidents of the Parliaments participating in the “low” Quadrilateral Initiative
Replies from: Albania, Bulgaria, Italy (Chamber of Deputies), Macedonia / FYROM [participants]
- European State or Groupings of States External Relations
- Commonwealth Speakers and Presiding Officers Conference (CSPOC)
Replies from: United Kingdom (House of Commons, House of Lords) [member]
- European Union Internal Relations / Governance
- Conference of Speakers of the Parliaments of the EU
Replies from: Belgium (Chamber of Representatives), Belgium (Senate), Cyprus, Denmark, Estonia, Finland, France (National Assembly), Germany (Bundesrat), Greece, Hungary, Italy (Chamber of Deputies), Latvia, Lithuania, Netherlands (House of Representatives), Poland (Senate), Portugal, Slovakia, Slovenia (National Council), Spain, Sweden, United Kingdom (House of Commons, House of Lords) [members]; Bulgaria, Romania (Chamber of Deputies) [candidates]; Croatia, Turkey [observers]
- Sub-Regional Cooperation within European Union
- Meetings of the Presidents of the Parliaments of the Visegrad Group (V4) States
Replies from: Poland (Senate) [participant]
- Meetings of the Presidents of the Regional Partnership Parliaments of the Republic of Austria, the Czech Republic, the Republic of Hungary, the Republic of Poland, the Slovak Republic and the Republic of Slovenia
Replies from: Poland (Senate), Slovenia (National Council) [participants]
- European Union External Relations
- Conference of Speakers of the Euro-Mediterranean Parliaments
Replies from: Belgium (Senate), Cyprus, Germany (Bundesrat), Italy (Chamber of Deputies), Poland (Senate) [members]

2. Interparliamentary Unions / Councils / Assemblies / Joint Committees / Associations / Conferences / Forums²⁸

- Global Relations
- Interparliamentary Union (IPU)
Replies from: Armenia, Austria (Federal Council, National Council), Belgium (Chamber of Representatives), Belgium (Senate), Bosnia-Herzegovina, Bulgaria,

²⁸ Delegations formally nominated by member parliaments of the unions / assemblies / conferences / forums.

Croatia, Cyprus, Czech Republic (Chamber of Deputies), Czech Republic (Senate), Denmark, Estonia, Finland, France (National Assembly), Georgia, Germany (Bundestag), Israel, Italy (Chamber of Deputies), Latvia, Lithuania, Macedonia / FYROM, Netherlands (House of Representatives), Norway, Portugal, Poland (Senate), Russia (State Duma), Slovenia (National Assembly and National Council), Sweden, Switzerland (Federal Assembly), United Kingdom (House of Commons, House of Lords) [members]

● North-Atlantic or Transatlantic Relations

- NATO Parliamentary Assembly (NATO PA) [member]

Replies from: Belgium (Chamber of Representatives), Belgium (Senate), Bulgaria, Czech Republic (Chamber of Deputies), Czech Republic (Senate), Denmark, Estonia, France (National Assembly), Germany (Bundestag, Bundesrat) Greece, Italy (Chamber of Deputies), Latvia, Lithuania, Netherlands (House of Representatives), Norway, Poland (Senate), Portugal, Romania (Chamber of Deputies), Slovakia, Slovenia (National Assembly), United Kingdom (House of Commons, House of Lords), United States (House of Representatives, Senate) [members]; Armenia, Austria (Federal Council, National Council), Croatia, Finland, Macedonia / FYROM, Georgia, Israel, Russia (State Duma), Sweden, Switzerland (Federal Assembly) [associate members]; Bosnia-Herzegovina [observer]

- Transatlantic Legislators' Dialogue

Replies from: U.S. House of Representatives

● Pan-European Relations

- Parliamentary Assembly of the Council of Europe (PACE)

Replies from: Armenia, Austria (Federal Council, National Council), Belgium (Chamber of Representatives), Belgium (Senate), Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic (Chamber of Deputies), Czech Republic (Senate), Denmark, Estonia, Finland, France (National Assembly), Georgia, Germany (Bundestag, Bundesrat), Greece, Latvia, Lithuania, Macedonia / FYROM, Netherlands (House of Representatives), Norway, Poland (Senate), Portugal, Romania (Chamber of Deputies), Russia (State Duma), Slovakia, Slovenia (National Assembly), Sweden, Switzerland (Federal Assembly), Italy (Chamber of Deputies), United Kingdom (House of Commons, House of Lords) [members]; Israel [observer]

- Organization for Security and Cooperation in Europe Parliamentary Assembly (OSCE PA)

Replies from: Armenia, Austria (Federal Council, National Council), Belgium (Chamber of Representatives), Belgium (Senate), Bosnia-Herzegovina, Bulgaria,

Croatia, Cyprus, Czech Republic (Chamber of Deputies), Czech Republic (Senate), Denmark, Estonia, Finland, France (National Assembly), Georgia, Germany (Bundestag), Italy (Chamber of Deputies), Latvia, Lithuania, Macedonia / FYROM, Netherlands (House of Representatives), Norway, Poland (Senate), Portugal, Romania (Chamber of Deputies), Russia (State Duma), Slovakia, Slovenia (National Assembly), Sweden, Switzerland (Federal Assembly), United Kingdom (House of Commons, House of Lords) [members]; Israel [observer]

- Sub-Regional Cooperation within Europe (as a Continent)
 - Baltic Sea Parliamentary Conference (BSPC)
Replies from: Germany (Bundestag), Norway, Poland (Senate), Russia (State Duma), Sweden [members]
 - Central European Initiative (CEI) – Parliamentary Dimension [member]
Replies from: Austria (Federal Council, National Council), Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic (Chamber of Deputies), Czech Republic (Senate), Italy (Chamber of Deputies), Macedonia / FYROM, Poland (Senate), Romania (Chamber of Deputies), Slovakia, Slovenia (National Assembly) [members]
 - Assembly of WEU – Interparliamentary European Security and Defence Assembly
Replies from: Belgium (Chamber of Representatives), Belgium (Senate), France (National Assembly), Germany (Bundestag), Greece, Italy (Chamber of Deputies), Netherlands (House of Representatives), Portugal, United Kingdom (House of Commons, House of Lords) [full members]; Czech Republic (Chamber of Deputies), Czech Republic (Senate), Estonia, Latvia, Lithuania, Poland (Senate), Slovakia, Slovenia (National Assembly), [affiliate members]; Norway [associate member]; Bulgaria, Romania (Chamber of Deputies) [affiliate associate members]; Austria (Federal Council, National Council), Denmark, Finland, Sweden [permanent observers]; Cyprus [affiliate permanent observer]; Croatia [affiliate associate partner]; Russia (State Duma) [permanent guest]; Bosnia-Herzegovina, Macedonia / FYROM, [special guests]
 - Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC)
Replies from: Armenia, Bulgaria, Georgia, Greece, Romania (Chamber of Deputies), Russia (State Duma), Slovakia [members]; Germany (Bundestag), Israel, France (National Assembly) [observers]
 - Nordic Council
Replies from: Denmark, Norway, Sweden [members]; Greece [guest]
 - Ukrainian - Polish Interparliamentary Assembly
Replies from: Poland (Senate) [member]

- Assembly of the Seimas of the Republic of Lithuania and Verkhovna Rada of Ukraine
Replies from: Lithuania [member]
- GUAM [Georgia, Ukraine, Azerbaijan and Moldova] Parliamentary Assembly
Replies from: ... [member]
- Forum of Parliamentarians of the Group for Interparliamentary Relations with the Russian Federation of the Seimas of the Lithuania and of the Kaliningrad Oblast Duma
Replies from: Lithuania [participant]
- South Caucasus Parliamentary Initiative (SCPI)
Replies from: Georgia [participant]
- European State or Groupings of States External Relations
 - European Free Trade Association (EFTA) Parliamentary Committee²⁹
Replies from: Norway [member]
 - Conference of Parliamentarians of the Arctic Region
Replies from: Finland, Russia (State Duma), Sweden [members]; Poland (Senate) [participant]
- Sub-Regional Cooperation within European Union
 - Interparliamentary Consultative Benelux Council (Benelux Parliament)
Replies from: Belgium, Netherlands (House of Representatives), Luxembourg [members]
 - Baltic Assembly
Replies from: Estonia, Latvia, Lithuania (Seimas), Finland [members]
- European Union External Relations
 - Euro-Mediterranean Parliamentary Assembly (EMPA)
Replies from: Czech Republic, Austria (Federal Council, National Council), Belgium (Chamber of Representatives), Belgium (Senate), Cyprus, Czech Republic (Senate), France (National Assembly), Germany (Bundestag), Greece, Israel, Italy (Chamber of Deputies), Latvia, Lithuania, Netherlands (House of Representatives), Poland (Senate), Slovakia, Slovenia (National Assembly), Sweden [members]; Germany (Bundesrat), Romania (Chamber of Deputies); Czech Republic (Chamber of Deputies) [observers]

²⁹ Since the entry into effect of the EEA Agreement, there have been two EFTA parliamentary Committees: the Committee of Members of Parliament of the EFTA States (MPS), which deals with EEA-related matters and forms the EFTA side of the EEA Joint Parliamentary Committee (JPC), and the Committee of Members of Parliament of the EFTA countries (CMP), which deals with all other matters, including relations with third countries.

- Joint Parliamentary Committees (JPCs): EU – Bulgaria, EU – Croatia, EU – Macedonia / FYROM
Replies from: Bulgaria, Croatia, Macedonia / FYROM [members]
- European Economic Area (EEA) Joint Parliamentary Committee (JPC)
Replies from: Norway [member]
- Commonwealth of Independent States Internal Relations
- Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS)
Replies from: Armenia, Russia (State Duma) [members]
- Parliamentary Assembly of the Belarus-Russia Union
Replies from: Russia (State Duma) [member]

3. Conferences / Meetings of Chairpersons or Representatives of Corresponding Parliamentary Standing Committees

- Sub-Regional Cooperation within Europe (as a Continent)
- Meetings of committees of the Parliaments participating in the Adriatic-Ionian Initiative
Replies from: Croatia, Greece, Italy (Chamber of Deputies), Slovenia (National Assembly) [participants]
- European Union Internal Relations / Governance
- Conference of Community and European Affairs Committees of Parliaments of the EU (COSAC) organized and hosted by the Parliament of the state holding the EU Presidency
Replies from: Austria (Federal Council, National Council), Belgium (Chamber of Representatives), Belgium (Senate), Cyprus, Denmark, Germany (Bundesrat), Lithuania, Poland (Senate), Slovenia (National Council), United Kingdom (House of Commons, House of Lords) [members]; Bulgaria, Croatia, Romania (Chamber of Deputies) [observers]
- Conference of the Chairpersons of Foreign Affairs Committees of the Parliaments of the Member States of the European Union, the European Parliament and the Parliaments of the Candidate States organized and hosted by the Parliament of the state holding the EU Presidency
Replies from: Poland (Senate) [member]
- Meetings of Chairpersons or representatives of corresponding standing committees of the Parliaments of the Member States of the European Union, the European Parliament and the Parliaments of the Candidate States organized and hosted by the Parliament of the state holding the EU Presidency

Replies from: Poland (Senate) [participant]

- Meetings of European Parliament standing committees with representatives of corresponding standing Committees from the EU Member and Candidate States' Parliaments

Replies from: Poland (Senate) [participant]

- Sub-Regional Cooperation within European Union

- Meetings of the Foreign Affairs, National Defence and EU Committees of the Parliaments of the Visegrad Group (V4) States

Replies from: Poland (Senate) [participant]

- Meetings of the EU Committees of the Parliaments of Estonia, Lithuania, Latvia and Poland

Replies from: Poland (Senate) [participant]

- Meetings of committees [transport, finance] of the Regional Partnership Parliaments of the Republic of Austria, the Czech Republic, the Republic of Hungary, the Republic of Poland, the Slovak Republic and the Republic of Slovenia

Replies from: Poland (Senate) [participant]

4. Interparliamentary / Parliamentary Organizations / Associations / Conferences / Meetings / Networks [for MPs]

- Global Relations

- Parliamentarians for Global Action (PGA)

Replies from: Italy (Chamber of Deputies), Poland (Senate), Romania (Chamber of Deputies) [regular participation]

- Parliamentary Network on the World Bank (PNoWB)

Replies from: Romania (Chamber of Deputies) [member]; Finland, Italy (Chamber of Deputies), Poland (Senate) [occasional participation]

- Parliamentary Conference on the WTO

Replies from: Italy (Chamber of Deputies), Poland (Senate) [regular participation]

- International Parliamentarians' Association for Information Technology (IPAIT) [Inaugural Convention, IPAIT 2002 (Seoul, Korea)]

Replies from: Finland, Italy (Chamber of Deputies), Poland (Senate), Romania (Chamber of Deputies) [members]

- Global Parliamentarians on Habitat Forum

Replies from: Croatia, Finland, Romania (Chamber of Deputies), Italy (Chamber of Deputies) [participants]

- Global Legislators Organization for a Balanced Environment (GLOBE) [US branch]

- Replies from:* Estonia, Russia (State Duma) [participants]
- Global Organization of Parliamentarians Against Corruption (GOPAC)
Replies from: Romania (Chamber of Deputies) [participant]
- Interparliamentary Drug Control Conference
Replies from: Italy (Chamber of Deputies) [participant]
- Interparliamentary Conference on Human Rights and Religious Freedom
Replies from: Italy (Chamber of Deputies) [participant]
- International Parliamentarians' (or Parliamentary) Association for Agriculture, Forestry and Fisheries (IPAAF)
Replies from: Romania (Chamber of Deputies), Russia (State Duma) [participants]
- Pan-European Relations
- Inter European Parliamentary Forum on Population and Development (IEPPFD)
Replies from: Russia (State Duma) [participant]
- Sub-Regional Cooperation within Europe (as a Continent)
- Parliamentary dimension of the South-East European Cooperation Process (SEECF)
Replies from: Macedonia / FYROM, Greece, Romania (Chamber of Deputies) [participants]
- Cetinje Parliamentary Forum
Replies from: Macedonia / FYROM, Romania (Chamber of Deputies), Greece, United Kingdom (House of Commons, House of Lords) [participants]
- European State or Groupings of States External Relations
- Association of European Parliamentarians for Africa (AWEPA)
Replies from: Italy (Chamber of Deputies), Romania (Chamber of Deputies) [participants]; Poland (Senate), United Kingdom (House of Commons, House of Lords) [occasional participation]
- Barents Parliamentary Conference
Replies from: Russia (State Duma) [participant]
- Europe-Asia Conference of Young Parliamentarians³⁰
Replies from: Italy (Chamber of Deputies) [participant]
- Conference of Parliamentarians of Italian origin
Replies from: Italy (Chamber of Deputies) [participant]

³⁰ Europe-Asia Conference of Young Parliamentarians is organised under the auspices of the Asia Europe Foundation (ASEF). The fourth Europe-Asia Conference of Young Parliamentarians was held in Venice/Italy, November 17-20, 2002.

- InterParliamentary Conference on Security and Cooperation in the Mediterranean (CSCM)³¹
Replies from: Poland (Senate) [observer]
- Parliamentary Assembly of the Francophone countries / l'Assemblée parlementaire de la Francophonie
Replies from: Armenia, France (National Assembly), Macedonia / FYROM, Romania (Chamber of Deputies) [members]; Bulgaria, Poland (Senate), Switzerland (Federal Assembly) [associated members]; Lithuania [observers]
- Commonwealth Parliamentary Association (CPA)
Replies from: Cyprus, United Kingdom (House of Commons, House of Lords) [members]
- World Hellenic Interparliamentary Union
Replies from: Romania (Chamber of Deputies) [member]
- Interparliamentary Assembly on Orthodoxy (IAO) [member]
Replies from: Armenia, Bulgaria, Cyprus, Greece, Romania (Chamber of Deputies), Poland (Senate), Russia (State Duma) [members]
- Parliamentary Forum of the Portuguese Speaking Countries
Replies from: Portugal [participant]
- Interparliamentary Committee on the Union of the Dutch Language
Replies from: Netherlands (House of Representatives) [member]
- European Union Internal Relations / Governance
 - European Parliaments Research Initiative (EPRI)
Replies from: Italy (Chamber of Deputies), Poland (Senate) [participation]
 - Interparliamentary Conference EUREKA
Replies from: Italy (Chamber of Deputies), Poland (Senate) [occasional participation]
 - European Interparliamentary Space Conference (EISC)
Replies from: Belgium (Senate), Italy (Chamber of Deputies) [participants]
- European Union External Relations
 - Parliamentary Conference of the Countries of the Stability Pact for South Eastern Europe / Stability Pact Parliamentary Conference (SPPC)
Replies from: Croatia, Italy (Chamber of Deputies), Macedonia / FYROM, Poland (Senate), Romania (Chamber of Deputies) [members]
 - Euro-Mediterranean Forum of Women Parliamentarians
Replies from: Poland (Senate) [member]

³¹ It has transformed into Parliamentary Assembly of the Mediterranean (PAM)

- Asia-Europe Parliamentary Partnership (ASEP)
Replies from: Finland, Italy (Chamber of Deputies), Belgium (Senate) [participation]
- Non-European States or Groupings of States Relations with European States
- Association of Asian Parliaments for Peace (AAPP)
Replies from: Cyprus, Russia (State Duma) [participation]
- Asia-Pacific Parliamentary Forum (APPF)
Replies from: Russia (State Duma) [participation]

5. Associations / Meetings of Secretaries General of Parliamentary Chancelleries

- Global Relations
- Association of Secretaries-General of Parliaments (ASGP)
Replies from: Poland (Senate) [member]
- Pan-European Relations
- Meetings of Secretaries General of PACE / ECPRD member Parliaments³²
Replies from: Poland (Senate) [participant]
- European Union Internal Relations / Governance
- Meetings of Secretaries General of EU Parliaments³³
Replies from: Croatia, Germany (Bundestag), Poland (Senate) [participant]

6. Meetings / Networks of Civil Servants of Parliamentary Chancelleries

- Global Relations
- Libraries and Research Services for Parliaments Section of the International Federation of Library Associations and Institutions (IFLA)
Replies from: Poland (Senate) [member]
- Pan-European Relations
- Network of the European Centre for Parliamentary Research and Documentation (ECPRD)
Replies from: Germany (Bundesrat), Poland (Senate) [members – correspondents]; Israel [observer]

³² The meetings are held simultaneously with the European Conference of Presidents of Parliaments.

³³ The meetings are held in advance (to prepare) the Conference of Speakers of the Parliaments of the EU.

- European Union Internal Relations / Governance
 - Network of the EU member and candidate states parliaments liaison officers for contacts with the Conference of Speakers of the Parliaments of the EU
Replies from: Poland (Senate) [liaison officer]
 - Network of the EU member and candidate states parliaments liaison officers for contacts with the European Parliament
Replies from: Poland (Senate) [liaison officer]
 - Network of the (Conference of Community and European Affairs Committees of Parliaments of the European Union) parliamentary delegations officers
Replies from: Austria, Belgium (Chamber of Representatives), Belgium (Senate), Germany (Bundesrat), Cyprus, Poland (Senate), Slovenia (National Council), United Kingdom (House of Commons, House of Lords) [parliamentary delegations officers]
 - Network of the IPEX (Interparliamentary EU Information Exchange)
Replies from: Poland (Senate) [correspondent]

Annex

B. What interparliamentary assemblies / conferences / associations / organisations ... does your parliament / chamber envisage joining, as a member, associate member, observer, ..., in a foreseeable future?

- Bosnia and Herzegovina
 - NATO
 - European Union
- Croatia
 - European Union
 - NATO
- Cyprus
 - Parliamentary Assembly of the Mediterranean
- France (National Assembly)
 - Parliamentary Assembly of the Mediterranean
- Germany (Bundesrat)
 - Euro-Mediterranean Parliamentary Assembly (EMPA) [change of the status from the current *observer* to a *member*]

- Lithuania
 - Lithuanian – Polish – Ukrainian Interparliamentary Assembly
- Macedonia / FYROM
 - COSAC
 - Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC)
- Poland (Senate)
 - Assembly of the Seimas of the Republic of Lithuania and the Sejm of the Republic of Poland
 - Meetings of the EU Committees of the Parliaments of the Visegrad Group (V4) States
 - Lithuanian - Polish - Ukrainian Interparliamentary Assembly
 - Network of Permanent Representatives of the EU member and candidate states parliaments to the European Parliament
- Portugal
 - Parliamentary Assembly of the Mediterranean (probably)

By Stanisław Puzyna

Complete responses to the questionnaire are available on the ECPRD website.

Additional materials

MARIA VALERIA AGOSTINI

Head of the International Affairs Department of the Italian Senate

The Parliamentary Dimension of the EU Mediterranean Neighbourhood Policy

Foreword

First of all I wish to congratulate, and not just formally, our colleagues of the Polish Senate for organising this informative seminar. I know it was not easy to define its agenda, given the number and the diversity of the bodies to be considered and their possible overlapping.

I believe the ECPRD and the European Conference of the Presidents of Parliaments represent an ideal forum where we can review the existing forms of permanent multilateral interparliamentary cooperation, which is the goal of this seminar. This forum provides a broader context than those including just EU countries and is likely to issue useful guidelines, also for the working group on the rationalisation of interparliamentary cooperation in Europe, which was established by the Conference of Presidents of European Union Parliaments.

This seminar has very ambitious objectives, namely:

- compiling an exhaustive and up-to-date list of the existing forms of permanent multilateral interparliamentary cooperation;
- categorising listed forms of interparliamentary cooperation along the lines of a legal and organisational basis;
- sketching out a brief history of their creation and existence as well as their achievements;
- describing formal and informal functions and competence.

My task is to address the parliamentary dimension of the EU Mediterranean neighbourhood policy. As we all know, the EU neighbourhood policy – which now includes the North-Eastern as well as the Southern borders of the European Union – was preceded, in the Mediterranean, by the Barcelona Process started in 1995.

The EU Mediterranean policy has changed since then: new elements have been introduced with regard to relations between the EU and its partners – where the bilateral dimension of Euro-Mediterranean cooperation has gained greater importance vis-à-vis the regional approach – and the financial support instruments – with the present MEDA programme expected to be replaced by a new “neighbourhood” instrument.

Interparliamentary cooperation has not changed as a result of the neighbourhood policy: the parliamentary dimension outlined by the Barcelona Process is still the present frame of reference, that has led to the creation of the Euro-Mediterranean Parliamentary Assembly (EMPA), which I will describe in more detail, as well as the Conference of the Presidents of Euro-Mediterranean Parliaments and the Euro-Mediterranean Forum of Women Parliamentarians, which I will describe more briefly.

I will then give a brief account of the other interparliamentary bodies of the Mediterranean area, with a view to providing a modest contribution to the objectives of this seminar. Those amongst us who attended the Conference of the Speakers of EU Parliaments held in Budapest last year will remember the address of the President of the Bundestag, which is also mentioned in the introduction to programme of this Seminar. Upon completion of the task he was given by the Hague conference, to make a survey on how to rationalise European interparliamentary bodies, Mr Thierse underlined the complexity of the issue and the difficulty of identifying a common approach and making recommendations. However, he mentioned three areas worthy of further consideration in terms of possible reforms. One of them was the Mediterranean.

It is unlikely that he had in mind specifically the parliamentary dimension of the Barcelona Process, or at least it is unlikely that he took it into consideration without placing it in the context of the wider range of interparliamentary bodies active in the area. I will therefore give an outline of such activity, so as to provide a more exhaustive picture for those who will have to draw the conclusions of this seminar.

The parliamentary dimension of Mediterranean partnership: Euro-Mediterranean Parliamentary Assembly, Conference of the Speakers of Euro-Mediterranean Parliaments and Euro-Mediterranean Forum of Women Parliamentarians

As is known, the Euro-Mediterranean Parliamentary Assembly (EMPA) is the core body of the Barcelona process. It draws its origin from the Barcelona Declaration of 1995, which established the Mediterranean partnership. The parliamentary dimension was part of the work programme from the start. In particular, paragraph V reads: “The European Parliament is invited to take the initiative with other parliaments concerning the future Euro-Mediterranean Parliamentary Dialogue, which could enable the elected representatives of the partners to exchange ideas on a wide range of issues.”

The European Parliament followed up on the invitation made in Barcelona, and in October 1998 it officially established the Euro-Mediterranean Parliamentary Forum. Following a process which included the drafting of rules of procedure by an ad hoc working group, the Forum adopted a recommendation – at its fifth meeting held in Naples on 2-3 December 2003 – concerning its transformation into a Euro-Mediterranean Assembly. The subsequent Conference of Foreign Ministers endorsed the recommendation, effectively making the new Assembly a partnership institution.

The Assembly has 240 members; of these, 120 are appointed by each of the 10 Mediterranean partners (Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, Turkey and Palestinian Authority), 45 by the European Parliament, and 75 by EU national parliaments (three for each member state). This uncommon form of membership is the result of a complex mediation work conducted during the drafting of the rules of procedure. Three different needs had to be taken into account:

- ensure an equal representation from the Northern and the Southern shore of the Mediterranean;
- strike a balance between the representations of the European Parliament and the EU national parliaments;
- keep the total number of Assembly members within reasonable limits.

As a result, EMPA membership differs from the model prevailing in other complex interparliamentary bodies, where representation is usually proportional to the size of each national parliament. Within the Euro-Mediterranean Assembly the parliaments from the Southern shore are in principle entitled to appoint up to 12 members each, while those of the Northern shore may not appoint more than three each. As a consequence,

bicameral parliaments have to find ways to ensure a balanced representation or adopt rotation mechanisms.

The European Parliament enjoys broad representation, because the Assembly was set up by the European Parliament and because it is meant to represent a parliamentary dimension of EU policy.

The composition of the bodies forming the Assembly meets the same requirements and derives from the same principles. Each of its three committees – roughly mirroring the three baskets of partnership (political and security; economic and financial; social, cultural and human) – includes eighty members: half from South Mediterranean countries, fifteen from the European Parliament, the remaining twenty-five from the Parliaments of North Mediterranean EU member countries, so that each member State of the European Union has one representative in each committee. The Assembly Bureau, in turn, includes four members (two from Mediterranean third countries, one from the European Parliament, one from a national Parliament), who take yearly turns at the Presidency.

In 2005, the EMPA Bureau agreed to set up an Assembly's *ad-hoc* committee on women's rights in the Mediterranean, composed mostly or entirely by women. This committee is chaired by Mrs Grazyna Ciemniak, of Poland.

The two principles of equal representation of European and third-country parliaments and balance of EP and national parliaments within the European component also informed the voting system of the Assembly, which is almost as complex as that of the EU Council of Ministers. Assembly Rule 9 (3) states that:

"The Assembly shall act by consensus and in the presence of half of the delegations plus one within each of the two component parts of the Assembly, namely, the European component and that of the partner countries.

When it is not possible to reach a consensus, the Assembly shall adopt its decisions by a qualified majority of at least four-fifths of the votes of the representatives from each of the two parties of the European component and of at least four-fifths of the votes of the representatives from the partner countries."

Although complex, the voting system has so far proved effective. Highly qualified majority votes have indeed been taken and this has produced positive results in terms of greater balance of the documents thus agreed.

As a consulting body operating in the framework of the so-called Barcelona process, the Assembly may issue resolutions and recommendations on any aspect relating to partnership programmes. When so requested by the Ministerial conference, it may issue opinions.

Relations with the governmental dimension of the partnership are ensured by the participation of European Commission and Ministerial Conference representatives in Assembly sittings and by the transmission of Assembly resolutions and recommendations to the European Commission and Council. Every resolution adopted by the Assembly is included in the agenda of the meetings of the Committee of Senior Officials.

Obviously, the Assembly's power of influence is affected by the difficulties encountered by the Barcelona process both in the creation of a free trade area and on more strictly political issues. Nor has the Assembly failed to occasionally echo tensions deriving from the dramatic situation in the Middle East. However, the EMPA accounts for the only forum of inter-parliamentary dialogue between Israel and Palestine, an element not to be neglected.

As mentioned above, the Euromediterranean partnership also originates a Conference of Presidents of Euro-Mediterranean Parliaments. Such body met for the first time in Palma de Mallorca in 1999, immediately after the establishment of the Euromediterranean Forum. It now meets roughly every second year and lacks well-defined structures and procedures. Debates are usually focused on the three baskets of partnership. At the end of each meeting, final conclusions are agreed by consensus.

The Women's Forum, instead, has adopted its own rules, which give it the task of monitoring the implementation of international conventions and plans of action safeguarding women's rights and promote the affirmation and implementation of the principle of equal opportunity between men and women in national legislation and government policies. It is formed by delegations of four women parliamentarians from each of the countries signatory to the Barcelona process. The Forum also includes four women members of the European Parliament. Such body is scheduled to hold a plenary session a year in the country having the rotating presidency. The Forum has met four times, the last of which in Amman, Jordan, in 2003.

Other interparliamentary bodies operating in the Mediterranean area: NATO Parliamentary Assembly's Mediterranean Special Group (GSM); Conference of Presidents of the 5+5 Dialogue; Conference of the Presidents of the Adriatic-Ionic Initiative; Mediterranean Assembly

A close look at other bodies operating in the Mediterranean region will identify four further fora of parliamentary dialogue.

First and foremost, owing to the strategic importance of the Assembly it belongs to, is the Mediterranean Special Group of the NATO Parliamentary Assembly (GSM). This parliamentary initiative was created after NATO's North Atlantic Council established the so-called Mediterranean Dialogue.

The membership and scope of the parliamentary forum are much broader than the governmental dimension. In addition to the 26 NATO countries, parliaments from 11 South Mediterranean countries are invited to participate, namely: Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Mauritania, Morocco, Palestinian Authority, the Syrian Arab Republic and Tunisia. Of these, five have Mediterranean associate status (namely, Algeria, Israel, Jordan, Mauritania and Morocco) and four have observer status (i.e., Cyprus, Egypt, Palestinian Authority and Tunisia). Dialogue and partnership opportunities are increasing also with countries in the Gulf region.

In these nine years following its establishment, the GSM has become an important part of the NATO Assembly's agenda, thus mirroring the growing importance of the Mediterranean agenda in NATO proper. This increasing relevance has recently found expression in the Assembly Rules. At its Annual Session in Venice in November 2004, the Assembly has amended its Rule 35 by inserting appropriate provisions for the GSM, which has thus attained a status similar to that of a large regular committee.

Among the other Mediterranean standing bodies, mention should also be made of two informal gatherings of presiding officers of Parliament, set up to mirror parallel governmental structures: the Conference of the Presidents of the Adriatic-Ionic Initiative and the Conference of Presidents of the 5+5 Dialogue.

The Parliamentary dimension of the Adriatic-Ionic Initiative, a parallel body to the governmental dimension established in May 2000 in Ancona, Italy – held its first conference in Zara in April 2001. Its fourth conference was held in 2004. It gathers seven countries of the Adriatic-Ionic area. Three are members of the EU (Greece, Italy and Slovenia) and three are non-EU member states (Albania, Bosnia and Herzegovina, Croatia, Serbia and Montenegro).

The Conference of the Presidents of Parliaments of the 5+5 Dialogue Countries was established in February 2003. Its latest meeting was held last year in Rabat, Morocco. It comprises five countries of the Northern shore (France, Italy, Malta, Portugal, Spain) and five countries of the Southern shore belonging to the Arab Maghreb Union (Algeria, Libya, Mauritania, Morocco and Tunisia). It provides a parliamentary dimension to the 5+5 Dialogue, an informal discussion and co-operation forum among the Foreign Ministers of Western Mediterranean countries aiming almost exclusively at keeping the dialogue with Libya open.

Both latter interparliamentary institutions do not have internal bodies and, although they now tend to meet yearly, they lack a proper regulatory and organisational structure. Meetings are held depending on the willingness of individual members to host them and end with a final declaration adopted by consensus.

The Parliamentary Assembly of the Mediterranean is quite a different body. It originates from a body established in 1992 within the Inter-Parliamentary Union, called Interparliamentary Conference on Security and Cooperation in the Mediterranean (CSCM) after the Conference on Security and Cooperation in Europe (CSCE) on the relations between the West and Eastern Europe.

The Fourth Conference was held in Nafplion (Greece) in February 2005. It agreed to institutionalise and transform the CSCM process into this new Assembly, which should give itself its own rules of procedure, a budget and a secretariat starting from 2007.

As many of us are aware, this decision met the firm opposition of the European Parliament which, through its President, invited all presiding officers of Parliaments not to detail national delegations in order to avoid costly duplications in an area already covered by the Euro-Mediterranean Parliamentary Assembly.

Recently, however, members of this soon-to-be-established Mediterranean Assembly discussed relations with the EMPA during a preparatory meeting of the inaugural session which was held in Naples and agreed that the project to institute a new Mediterranean Assembly should be continued. They held that the two bodies may supplement one another and stressed that all members shall enjoy equal status in the new Assembly.

It is not up to us to go into the details of this controversy. But it might be useful to juxtapose analogies and similarities between the regional interparliamentary bodies, in terms of the geo-political areas they cover, their nature and their relevance on multi-lateral decision-making bodies:

- Geo-political areas

The maps attached show the countries participating in each interparliamentary body. The two smaller conferences of Presidents of Parliaments cover only part of the Mediterranean (5+5 in the West, Adriatic-Ionic in the East). The Mediterranean Assembly, instead, covers the whole basin and all 23 countries bordering on the Mediterranean.

The parliamentary bodies of Euromediterranean Partnership (EMPA, Conference of Euromediterranean Presidents, Women's Forum) connect the ten Southern countries participating in the Barcelona process with the 25 EU countries, thus virtually reaching out to Central and Northern Europe. The NATO Assembly's Mediterranean Special Group gathers European and Mediterranean countries around a table with the United States and Canada.

- Nature

All three conferences of Presidents are informal fora. The Mediterranean Assembly and the EMPA are regulated by rules on their composition, power, scope and procedures. The NATO Assembly's GSM is recognised and regulated in the Assembly Rules of procedure.

- Possible relevance on multi-lateral decision-making processes

It was noted that the NATO Assembly's GSM was established to mirror the Mediterranean Dialogue within the Atlantic Alliance. It was also noted that the Conference of Presidents of 5+5 Dialogue Countries and the Conference of Presidents of the Adriatic-Ionic Initiative mirror to meeting fora of Foreign Ministers. The Mediterranean Assembly, instead, lacks a governmental counterpart.

In this connection, the EMPA has an advantage over the others. As has been mentioned, it has links not just with the national parliaments, but also with the EU institutions and the intergovernmental bodies of the Euromediterranean partnership (Conference of Foreign Ministers, Euro-Med Committee, Committee of Senior Officials)

Conclusions

Different approaches might arise to rationalize Mediterranean inter-parliamentary bodies.

In the framework of the parliamentary dimension of partnership, a first attempt could be made with the Forum of Euro-Mediterranean Women Parliamentarians. Talks are under way with a view to merging it with the

EMPA's *ad-hoc* Committee on Women's Rights. The proposal was accepted at the Paris meeting of the Coordinating Committee of the Forum, under French presidency. The first meeting of the EMPA's *ad-hoc* Committee, held in Warsaw on 28 March 2006, expressed a different view. Two types of considerations, however, might suggest that further developments are possible. Firstly, the two bodies have identical membership and pursue identical objectives, which accounts for an apparent duplication. Secondly, the EMPA committee is more relevant, because its resolutions, once agreed and endorsed by the plenary, are submitted to the governmental counterpart of the Euro-Mediterranean partnership and the EU institutions.

Two questions remain to be solved with the EMPA committee: national representation and gender representation. The two bodies are quite different in terms of their national representation. The Forum requires the inclusion of four women in each national delegation and the delegation of the European parliament. The *ad-hoc* Committee – like the whole EMPA – is more tilted towards the South and the European Parliament, in that of its 40 members, 20 are from the South, 8 from the EP and only 12 from national delegations. Thus, there are not enough seats to have all EU member country delegations represented in that body.

As to gender representation, the idea that the Committee should be formed wholly or at least mostly by women may not be put into practice in the short term, because women are a tiny minority within the EMPA.

These problems might be overcome by adopting measures, such as:

- raising the number of committee members from forty to eighty, like other EMPA committees;
- including a woman delegate in all-male delegations, so that such extra member may participate in meetings of the *ad-hoc* Committee.

When the time comes to appoint a new delegations, each Parliament might be expected to pay closer attention to the oft-neglected Rule 2(4), which calls on member Parliaments to ensure that women parliamentarians are included in their delegations, subject to domestic laws.

Another way to rationalise Mediterranean bodies might be by making the Conference of Presidents of Euro-Mediterranean Parliaments the only occasion when presiding officers of parliaments meet. This would be a natural development if the 5+5 Dialogue were dropped following Libya's inclusion in the partnership and the Adriatic-Ionic Initiative were made redundant by an EU enlargement to the West Balkans.

In this context, the Conference of Euro-Mediterranean Presidents would take on a role more suitable for a conference of Speakers and more similar to

the role that the Conference of the Presidents of European Union Parliaments has given itself through the adoption of Article 2, which explicitly bans the holding of political debates and sets the protection and promotion of the role of Parliaments through the exchange of experiences, the promotion of studies and common initiatives on issues relating to the role of Parliaments and the organisation of Parliamentary business as the aim of the conference.

The future of the Mediterranean Assembly and the NATO Assembly's Mediterranean Special Group (GSM) is more difficult to foresee. It might depend on international developments. The GSM plays an important role in that it is the only forum of interparliamentary Mediterranean dialogue where the US participates. The Mediterranean Assembly, however, has the advantage of including all countries bordering on the Mediterranean on an equal footing. It might however turn out to be the venue of fruitless dialogue, because it lacks a governmental dimension and because neither the EU nor the US are members of it.

The scenario might change if the proposal made by Italy and Spain in the 1990s were revived, to create a Conference on Security and Co-operation in the Mediterranean (CSCM) on the same lines as the CSCE in Europe, which contributed to bringing the Cold War to an end. In this case, the Mediterranean Assembly to be established within the framework of the Interparliamentary Union might become a blueprint for the parliamentary dimension of an invaluable dialogue for peace in the Middle East. But, as is universally acknowledged, this dialogue will not produce any concrete results unless the US is engaged. And beyond the US, according to a widespread opinion, also China and Russia should be involved, in the framework of the United Nations.



**Assembly of Western European Union
The Interparliamentary European Security and Defence Assembly**

Contribution to the ECPRD Seminar on Supranational Parliamentary and
Interparliamentary Assemblies in 21st Century Europe
Warsaw, May 8–9, 2006

MICHAEL HILGER

Interparliamentary scrutiny of European foreign, security and defence policy

A short presentation of the Assembly of WEU / European Interparliamentary Security and Defence Assembly

The Assembly of WEU, composed of delegations from national parliaments, is a treaty-based European assembly responsible for security and defence matters and is held to be “a model for interparliamentary cooperation as far as the debate on these issues is concerned”¹. The Assembly, which has no executive role but a wide range of consultative powers, was founded as the parliamentary counterpart of the WEU Council in 1954 by the Paris Protocols modifying and completing the 1948 Brussels Treaty on European security and defence cooperation². The Assembly held its first session in 1955 in Strasbourg. Today, it is based in Paris near the Trocadero. Article V³ of the Treaty contains

¹ Luc Frieden, Luxembourg’s Defence Minister representing the dual WEU and EU Presidency during the Assembly’s plenary session in December 2004.

² The official title is: “Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, signed at Brussels on March 17 1948, as amended by the Protocol modifying and completing the Brussels Treaty, signed at Paris on October 23, 1954”.

³ “If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power.”

an unconditional mutual defence clause which links the security of WEU full member countries to NATO (Article IV)⁴. Article IX⁵ established the Assembly, to which, today, 37 countries are entitled to send parliamentary representatives with varying types of status. Included among those countries are all the EU member states and European NATO members, as well as all the Balkan states. Delegations from Russia and Ukraine are permanent guests. The Assembly currently has almost 400 members. Their delegations reflect the size of the countries concerned and the spectrum of political groupings represented in their parliaments. As far as the 10 full member countries are concerned, their parliamentary representatives are identical to those within the Parliamentary Assembly of the Council of Europe.

Membership of the Assembly of WEU: Parliamentarians have different voting and participation rights depending on the status of their delegations.

Full Members	Affiliate Members	Affiliate Associate Members	Affiliate Associate Partner
Belgium 	Czech Republic 	Bulgaria 	Croatia 
France 	Estonia 	Romania 	FYROM 
Germany 	Hungary 	Permanent Observers	
Greece 	Latvia 	Austria 	Permanent Guests
Italy 	Lithuania 	Denmark 	Russian Federation 
Luxembourg 	Poland 	Finland 	Ukraine 
Portugal 	Slovak Republic 	Ireland 	Special Guests
Spain 	Slovenia 	Sweden 	Albania 
The Netherlands 	Associate Members		Bosnia and Herzegovina 
United Kingdom 	Iceland 	Affiliate Permanent Observers	
	Norway 	Cyprus 	Serbia and Montenegro 
	Turkey 	Malta 	

With the adoption of the Treaty of Nice leading, in 2000, to the transfer of the exercise of most of WEU's operational functions to the European Union the question of the parliamentary scrutiny of the new ESDP policy the EU had inherited from WEU was left open. The powers of the European Parliament set out in Article 21 of the TEU were not extended, while the WEU Assembly was sidelined by a removal of the provision in the EU Treaty which had made WEU

⁴ "In the execution of the Treaty, the High Contracting Parties and any Organs established by Them under the Treaty shall work in close co-operation with the North Atlantic Treaty Organisation. Recognising the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military matters."

⁵ "The Council of Western European Union shall make an annual report on its activities [...] to an Assembly composed of representatives of the Brussels Treaty Powers [...]"

an integral part of the development of the EU. The governments of the member states, however, acknowledge and support the Assembly as a forum for strategic reflection on European security and defence-related issues. The Assembly was therefore encouraged to establish itself as the interparliamentary platform of the European Security and Defence Policy (ESDP) with a view to scrutinising European intergovernmental activities in all areas of security and defence, including armaments cooperation. In the absence of any formal recognition of that role in the EU Treaty, but in the light of the continuing validity of the modified Brussels Treaty, WEU Assembly members act on the basis of the parliamentary instruments provided for within the WEU legal framework. These are defined in the modified Brussels Treaty, the Assembly's Charter, Rules and Procedures and in agreements between the WEU Council and the Assembly.

In practice, a system known as double-hatting between the EU and WEU helps facilitate the dialogue between the parliamentarians of the Assembly and their governments on the latter's activities at the EU level. Double-hatting applies to the EU High Representative responsible for the CFSP (Common Foreign and Security Policy) and ESDP (European Security and Defence Policy), Javier Solana, who is also WEU's Secretary-General. The foreign affairs and defence ministers of EU and WEU member states sit on both the EU and WEU ministerial councils. The members of the EU's intergovernmental decision-making body for foreign affairs, security and defence matters, the EU's Political and Security Committee (PSC), are the same government representatives that sit on the WEU Permanent Council in Brussels. Thus, *de facto*, there is an interparliamentary structure available to national parliaments for dealing with CFSP and ESDP matters. *De jure*, however, double-hatting does not apply in the parliamentary area. Legally speaking, a "WEU parliamentarian" is not necessarily regarded as an "EU-parliamentarian" even though she, or he, is a member of the national parliament of an EU member country. In today's political reality, **member countries'** ministers naturally continue to address their parliamentarians and discuss ESDP at the Assembly's plenary sessions and regular meetings take place between the Assembly's committees and the members of the EU Political and Security Committee/WEU Permanent Council. In an area as sensitive as security and defence, EU governments look for strong democratic legitimacy. They need the support of national parliaments. The Assembly provides the interparliamentary support for intergovernmental action. (It should be recalled that Protocol 24 of the European Constitutional Treaty makes provision for enhanced cooperation between WEU and the EU).

CFSP and ESDP – fast growing intergovernmental policy areas under whose scrutiny?

Within the EU, intergovernmental cooperation both under the CFSP (Common Foreign and Security Policy) and ESDP (European Security and Defence Policy) constitute fast growing policy areas. This is particularly evident in regard to crisis management which the EU took over from WEU in 2000. Currently, 11 missions are taking place on four continents: these range from civil advisory and training missions in Kinshasa or Odessa to Operation Althea in Bosnia Herzegovina, the biggest military EU deployment to date (more than 6 000 troops).

In Brussels, the EU has established permanent decision-making structures for its civil and military crisis-management operations (Political and Security Committee (PSC), Military Committee, Military Staff). Government representatives meet and take decisions on the basis of the instructions they receive from capitals about the kind of missions to be undertaken, cost sharing and – in the case of military missions – the number of troops to be deployed and under whose command. The PSC is also responsible for the day-to-day running of operations.

**The Convention's unfinished business: The democratic paradox of ESDP
– European parliamentarians are informed but do not decide,
national parliamentarians decide but are not properly informed**

The practice described above, whereby the WEU structure is used to serve an EU purpose as far as ESDP is concerned, does not satisfy entirely. That is why the national parliamentarians who make up the Assembly are promoting the transfer of the WEU interparliamentary *acquis* to the EU, including the setting up of an interparliamentary body in the EU framework. The Convention and the Intergovernmental Conference on the European Constitutional Treaty that followed it made a degree of progress in that direction. However, because a majority did not want “any new institutions”, the solution suggested in the Constitutional Treaty offers new possibilities for interparliamentary cooperation, but stops short of an interparliamentary body along the lines of the existing assemblies. In particular, it places no legal obligation on the EU Council to deal with a body in which national parliamentarians come together.

As far as parliamentary scrutiny of governments goes, a distinction must be drawn between national parliaments and the European Parliament, and in the case of the national parliaments, a further distinction is necessary between their activities at national and at European level.

At national level, individual national parliaments exercise democratic scrutiny over the government of their country. There are major differences between the powers of parliaments vis-à-vis governments. Some parliaments have far-reaching powers, others less so. But what they all have in common is the final word on their country's defence budget, and many have a decisive say in the deployment of troops abroad, even if the decisions to launch such an operation are taken at the European level in the framework of the European Security and Defence Policy. Parliamentarians also provide the most effective channel of communication between politicians and the citizens for whose benefit policy is made.

But a national parliament has difficulty obtaining information about the ESDP decision-making process taking place at the European level. It has no regular access to the European institutions and therefore relies almost exclusively on its own government, which supplies it with information according to national policy criteria. National parliaments have to assess decisions taken in the EU without being represented at that level, whereas the governments themselves consult one another regularly in the EU Council.

That is why, in other cases of intergovernmental cooperation, such as in NATO or the OSCE, national parliaments engage in interparliamentary cooperation (between parliamentarians from different countries) and look to the intergovernmental executive of the Presidency for the necessary exchange of information, dialogue and consultation (for instance the regular dialogue between the NATO Parliamentary Assembly and the NATO Secretary-General, or the exchange of views of the OSCE Parliamentary Assembly with the OSCE-Presidency).

In contrast, the European Parliament is informed about CFSP and ESDP developments on the basis of Article 21 of the Treaty on European Union and of inter-institutional agreements with the Council. It regularly receives information either from the Presidency or from the CFSP High Representative. Also, in Brussels, MEPs' proximity to the European Council offers many possibilities for informal dialogue.

This results in a democratic paradox: National parliaments decide on the financial and other means provided for the CFSP and ESDP, but they lack both the structure (no interparliamentary EU body with which to engage in interparliamentary dialogue) and the information (no regular dialogue with the EU Executive) they require to fulfil their constitutional task of scrutiny over their governments at national level. At the same time, European parliamentarians are kept informed but do not vote defence budgets.

Still, some say national parliaments should only scrutinise their national governments at home. However, research undertaken by the Free University of Brussels for a WEU Assembly report on how national parliaments monitor troop deployments shows that ESDP missions tend to generate less parliamentary debate, fewer questions to government and fewer hearings of the government representatives responsible for this area than do other military deployments. The findings of the report also indicate that parliamentarians who are members of the WEU Assembly are better informed about ESDP missions than those reliant only on national sources.

In future, the European Parliament, which already plays an important role in scrutinising the EU's common budget earmarked for the CFSP, may or may not be given more responsibility for foreign, security and defence policy, for instance under a strengthened version of Article 21 of the Treaty on European Union. What is likely is that national governments will retain their decision-making prerogatives, even in the event of further "Brusselisation" of that policy area.

This means that parliamentary oversight of CFSP and ESDP is not a task exclusive to one body. The European Parliament and the national parliaments of the EU member states have complementary not competing prerogatives. Ideally, both cooperate as much as possible, drawing benefit from one another's strengths.

An assessment of the provisions of the Constitutional Treaty on the role of national parliaments and the potential of the interparliamentary model for improved involvement of national parliaments in CFSP and ESDP

The solution proposed by the Convention, which is contained in a protocol⁶ appended to the Constitutional Treaty, tasks both the European Parliament and the national parliaments with organising interparliamentary cooperation in the EU. Moreover, the protocol offers a "conference of Parliamentary Committees for Union Affairs" (possibly composed, like the present-day CEAC - also known by its French acronym COSAC - of representatives of national parliaments and the European Parliament) the possibility of holding interparliamentary conferences on foreign, security and defence policy matters.

⁶ Protocol on the role of national Parliaments in the European Union: "The European Parliament and the national Parliaments shall together determine how interparliamentary cooperation may be effectively and regularly organised and promoted within the European Union" and "a conference of Parliamentary Committees for Union Affairs [...] may also organise interparliamentary conferences on specific topics, in particular to debate matters of common foreign and security policy and of common security and defence policy [...]"

What is the potential of the Constitution's provisions? Today, cooperation between the European Parliament and national parliaments is limited to meetings between the European Parliament and national parliamentary committees responsible for monitoring the CFSP and the ESDP. Some of those meetings take place on a regular basis (for instance those between **the chairmen of the foreign affairs committees of the national parliaments and the European Parliament**); others are of a more *ad hoc* nature. In the absence of any formal obligation they depend entirely on the willingness of the relevant Council or Commission bodies to address such meetings. None produces detailed reports or other documents of substance. No recommendations are voted. Yet these kinds of documents are crucial in order to provide the public with parliamentarians' assessment of intergovernmental action and to render the actions of governments more transparent. One outstanding feature of existing interparliamentary assemblies is the wealth of reports and recommendations resulting from the discussion and voting in committee that takes place there. Moreover, in many parliaments, the committee chairman is automatically drawn from the party in government. Hence such parliamentary exchanges run the risk of simply mirroring discussions at intergovernmental level and omitting other major sections of opinion represented in national parliaments.

The **Conference of European Affairs Committees (CEAC)** was originally set up to deal with the community aspects of the EU. It is not an interparliamentary assembly although it has some of the characteristics of one. It has a good record of attendance of government representatives, although normally only from the country hosting the conference. CEAC is made up of members of the European Parliament and of the national parliaments of EU member states. Every country, including countries with bi-cameral parliaments, sends only six parliamentarians. The small size of the delegations raises questions as to whether they are an adequate reflection of their countries' dimension (its political and military weight) and the political groups represented in the national parliament. CEAC does not vote on recommendations but publishes "conclusions" drafted by the head of the delegation of the host country.

So, even before the future of the European Constitution was called into question by the "no" vote in the referendums held in France and the Netherlands, there had been little progress in the area of cooperation between the European Parliament and national parliaments. The weakness of the "conference" model is that though it may provide for interparliamentary exchanges of views, it does not necessarily entail dialogue with the EU Executive.

If national parliaments cannot carry out their tasks properly without collective access to the European level and if the solutions put forward in the Constitutional Treaty do not carry sufficient conviction, what of the model of the interparliamentary assembly? Its added value depends on a number of factors:

The composition of the interparliamentary body: Normally, interparliamentary assemblies reflect the size of the member countries and the political groupings represented in the national parliaments. A decision needs to be made about the size of delegations to the EU interparliamentary body. Delegations based on those of the representatives of parliaments to the Council of Europe would give a total of 396 members (the European Parliament by comparison currently has 732 members). Another aspect of the membership issue is whether, within the interparliamentary body, sufficient representatives could be found among members sitting on the foreign affairs, European affairs and defence committees of national parliaments.

The information flow between the EU Council and the interparliamentary body: An obligation on the EU Council to provide the interparliamentary body with oral and written reports of its intergovernmental activities would help initiate and facilitate the dialogue between parliamentarians and governments. These and other EU documents would provide the basis for the scrutiny work of the interparliamentary body. Members must also have the opportunity to put oral and written questions to the EU Council to which it should be obliged to reply within a reasonable time frame.

A closer look at the interparliamentary acquis of the WEU Assembly: Governments are obliged to inform national parliamentarians

Article IX of the modified Brussels Treaty obliges WEU member governments to provide the Assembly with a written annual report on their security and defence activities. The report is referred to the Assembly's six permanent Committees⁷ for examination and forms the basis of their political work and recommendations voted by the Assembly's members.

Moreover, in the case of the WEU Assembly, the report has to be provided *collectively* by the governments represented in the WEU Council. Such a report can therefore carry much more political weight than a mere presentation by a

⁷ The main political work is done by the Defence Committee, the Political Committee, the Technological and Aerospace Committee, and the Committee for Parliamentary and Public Relations. Apart from preparing reports on matters referred to them by the Assembly, the committees regularly organise public colloquies on topical security and defence questions and armaments cooperation, including especially the technological and aerospace aspects. Other Committees are the Budget and Administration Committee and the Committee for Rules and Procedures.

single government representative (“the Presidency”) or member of the executive (“the Secretary-General”) which does not bind the Council as a whole. On the other hand, a collective document can only reflect consensus and could thus be of limited interest. Therefore, at the plenary sessions, held twice-yearly, normally in June and December, the annual report is presented orally by the Chairman-in-Office of the Council (a minister representing the Presidency), who generally continues with a statement on his government’s policy on security and defence issues. He then answers oral questions from members, both in his capacity as Chairman-in-Office and as Minister for Foreign Affairs of his country. Any member of the Assembly may also put written questions to the Council.

As part of the work in committee, Rapporteurs appointed from among committee members submit draft reports and recommendations. In preparing their recommendations Rapporteurs meet government representatives, officials from intergovernmental organisations such as the EU and NATO, representatives of the military and independent experts. Following debate in committee of reports in reply to the annual report of the Council, the Assembly votes on the draft recommendations they contain. *The Council is obliged to reply to recommendations adopted by the Assembly.* No similar obligation exists in any interparliamentary organisation other than the Council of Europe.

Sometimes replies to written questions and recommendations are very succinct, but as more and more governments realise the potential for information flow, answers are becoming much fuller and more comprehensive (see separate document).

Furthermore, the replies to the following questions could determine the potential of the EU interparliamentary body to redress the weaknesses of the conference models:

- Does the interparliamentary body have the freedom (and means) to set up standing committees?
- Does the interparliamentary body have the possibility of drafting reports and taking a formal vote on recommendations?
- Do the parliamentarians have a permanent international staff at their disposal?
- How is the feedback between the interparliamentary body and the national parliaments organised?
- Do national parliaments allow for regular debates on the results of work done in the interparliamentary body?
- Would it have a permanent headquarters (Brussels?) or would it travel to hold plenary sessions in the capitals of the different EU member states?

There is some potential in the Constitutional Treaty and its Protocols for establishing within the EU regular interparliamentary cooperation within the

European Union. However, it is questionable whether the conference model they propose, with all the shortcomings described above, can provide the kind of interparliamentary instruments the national parliaments of the EU member states need to carry out their national constitutional tasks. Nevertheless, it is up to the European Parliament and, in particular, the national parliaments, to build on the possibilities opened by the Constitution in order to determine how to organise and promote effective and regular interparliamentary cooperation within the EU and to create the appropriate instruments within the EU framework. If the Constitutional Treaty were to become subject to a new round of negotiations between member states, the new opportunity this would offer to enhance its provisions on the role of the national parliaments should be seized without hesitation. The current wording could be improved so as to better involve the national parliaments in the intergovernmental policy areas of the EU and to create an obligation for the Council to be accountable to them. Indeed, European governments must be persuaded that it is in their own interests to establish at European level a process of regular structured dialogue and consultations with a body in which national parliamentarians of all member countries are represented.



NATO Parliamentary Assembly

Presentation
by
David Hobbs
Deputy Secretary General

1



What's in a name?

1955	<ul style="list-style-type: none"> •Conference of Members of Parliament •NATO Parliamentarians' Conference 	
1966	•North Atlantic Assembly	
1999	•NATO Parliamentary Assembly	

2



The Assembly's Original Goals

• Enhance Transatlantic solidarity



• Provide a link between member parliaments and NATO authorities

• Promote the aims of the Alliance



3



Article 2 of the Washington Treaty



*“The Parties will contribute toward the further development of peaceful and friendly international relations by **strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being.** They will seek to **eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them.**”*

4

Additional Goal

- Provide a link between the parliaments of NATO and those of NATO Partnerships

Original Goals

- » Enhance Transatlantic solidarity
- » Provide a link between member parliaments and NATO authorities
- » Promote the aims of the Alliance

5

Membership of the Assembly

	Belgium	7		Lithuania	4
	Bulgaria	6		Luxembourg	3
	Canada	12		Netherlands	7
	Czech Rep	7		Norway	5
	Denmark	5		Poland	12
	Estonia	3		Portugal	7
	France	18		Romania	10
	Germany	18		Slovakia	5
	Greece	7		Slovenia	3
	Hungary	7		Spain	12
	Iceland	3		Turkey	12
	Italy	18		United Kingdom	18
	Latvia	3		United States	36

6

Associate Members

	Country	Number of Members
	Albania	3
	Armenia	3
	Austria	5
	Azerbaijan	5
	Croatia	3
	Finland	4
	FYR Macedonia	3

	Country	Number of Members
	Georgia	4
	Moldova	3
	Russian Federation	10
	Sweden	5
	Switzerland	5
	Ukraine	6

Parliamentary Observer Delegations

	Country	Number of Members
	Australia	3
	Bosnia and Herzegovina	3
	Egypt	3
	Japan	3
	Kazakhstan	3
	Palestinian Legislative Council	3
	Serbia and Montenegro	3
	Tunisia	3

Mediterranean Associate Members

	Country	Number of Members
	Algeria	6
	Israel	4
	Jordan	4
	Morocco	6

Other Delegations

	European Parliament	10-Member delegation, quasi - associate status
	OSCE PA	3-Member delegations invited to sessions and seminars
	Assembly of Western European Union	
	Parliamentary Assembly of the Council of Europe	

Committees and Sub-Committees



Committee	Sub-Committee
Civil Dimension of Security	<ul style="list-style-type: none"> •Democratic Governance
Defence and Security	<ul style="list-style-type: none"> •Future Security and Defence Capabilities •Transatlantic Security and Defence Cooperation
Economics and Security	<ul style="list-style-type: none"> •East-West Economic Co-operation and convergence •Transatlantic Economic Relations
Political	<ul style="list-style-type: none"> •NATO Partnerships •Transatlantic Relations
Science and Technology	<ul style="list-style-type: none"> •Proliferation of Military Technology

11

Other fora:



•Mediterranean Special Group



•NATO - Russia Parliamentary Committee



•Ukraine - NATO Interparliamentary Council



12

Outline of Typical Yearly Programme



Plenary Sessions - Spring and Autumn



13

Typical Yearly Programme



- 3-4 Rose-Roth Seminars
- 1 Parliamentary Transatlantic Forum, Washington DC
- 2 Mediterranean Seminars
- 1 Joint Committee Meeting ("February Meetings") Brussels and Paris
- 1 Joint Committee Meeting in Moscow
- 1 Committee meeting in Kiev
- 16 sub-committee meetings
- 1 Mediterranean Group Meeting
- 1 Annual Study Visit
- 2 Meetings of the NATO Ukraine Interparliamentary Council
- 2 NATO - Russia Parliamentary Committee Meetings
- 1 Standing Committee meeting
- 1 New Parliamentarians Programme
- 2-3 ESDP Hearings at the European Parliament
- 2-3 EAPC seminars / workshops
- 2-3 Parliamentary Staff Training Courses
- 4-5 Presidential Visits



14



Committee Focus

Civil Dimension of Security	<ul style="list-style-type: none"> • Bosnia, 10 years after Dayton
<i>Special Report</i>	<ul style="list-style-type: none"> • NATO and Civil Protection
<i>Sub-Committee on Democratic Governance</i>	<ul style="list-style-type: none"> • Regional Cooperation in the Black Sea Region

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Committee Focus

Defence and Security	<ul style="list-style-type: none"> • NATO Transformation: Operational Aspects
<i>Sub-committee on Future Security and Defence Capabilities</i>	<ul style="list-style-type: none"> • NATO's Role in South Caucasus Security
<i>Sub-committee on Transatlantic Security and Defence Co-operation</i>	<ul style="list-style-type: none"> • Transatlantic Relations and Changes in US Forward Deployment

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Committee Focus



Economics and Security

- Trends in Global Energy Markets and their Strategic and Economic Implications

Special Report

- African Development and G-8 Commitments

Sub-committee on East-West Economic Co-operation and Convergence

- The Transition Crisis in Ukraine

Sub-Committee on Transatlantic Economic Relations

- Economic Development in China's Western Regions

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Committee Focus



Political Committee

- Afghanistan and the Future of the Alliance

NATO Partnerships

- Central Asian Security - the Role of NATO

Transatlantic Relations

- Iran - a Challenge for Transatlantic Cooperation

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Committee Focus



Science and Technology

- Climate Change: New approaches and Developments after Kyoto

Proliferation of Military Technology

- The Nuclear Policy of Iran

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NATO and the NATO Parliamentary Assembly



- NATO's Secretary General at Assembly Sessions
- Ad Hoc Meetings of the NAC and the Assembly
- The Assembly President at summits of NATO Heads of State and Government
- Annual Joint Committee Meetings at NATO Headquarters
- Mutual involvement in various meetings, seminars and training activities
- Formal responses from the NATO SG to Assembly policy recommendations
- Staff contacts

Themes



- The Transatlantic relationship
- The role and relevance of the Alliance
- Alliance operations in Afghanistan, Kosovo, Darfur etc
- The war in Iraq and its consequences for the Alliance
- Terrorism



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Themes



- WMD Proliferation
- Alliance capabilities
- NATO enlargement



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Themes



Deepening and Broadening Partnerships

- The European Union
- Russia
- Ukraine
- The South Caucasus
- The Balkans
- The Southern Mediterranean and the Middle East



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Other current topics



- Belarus
- China
- The Northern Region



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Achievements



Provides a forum for transatlantic dialogue

Promotes a sense of partnership and co-operation at the legislative level

Involves and integrates parliamentarians from partner nations in the Assembly's work

Provides a link between NATO authorities and parliamentarians

Improves mutual understanding of each others' problems and perspectives

Increases the transparency of NATO policies

Familiarizes legislators with key security and defence issues

Equips parliamentarians for legislative oversight of defence and the armed forces

Promotes the development of appropriate civil-military relations

Champions NATO enlargement

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NATO Parliamentary Assembly
Assemblée parlementaire de l'OTAN

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Contribution to the ECPRD Seminar on
Supranational Parliamentary and Interparliamentary Assemblies
in 21st Century Europe
Warsaw, 8–9 May 8–9, 2006

JACEK KURCZEWSKI*

The notion of rationality in modern social sciences

Although rationality is traditionally contrasted with that which is non-rational or irrational and a reference to reason appears the simplest argument ultimately resolving a dispute, in social sciences the term reason in itself and the related term rationality are the subject of increasingly heated dispute. Without becoming involved in technical questions, and restricting oneself to presenting the most widely spread views, it is necessary to address the following issues: what is reason and what is its place in human life, including social life? What types of rationality can we identify in social life?

1. The first issue requires us to ascend to a level of general philosophical reflection, which modern social sciences do not shun, to the contrary they actively participate in debates traditionally held by philosophers. Often ignorance or superficial knowledge of philosophical tradition leads to the creation of entirely new and original standpoints. Whilst René Descartes is considered the father of modern European rationality with his *cogito ergo sum*, today it is increasingly common to refer to Benedict de Spinoza, regarded as the opponent of Cartesian philosophical thought. However, in axiom 2 Spinoza assumes that “man thinks”, and as philosopher Leszek Kołakowski emphasizes “Spinoza’s rationality is an oddity of his doctrine that is most apparent when studying it”¹, except that for Spinoza the starting point of analysis is not our thinking but the existence of a reality that is external to it. In this regard, Kołakowski ascertains (and it is worth citing) two descriptions of rationality. In

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¹ Introduction by Leszek Kołakowski to the Polish edition of Spinoza’s *Ethics*, Warsaw, PWN, 1954, p. XV.

the first, rationality is contrasted with irrationality and means “the doctrine that believes in human reason and its cognitive ability, but rejects all means of intuitive and mystic cognition, any “non-discursive inspection”, any cognition allegedly not capable of being expressed in words or communicated to others, furthermore any cognition that constitutes a revelation and hence does not require evidence”; whilst in the second, rationality is contrasted with empiricism, as a “doctrine that believes in the possibility and value of knowledge independent of experience and argues that the most perfect form of cognition occurs without mental connection with the outside world “by force of reason alone”.

These initial remarks already demonstrate how much place the general conception of rationality leaves for various conceptions. Spinoza himself, although he stressed the connection between man and the environment, placed an emphasis on analytic reasoning as the highest form of cognition, examples of which are his own ethical, teleological and political considerations using the axiomatic-deduction method. It should be added that the Husserl's phenomenology, which was the apex of the analytic method, was turned by his successors against such “rationality” understood as “intellectualism” and against the “empiricism” with which it was contrasted and endeavours to connect the “formal” and “material” structures of experience.

2. Vilfredo Pareto, educated as an engineer and one of the founders of modern analytical economics, also attempted to impose a rational model of thinking in sociology as a canon, to which all forms of reasoning encountered would refer. Anything that fails to satisfy the criteria for scientific thought is irrational; it comes as no surprise that Pareto's theory of society is also a theory of irrational thinking arranged by types of prejudices he assumed arising in turn from basic human drives (residues and derivations). We can thank somebody else for the historic approach to the issue of rationality: Max Weber, who made it the main sociological issue. The starting point is the observation that only at one point of the human timeline, in the modern Western world, was civilisation formed combining religion, rational law, a rational state and rational economy, and once the process of rationalisation began, it spread to the entire world.

Occidental rationality emerged in bourgeois-capitalism societies. Weber's research was continued by Habermas, who noted the changes that rationality underwent in post-liberal societies. Here, endogenous problems are connected with the process of economic accumulation, whilst in another direction – the problems connected with rationalising procedures undertaken by the state”².

² Jurgen Habermas, *Theory of communicative action*, vol.II, *Article on a critique of functionalism reason*, translated by A.M.Kanowski, PWN, Warsaw 2002, p.687.

Organised capitalism arose on the one hand and bureaucratic socialism on the other. The capitalist modernisation path means that during the process of evolution the economic system takes primacy over society as a whole. Life relieved of tasks connected with material reproduction is subject to internal variation and releases autonomic processes for growth in the sphere of the culture of modernity. Commercial interference systematically gives rise to economic crises or to pathology in life, the disappearance of the former (observed with surprise by traditional Marxists) Habermas explains as a transfer by private households of structural economic growth problems to life pathology, such as the phenomena of alienation and disorders in collective consciousness. As an effect, we are confronted with a reification of communications relations and also with the self-empowerment of families, in which communicative rationalisation occurs.

3. Despite philosophical differences, nobody questions the traditional concept of rationality, rather its usefulness and universality are questioned. Since the times of Pareto, the autonomic Rational Choice Theory (RCT) has developed, which has its own literature, experts and scientific institutions. Kaplan performed a systematic review of the weaknesses of this model. On the one hand, RCT's assumptions are attractive, as it appears to us that we are in control of our situation and alone can take decisions that, naturally, should be rational decisions. RCT provides the formal means for considering these decisions. Particular solutions are ranked accordingly to how they are rated by the decision maker and certain solutions (i.e. courses of action) are ascribed a probability depending on the decision. Computer programs currently being prepared assist in determining the most rational choice. Although RCT was long ago accused of unjustifiably transferring market conduct models to other, non-commercial spheres of life, today it appears that even market participants behave in a manner that differs to RCT. This was the outcome of analyses by Tversky *et al*, whilst Thaler further generalised them in the paper entitled "From Homo Economicus to Homo Sapiens" demanding that it be taken into account that (1) not all commercial entities act in their best interests; (2) human motivation is complex, as is human consideration of the situation in which they come to act; (3) there are strong "emotional" motives, which are difficult to model, although in recent years better results have been achieved in anticipating stock market conduct, taking account of irrational as well as rational factors. If it is so difficult in the sphere of economic conduct, how difficult must it be in other spheres of conduct? What we are observing is an ability to interpret *ex post factum*, i.e. explaining one or other decision as rational and fulfilling the RCT criteria.

Kaplan³ poses the question: does this mean that we are irrational? If we assume that it is rational to behave in accordance with RCT, then of course the majority of what we do is irrational as it does not result from “rational” (in the RCT sense) incentives. However, Kaplan recalls the general meaning of rationality as the capacity for rational argumentation. But, of course, if being rational is primarily about having reasons of an appropriate kind for the actions we take - being able to defend those actions to ourselves and others - then our failure to act according to RCT both descriptively and normatively is no more a failure to be rational than is our failure to always act out of love or friendship or anger or any other human motivation. How rational we are depends not on whether we have succeeded in maximizing the satisfaction of our preferences given the state of the world, but rather on a much more complex set of holistic and partially social judgement. (...) This kind of rationality will likely to be impossible to define precisely, nor will it always be clear whether, on this kind view of rationality, someone is rational or not”⁴. “Reason” manifests itself in “reasons” hence any reason may form the basis for rational argumentation. We can recall here that, following the above-cited 2nd axiom (man thinks), Spinoza adds the 3rd axiom, in which as modes of thinking he mentions love, desire and everything love, desire and “whatever notions of the mind are distinguished by name”.

4. Juergen Habermas introduced the new concept of communicative rationality into social sciences, opposing it to instrumental rationality relating most effective means to given ends. In Habermas’s opinion, rationalist structures are embodied in daily communicative practice in life. Despite the criticism of mass culture by the neo-Marxist left, Habermas observes that it has ambivalent opportunities. Mass media gives communication a global character and in that way democratises it, allowing many public spheres to emerge. Together with a change in the system of values that Ronald Inglehart ascertains, new problems emerge: quality of life, equal rights, individual self-realisation, participation and human rights. According to Habermas, these new conflicts concern not redistribution but the “grammar of forms of life”; their carriers are no longer participants in the process of production, but groups that are distant from such problems. “Areas of casuality and freedom, left in modern societies to interactions liberated from normative contexts, are subject to such far reaching expansion that the inner logic of communicative action is “becoming practically true” both in the private sphere, left to the

³ Jonathan Michael Kaplan, *Rational Decision Making: Descriptive, Prescriptive, or Explanatory?* in: Alan Nelson (ed.), *A Companion to Rationality*, Blackwell, 2002, pp. 425-449.

⁴ *Ibid.*, p. 447.

family, and the public sphere, shaped to a significant extent by the mass media”⁵.

5. As can be seen in this very brief overview, in the modern social sciences we are confronted by highly varied meanings and applications of the term rationality, starting from those who associate it with specific models for the rational calculation of the usefulness of various rational decisions to those who are satisfied by the mere justification of decisions alone; from those who subordinate logical and statistical deduction to strict rules to those who allow subconscious rationality.

⁵ Habermas, *ibid*, p. 725

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Rationality of the international parliamentary system

The ambiguity of the notion “rationality” in social sciences benefits those who wish to use it in a given case, as they have a choice of several meanings, depending upon their objectives. Simply raising such an issue is an example of rationality, as is any division of an activity into a specific intention and the means of achieving it. In essence, “rationality” is a blanket term: give us an intention, and we conduct argumentation connecting the intention with its implementation.

If the intention is not precisely known (and this author is just such a position), as happens quite often, there remain several possible (I should add, rational) steps. The first is an attempt to deduce the potential intention from the nature of the institution with which we are concerned. The situation is favourable here in that parliamentary democracy is an institution that is so historically grounded that certain intentions are obvious in this case, although this does not exclude other intentions, with which due to lack of knowledge we will not concern ourselves here.

Three features appear essentially to characterise a parliament: 1) collective decision making is conducted there; 2) these decisions are to serve the public good, and not just the good of the decision makers, and 3) parliament is a forum for debate, which may but does not have to reach a decision. Each of these definitive aspects is a starting point for rationalising activities.

Let's start from the debate, which appears a perfect example illustrating what Jurgen Habermas calls communicative rationality. The commencement of

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a debate *per se* is a rational action as we believe that rationalism by its very nature consists in justifying a certain view. It is here that the characteristic rhetoric method applies, which Chaim Perelman and Lucie Olbrechts-Tolteca addressed in *Traité de l'argumentation* (1958), recognising the role of argumentation as the rational base of human relationships in general. In its most general form, any convincing justification is rational, not only those that fulfil the strict standards of logic and which should be ascribed the specific title of logical-rational justification, rather rare in parliamentary debates (as in other real life debates). Why? Because, even if the listeners notice an error in debate, they direct their observations to the speaker who refuses to change his mind, having the support of the majority behind him, and in any case an additional effect is achieved, i.e. the formulation of an opposing judgment, which if not immediately, at a later time may be acknowledged and even if this never happens it serves as a condition in the political judgment that encounters an erroneous decision and may lead to a change in the means by which broader public opinion thinks. Although from a textbook point of view correct reasoning is capable of defending itself against criticism, real reasoning usually has various loopholes, inaccuracies and ambiguities, which in the cauldron of critical discussion are disclosed so that they may be corrected. In this sense, we can say that parliament does not only collectively take decisions but collectively justifies them.

When a decision is reached, whether voted through or not, a question emerges that is already known to RCT researchers: was the decision rational from the point of view of its expected outcome. Strictly speaking, on each occasion it would be apt to conduct a simulation of a decision, taking into account the utility of its various outcomes and also the probability of achieving them. Parliamentary decision making analysed in this way would be similar to a procedure for rationality of a quantitative nature and would be capable of being programmed. Such model is usually implemented in tax debates, when speakers present the costs of particular decisions. Experience dictates that even in these strictly qualified cases, we are dealing with broad estimates, which are rarely borne out, and the risk element is clearly of large proportions. On the other hand, the error in the prognosis may be substantial but the costs of refraining from a decision significant greater than the losses arising from a bad estimate, which politicians are generally intuitively aware of when taking difficult decisions each year. The example sketched out here and a great amount of others of which we are aware from the daily practice of parliaments that make real decisions, leads to the conclusion that the rationality of decision making is only approximate in nature. Critics say that in such a case it is a

persuasive term, which may assist in convincing politicians and in particular the public. Defenders of rationality on the other hand may state that although their instruments are unreliable and imperfect, it still draws us away from a total lack of foresight, in the direction of order in matters of community life.

Now we have the next issue to consider, which concerns the application of “rationality” in determining objectives, i.e. what Max Weber called substantive rationality. It is said of parliaments, that they should serve the “public good” and everybody knows what a controversial term that is. It can be said that politics is based on an assumption that such good exists, but at the same time there is a dispute regarding its content, especially as the means also belong to that content. In this situation it remains to say that the public good is what is accepted as a result of a specified procedure. This is not such a trial notion, as the weight of communicative rationality follows this procedure.

All the doubts that we have raised in general lead to the acknowledgement of a certain principle, as a rather obvious basis of parliamentary rationality: diversity, heterogeneity precisely on account of the criterion of representation. However, a parliamentary assembly does not only comprise of individual parliamentarians in an intricate relationship with parties and voters, but also a community, a network of interactions, which connects as a whole all those chosen to represent the nation. I do not say this in order subsequently to enter into considerations regarding the otherwise highly interesting and important internal organisation of parliament, but to indicate the basic features of parliament precisely as an instrument for representing the nation.

Before they assumed their decision-making role, Parliaments had a purely advisory function. Good advice, the view of important parts of the social organism, and hence the land and the classes was what parliament had to offer the sovereign. Modern democracy on each occasion began from parliament’s rebellion against the lawful sovereign. Parliament no longer wanted only to advise, but to decide that its opinion would be accepted for execution by the sovereign, to decide on national public issues. It must contrast its legitimacy (that of the whole) against the legitimacy of the sovereign. As it was to express the opinion of the community now it wants to rule in the name of the community.

The decision-making function of parliament, the acquisition of which was the beginning of the modern parliamentary system, should not obscure its communicative function. If the significance of committees and commissions (Sartori) is rightly raised as a basic parliamentary form of political work, one should also be aware of the many hours and months, often years of discussions on specific subjects which are held by committee members. The public,

ignorant of this, focuses its attention on the debates preceding voting. In essence, these debates are rather an opportunity to justify a viewpoint, which was already formulated during the work of committees. In these debates, parties do not count on convincing the others, they only justify to themselves or the public the standpoint taken by the party or individual parliamentarian. The second, less visible side of the Parliamentary coin constitutes the less formalised discussions in committees with the participation of experts and representatives of other executive bodies and significant or cooperating non-governmental organisations which have been invited. In such committees, the more detailed knowledge of the issues that is acquired over time soon leads to a characteristic form of confidence between representatives of particular, competitive groups. The party perspective is imported from outside, but is also shaped to a large degree by those returning from a parliamentary committee. During the course of this work, various compromises are reached, without which the activity of parliament would be impossible.

The renouncement of all relations with the voter is not however the most characteristic feature of the modern theory of the parliamentary system. The part of this theory that interests us describes the secret of representation by describing a necessary condition in order to state that the principle of representation has been fulfilled. This condition can be found in the formula of Hanna Pitkin, according to whom a representative must act in such a way that although he is independent and his constituents are capable of acting and of judgement, no conflict arises between them. He must act in their interest, and this means that normally no conflict arises with their wishes (Pitkin, 1972:166).

This concept assumes a dynamic relation between electorate and representation, it expresses the issue of representation as something that operates inside society, although it does not at all provide a simple key to solving practical issues connected with the judgement of representation in particular circumstances. Of course, we could say, as representatives do this themselves, that the personal continuation of individual or collective representation that passes the ballot box test constitutes verification of the quality of this representation, but such judgments are highly complex in practice, not least because sudden changes, characteristic “electoral revolutions” requires further, deeper explanation.

Hence the multitude of criteria, such as the sociographic representativeness of the assembly, political compliance with the electorate or the provision of services to voters. Each of these criteria gives rise to doubt, but each appears to contain an element of the bond that is implicitly assumed in the democratic system.

Although the demographic isomorphism of an assembly with society has the whiff of a sociological aberration and nobody expects parliament to constitute a representative sample of the nation, any non-representation or over-representation is treated entirely seriously as a shortcoming in representation. At the current time, this is apparent in relation to the presence of women in parliament, and a number of democratic countries have endeavoured to ensure a number that is proportional to the beneficial balance of sexes that prevails in nature. Generally, however, this question obscures the more general problem of diversity of representatives. If in the most general, and hence the safest sense of this word, a rational decision is one that has undergone the most comprehensive public discussion possible, then it is obviously necessary to endeavour to achieve the greatest possible diversity in points of view, knowledge and experience. From this point of view, a parliament formed 100% of old men with a university education is much poorer intellectually than a parliament containing at least five former cleaners, five students and now for certain five women who have completed university studies. The heterogeneity of which we are speaking is of many types, this obviously concerns political parties as well as constituencies, which (regardless of the speeches of Edmund Burke) are in practice at least partially taken into account by representatives, as well as the type to which they belong, ethnic group etc. This is not isomorphism in the sense of reflecting the proportion of wealth, education or sex or isomorphism in a specific sense, i.e. the type of experience and life knowledge. This is not about having people of low education, but to have those who are the best educated in public matters, so that each of them is able to justify himself and assess other's justifications, and also by the diversity of the parliamentary community to eliminate as much as possible the risk that one sole point of view will dominate.

Quod erat demonstrandum. International parliamentary assemblies constitute a precise manifestation of the basic dogma of the rational parliamentary system. In times when the local "public good" is becoming a dangerous fiction undermining necessary cooperation on a regional or global scale, international parliamentary assemblies are firstly a more rational forum for communicative cooperation, i.e. debate; secondly, even if they do not take decisions collectively, they transfer information to particular national and local fora, thereby creating the conditions for more rational decision-making at regional and global level.

Due to the multitude of definitions of rationality, the suspicion arises that it would be sensible to speak of degrees of rationality, and this gradation could form the basis precisely for rational practical decision-making. These are

probably incommensurate criteria for rationality, instrumental and communicative rationality appear to be independent of each other. With the public interest in mind, of course we acknowledge the scope of representation as one of the bases for assessment: the broader the scope of such an assembly (and this also means a coalition of national or regional assemblies) in this respect, the more rational it is. Freedom of discourse is in practice gradable, the limits imposed on the subject and possibility of participation in debate are various – from the point of view of communicative rationality we can say that the greater the freedom of debate (not to be confused with a lack of order, because freedom means precisely an equal opportunity in terms of time for an answer for significantly different points of view) the more rational the forum. Finally, the third criterion that imposes itself is the efficiency and the possibility of decision-making. These three criteria are independent, one can imagine a narrowly representative assembly, but with a high degree of freedom and efficiency as well as a very broad assembly, which takes no decision, which meets in order to express its intention to cooperate, an important fact from the point of view of the public good, but going no further than such a blanket declaration. The remark on the independence of criteria is to sensitise us to appreciating such assemblies, which serve collective discussion even if they have no mandate for collective decision-making.

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Supranational and Inter-Parliamentary
Assemblies

ECPRD, Warsaw 8-9 May 2006

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ASEM-ASEP

- ◆ ASEM Asia Europe Meeting
- ◆ First meeting, summit, Bangkok 1996
- ◆ ASEP Asia-Europe Parliamentary Partnership
- ◆ First meeting Strasbourg, 1996

ASEM/ASEP in its tenth year, Helsinki 2006

Membership

- ◆ EU Commission/ EP
- ◆ EU25
- ◆ ASEAN +3

(Brunei, Burma, Cambodia, China, Indonesia, Japan, Malaysia, Philippines, Korea, Laos, Singapore, Thailand, Vietnam)

In ASEP Brunei, Burma observers

Mission

- ◆ create high level dialogue between Asia and Europe
- ◆ similar channels already existed in trans-Atlantic context, and in the Pacific region
- ◆ filled missing link in international triangular economic structure
- ◆ balancing relations between America, Europe and East Asia
- ◆ ASEP provides parliamentary dimension

Well positioned to address global issues

- ◆ 40 % of population
- ◆ 50 % of GDP
- ◆ 60 % of trade
- ◆ Asia represents 20 % of EU exports, 25% of total EU trade flows

ASEP, Helsinki 4-5 May 2006

- ◆ Examined progress made in Asia-Europe cooperation during the past ten years
- ◆ Study produced by University of Helsinki and Japan Center for International Exchange
- ◆ Special debates on Climate Change, Cultural cooperation
- ◆ Adopted formal Rules of Procedure
- ◆ Adopted ASEP-Declaration

New formalized structure

- ◆ Key role for host country Meetings every two years
- ◆ The same host country for ASEP and ASEM, if possible
- ◆ Direct link between the two bodies, still unclear in which form, Finland hopes to create precedence
- ◆ Balance between Asian and European partners, co-chairs, speakers, rapporteurs

- ◆ In Helsinki almost all countries present, total number of participants about 160
- ◆ focus on MPs, limited number of NGOs etc.
- ◆ limited time, one afternoon plus one full day for actual meeting
- ◆ chaired by Speaker

New Rules of Procedure

- ◆ Members, in principle, national parliaments of all ASEM member countries and the EP
- ◆ enlargement, debated in ASEM context, balance between Asia and Europe important issue for Asians
- ◆ fairly detailed rules on invitations, adoption of agendas, work on declaration
- ◆ observers from non-member states adoption of decisions by consensus host country provides secretariat delegations cover own expenses
- ◆ one language, English, interpretation responsibility of delegations
- ◆ report by host country

ASEP Declaration 2006

- ◆ multilateral cooperation and strong international institutions
- ◆ ASEM economic partnership security agenda
- ◆ encourage the ASEM Summit to produce a declaration on climate change
- ◆ education and mobility
- ◆ role for NGOs and civil society in dialogue among cultures
- ◆ initiative to promote student exchange between Asian and European universities
- ◆ declaration communicated to ASEM summit, Helsinki 10 11 September 2006

ASEM 2006 priorities

- ◆ strengthening multilateralism and addressing security threats
- ◆ sustainable development including environment and energy security
- ◆ dialogue among cultures and civilizations globalization and competitiveness enlargement? Bulgaria, Romania? Asia?

ASEM / ASEP 2008

- ◆ China
- ◆ Will the process become more politically significant?
Information and links www.asep4.fi

Global-North-South

- ◆ Parliamentary Network on the World Bank (PNoWB)
- ◆ founded 2000
- ◆ association registered in France, individual membership
- ◆ 800 parliamentarians from 110 countries

PNoWB priorities

- ◆ advocacy and accountability
- ◆ early involvement of parliaments in poverty reduction strategies
- ◆ ensure early input into World Bank policy
- ◆ hiv / aids
- ◆ international trade

PNoWB activities

- ◆ Annual conference, Helsinki October 2005
- ◆ Direct interaction between parliamentarians and World Bank President, as well as IMF top leadership
- ◆ Seminars on development issues
- ◆ Parliamentarians' Implementation Watch, MDG
- ◆ Parliamentarians in the Field Regional chapters

Contribution to the ECPRD Seminar on
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ARTUR NOWAK-FAR¹

Rationalization of international interparliamentary cooperation

1. Diversity of forms of international interparliamentary cooperation

One of the phenomena that sets the tone of current governance is a very broad international state-level cooperation. It testifies to a growing understanding of the necessity for political cooperation, which reflects increasing interdependence between world states and the nascent need to harmonise decisions and actions. Such expansive cooperation is also characteristic of national parliaments, which are active participants in international politics.

Cooperation between national parliaments is an interesting form of international collaboration. Particularly interesting is cooperation between European national parliaments, which has been getting stronger and wider since the late 1980s.² In their case, cooperation is that much more expansive and diverse as it takes place within an institutional framework that functions in an exceptionally varied complex of international organisations. European parliaments participate both in cooperation of international reach *par*

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² Comp. A. Maurer - *Parlamenty narodowe po Amsterdamie: adaptacja, dostosowanie skali oraz sukcesywna europeizacja*, in J. Barcz, S. Pużyna (ed.) - *Rola parlamentów narodowych w perspektywie poszerzenia Unii Europejskiej oraz Konferencji Międzyrządowej 2004*, Printing Section of the Chancellery of the Polish Senate, Warsaw 2002, pp. 172-173.

excellence and in cooperation that is developed within a regional framework – e.g. the Council of Europe, the European Union itself – as well as sub-regional. Their activities result in a vast and diverse network of functional connections, which serves the cause of democratisation (and hence legitimisation) of the decision-making process present in various forums.

In the organisational dimension, these various forums of interparliamentary cooperation create a structure that does not lend itself easily to proper characterisation – neither from the perspective of theoretical analysis nor for the purpose of formulating correct principles of taking practical advantage of the possibilities that their network offers to national parliaments. This means in particular that, from the perspective of the cooperating countries, that cooperation is difficult to manage in whatever manner.

Interparliamentary cooperation forums have diverse missions. Both the scope of their activities differs and so do political ambitions which can be realised through these activities. Also operational formulas and forms show significant differentiation – from formal conferences to meetings conducted in a more relaxed fashion. Consequently, European parliaments are represented at various forums that group their presidents, members of specialised committees as well as other more representative groups. From the perspective of their stated reach, they can be divided thus:

- (a) Bodies dealing with international relations in the broadest sense of the term (e.g. the Interparliamentary Union);
- (b) Parliamentary representation bodies of the states which are members of international organisations (such as the North Atlantic Assembly of NATO, the Council of Europe, the OCSE Parliamentary Assembly, etc.);
- (c) Bodies engaged in bilateral or multilateral regional interparliamentary cooperation in Europe within a framework exceeding the boundaries of the European Union (such as the Interparliamentary Assembly of Ukraine and Poland or the Baltic Sea Parliamentary Conference), and bodies open only to EU member states or with a membership not defined by belonging to the EU (such as the Benelux Council);
- (d) Bodies pursuing individual objectives of the European Union foreign policy.

In a majority of cases, these interparliamentary cooperation forums are not decision-making organs of international organisations in the precise meaning of the term. Their formula is first and foremost consultative.³ However, their common overall mission is, as Bundestag President Wolfgang Thierse stated at

³ H. G. Schermers, N. M. Blokker, *International Institutional Law*, Martinus Nijhoff Publishers, Boston 2003, pp. 584-588.

the Conference of Speakers and Presiding Officers of the EU Parliaments and the European Parliament in Budapest on May 6-7, 2005:⁴

“on one hand, to disseminate and support the objectives of relevant government organisations *vis à vis* national parliaments and the general public, and, when necessary, to monitor compliance with the fundamental principles of each of these organisations. On the other hand, they also constitute forums of discussion where parliamentarians can engage in sharing their expertise in diverse political domains and thus provide for a better monitoring of government activities.”

These general tasks of interparliamentary cooperation forums are not only carried out within diversified institutional frameworks. There is also a natural thematic diversity of pursued initiatives, decision-making methods, forms of their functional execution and, simply, modes of administration. At the same time, that diversity and significant disparities in the efficiency of performance, quite natural in such a diverse group of forums that pursue missions formulated, after all, in political categories and that are not governed by the market mechanism which eliminates inefficient players, does not lend itself to a sufficiently quick atrophy of forums that do not meet efficiency requirements. That sometimes leads to criticism of these organisations.

2. Benefits and costs of the functioning of a system of interparliamentary cooperation forums

Benefits and costs of the functioning of an interparliamentary representation forum system are difficult to pinpoint. Neither can they be easily generalised. However, it seems justified to consider that since they have been established “with specific benefits in mind”, such benefits must have been known. In this context, the principal benefit obtained from the functioning of these forums is as follows:

- (a) Liaison between organisations within which interparliamentary forums operate, national parliaments and the general public. Thierse describes this function as “dissemination and support of the objectives” of organisations in which these forums function among national parliaments and societies of the states represented by parliamentary delegations;

⁴ Speech by Bundestag President Wolfgang Thierse - *Rationalisation of Cooperation in Interparliamentary Assemblies* - delivered at the Conference of Speakers and Presiding Officers of the EU Parliaments and the European Parliament in Budapest on May 6-7, 2005.

- (b) Mechanism of legitimisation and promulgation of fundamental principles furthered by the organisations within which interparliamentary forums operate, account taken of the fact that the mechanism may employ some tools of assessing and monitoring compliance with these principles, and drawing a political benefit thereof, be it only in an initial form;
- (c) more or less structured (both thematically and organisationally) platform of parliamentary know-how sharing, which is a part of a wider process of *policy transfer*, i.e. dissemination of specific policy directions and terms of their implementation.⁵

The achievement of these goals brings about materialisation of subsequent, maybe even more weighty objectives, such as greater transparency, deeper mutual trust and democratic legitimisation of the organisations in which interparliamentary forums function, as well as creation of channels for dissemination of good parliamentary practices and institutional practices in general.

At the same time, the functioning of interparliamentary representation forums is associated with significant drawbacks:

- (a) A risk of excessive functional restrictiveness (apparent in the absence of cooperation structures that are permanent and appropriately effective) or, at the other extreme, of excessive operational mechanisation, evidenced in disproportionate formalisation and bureaucratisation of cooperation;
- (b) A risk of diffused or chaotic functioning, with the volume of activities either exceeding the needs or causing insurmountable difficulties as concerns setting political priorities.

In the holistic take, there is also the problem of a proper co-ordination of the activities of individual interparliamentary cooperation forums. The expectation that cooperation will always create a complete and coherent chart of initiatives and forums is unjustified. On the other hand, however, one should indeed expect these initiatives and forums to be somehow co-ordinated: a duplication of tasks potentially resulting in competition and conflicts will not serve the cause of pursuing useful goals for the purpose of which each such forum has been established. Hence the proposals advocating a clear delineation of competencies.⁶ The probable expansion of the fields of interest of these forums as well as their growing number make the need for such delineation that much more urgent.

⁵ Sometimes also called “convergence support”. Comp. A-M. Slaughter - *The Power and Legitimacy of Government Networks* in S. Stern, E. Seligmann (eds.) - *The Partnership Principle: New Form of Governance in the 21 Century*, Archetype Publications, London 2004, p. 29.

⁶ Comp. Wolfgang Thierse’s speech.

On the other hand, one should bear in mind that participation in each of the forums of interparliamentary cooperation is compulsory only in exceptional cases and that, under international law, the formula of participation can vary from one country to another – from that of an observer to that of a full and, in practical terms, active member. The intensity of participation (measured, for example, by the number of meetings held and the rank of topics discussed) can also vary. In a majority of cases, the diversity of forums and forms of participation therein creates a specific political offer which countries can either exploit or ignore. For that precise reason member states make choices founded on rational reasons. This is why the outcome of the study of the degree of satisfaction with individual forums conducted on Thierse's initiative (and quoted in his report) shows a general contentment. Whenever respondents did suggest changes, they more often than not referred to the missions pursued by cooperation forums rather than to the manner by which they operated. Even proposals that advocated a co-ordination of tasks (which referred to the Council of Europe and OSCE) were formulated from this perspective.

Looking at the situation from the viewpoint of a country's free choice to participate or stay out, and of potential benefits that participation in various interparliamentary cooperation forums brings, one can perceive the following occurrences taking place:

- (a) Considerable institutional and procedural "intensiveness" expressed in a multitude of decision-making groups and frequently blurred boundaries between their competencies;
- (b) Differing degree of actual control by members of these groups of the specific extent and timetable of their activities;
- (c) Considerable diversification of the pace at which that extent and timetable is modified;
- (d) Weak or downright non-existent forms of activity co-ordination;
- (e) Great probability of the occurrence of organisational incompatibility between interparliamentary cooperation forums and parliaments participating therein, exacerbated by the diversification of parliamentary structures and competencies of national parliaments.

Potential benefits of participation in various interparliamentary cooperation forums under such circumstances give reason to ask the obvious question that concerns not only the extent of responsibility of a given forum for its appropriate functioning but also the responsibility of its individual participants for giving it a shape that would yield maximum benefits. This type of responsibility of a national parliament is really a responsibility for the soundness of the entire network of cooperation forums in which it participates.

3. Criteria of assessing the usefulness of interparliamentary cooperation forums

Existing benefits and costs of the functioning of interparliamentary cooperation forums give rise to the fundamental question about the criteria of their assessment based on different viewpoints. At present, that question most often deals with their rationalisation. But the notion of rationalisation is ambiguous. According to one meaning, what needs to be reviewed is whether a forum properly fulfils the expectations placed therein and expressed in its mission statement. From the perspective of the outcome of systemic rationalisation, this type of review is not indispensable as it is based on very subjective political criteria: the forum is given good marks if it constitutes a politically appropriate (i.e. effective and far-reaching) platform for establishing joint positions and planning joint activities. This result measured in economic categories (specifically by the rules of the game theory when the number of players is known) would refer to all players benefiting within the framework of collaboration possible in the given forum (with the understanding that these benefits would need to exceed the outcome of the game played when there is no cooperation).⁷

At present, the discussion of the rationalisation of the functioning of diverse interparliamentary cooperation forums concentrates on assessing the efficiency of the entire system of these forums and on the cost of their maintenance by national parliaments. This context presents dilemmas as to what assessment criteria should be adopted so that the outcome of the assessment would be most adequate.

Basic criteria that come to mind refer to effectiveness measured in categories of technical rationality⁸: i.e. efficiency and productivity – particularly one measured by comparing the effects of activities with expenditures sacrificed to achieve these effects (including transaction costs). This type of approach was used to some extent in the study commissioned by the Folketing, presented on February 2nd, 2006.⁹ That study measured among other things the expenditure of time and human resources by selected interparliamentary cooperation forums. Although very valuable from the viewpoint of recognising the merit of this approach, the study did not and does

⁷ Comp. M. J. Osborne, *An Introduction to Game Theory*, Oxford University Press, Oxford 2004, pp.13-52 and 419-449; and R. Axelrod, *The Evaluation of Cooperation*, Basic Books, New York 1984, pp. 109-144.

⁸ J. D. Thompson, *Organizations in Action*, McGraw-Hill, New York 1967, pp. 14-15.

⁹ Comp.: *Note prepared by the Danish Presidency for the meeting of the Working Group convened by the Speakers of the EU Parliaments on the question of the rationalization of European interparliamentary organizations.*

not provide for an assessment based on the measurement of benefits and costs of a parliament's participation in an interparliamentary cooperation forum. The study did not weigh benefits against costs. In addition, costs were treated very narrowly. While marking a path for future analyses, the Folketing study did not permit making a full assessment of the effectiveness of interparliamentary cooperation forums. To do so, the study would also need to measure the benefits achieved from participating in specific meetings conducted within the framework of interparliamentary cooperation forums and take into account the probability of future benefits. Here, however, a proper assessment is downright impossible as it would require at least:

- (a) A valuation of each decision made at each meeting within a specific time period and that would create serious problems of technical and political nature (including ones associated with the selection of an appropriate method of measuring the value of a decision);
- (b) A valuation of potential future benefits, for example the benefit of creating an effective channel for sharing opinions, know-how and experience (which, in turn, would also necessitate establishing the probability of obtaining such benefits).

Since obtaining this type of information is and will continue to be very difficult, if feasible at all, attempts to apply this approach will be burdened with a probable error as the approach is necessarily based on a subjective premise. Therefore, it is more sensible to formulate systemic assessment criteria based on an identification of good practices developed for effective complex organisational systems. According to this method, all existing and developing interparliamentary cooperation forums would be viewed as a single system expected to act in a rational manner (whatever its definition). For the system to meet this basic requirement, it must be internally co-ordinated. Its co-ordination would need to be based on:

- (a) Establishing the extent of compatibility and competitiveness between system components, and;
- (b) Determining potential interdependencies in the activities of these components.

After that, it would be also necessary to:

- (a) Identify existing and required areas of collaboration between interparliamentary cooperation forums based additionally on the establishment of the nature of that collaboration;
- (b) Identify the possibilities of applying basic methods of co-ordination.

Such insightful and detailed analysis would make it possible to formulate qualitatively superior conclusions as to the methods of reforming the existing

system of interparliamentary cooperation. It must be noted that some elements of such analysis are either already applied or are being recommended (also in the documents cited herein).

4. Determining the extent of compatibility and competitiveness of individual interparliamentary cooperation forums

When assessing whether participation by a national parliament in interparliamentary cooperation forums is rational, the first thing that needs to be done is to review the compatibility or competitiveness of the missions they pursue. That assessment is so fundamental that at times it makes no sense to try to eliminate areas where these missions overlap as that signifies a far-reaching political interference with the way a given forum operates. When there is no possibility to conduct such review or when for some reason it cannot be considered, the given parliament must simply decide which forums whose missions are not cohesive (compatible) it will stay out of. It must be remembered, however, that the most typical situation is one where even a single parliament has some power to bring about changes in the direction and forms of activities pursued by an interparliamentary cooperation forum.

In an analysis of the compatibility or competitiveness of interparliamentary cooperation forums, all forums must be treated as a single system. Then, when analysing the functioning of one cooperation forum, all other forums in which national parliaments participate must be treated as its *task environment*, in reference to which cooperation and competition relations are studied. That environment must be subject to an in-depth analysis. Its fundamental goal would be to determine which objectives and tasks of other forums are compatible with the objectives and tasks of the forums that constitute the reference point of the analysis, and which overlap (or, possibly, compete with one another). The area where objectives and tasks overlap requires a further analysis meant to establish whether the overlap reinforces the activities of two or more forums (as, for example, during information and promotional campaigns even when conducted independently but, particularly, as part of a joint effort) or weakens them (for example, when several forums compete for the same limited resources¹⁰). Even when compatibility of two or more

¹⁰ We then deal with what is called “dependence”, which according to Thompson results in a competition for task environment resources. In the case of interparliamentary cooperation forums, it means competition for resources (including time) of national parliaments participating therein. Comp. J. D. Thompson, *op. cit.*, pp. 30-31.

interparliamentary cooperation forums is established, its nature should be determined. This is because the establishment of compatibility may simply hide a recognition that two or more forums act in completely different spheres (which would signify false compatibility more aptly called “absence of any relations”), or identification of an area where they supplement or are dependent on one another. In such case, a confirmation of the compatibility of political objectives is not sufficient; from the perspective of rationalisation of costs of the functioning of interparliamentary cooperation forums treated as a system, more important is an identification of the nature of their operational compatibility (i.e. compatibility of their current activities). Compatibility thus captured has the form of a network of three types of interdependencies of activities undertaken in each studied forum¹¹:

- (a) Pooled interdependence, where activities improve the quality of a process but are not linked to one another in any other way;
- (b) Sequential interdependence, where activities conducted by one forum question altogether the expediency of undertaking activities by another forum;
- (c) Reciprocal interdependence, where the achievement of a goal by one forum directly conditions the effectiveness of activities undertaken by another forum and conversely – thus encouraging them toward a close and regular cooperation (and at the same time overruling the possibility of their fusion).

5. Identification of the possibility of applying co-ordination methods

In most general terms, co-ordination means placing or arranging something (such as things or processes) in an order that is logical from the viewpoint of some rationalising model of reality with respect to one another or with respect to the system of which that “something” is a part. A characteristic feature of this understanding of co-ordination is that the assessment of whether it exists and, if so, whether it is sufficient, depends to a significant degree on what is that whole of which one or more observed elements are parts.

From a purely technical viewpoint, co-ordination methods (identified in the classic works by March and Simon, and especially by Thompson¹²) are as follows:

¹¹ *Ibid.*, pp. 54-55.

¹² That is J. G. March, H. A. Simon, *Organizations*, John Wiley, New York 1958; and particularly J. D. Thompson, *op. cit.*, pp. 55-56.

- (a) *Co-ordination through standardisation*, which consists particularly in assigning to the activities of individual components of the interparliamentary cooperation forum system a context-specific routine and introducing into that system some permanent rules of behaviour in recurring situations;
- (b) *Co-ordination through a plan*, which consists in assigning to all major activities within that system a spatial-temporal frame and determining the content of relations between them;
- (c) *Co-ordination through mutual adaptation (or through feedback)*, which consists in providing mechanisms for a quick information transmission within the interparliamentary cooperation forum system (which for other reasons necessitates an appropriate selection of such information).

An independent application of one of these methods of co-ordination would not be a correct solution. Indeed, the main function of co-ordination through standardisation is to ease the “burden of administration” by turning its attention away from routine and recurring matters, or matters that necessitate elimination of excessive diversification of activities – unnecessary to the functioning of the given institution (or even the entire administrative apparatus). The other two co-ordination methods also have fragmentary objectives, the less visible of which should be mentioned here as examples:

- (a) Co-ordination through a plan also serves the purpose of ensuring transparency and predictability of the activities of a particular parliament (in the context of a given forum), necessary to the personnel of that parliament and to its partners;
- (b) Co-ordination through mutual adaptation also serves the purpose of reducing hidden costs associated with the time wasted when parliament representatives in one forum must search for information that someone in another parliamentary cooperation forum has already found in the past.

From the viewpoint of interparliamentary cooperation forums, co-ordination through standardisation would necessitate an elaboration by all forums of relatively uniform practices of acting in spheres indispensable to ensuring subsequent adaptive activities in all components of that forum system. This means that, in the context of their functioning, co-ordination through standardisation and through mutual adaptation (achieved above all else via appropriate information flow) are closely interconnected. In practice, however, it is up to national parliaments that participate in particular cooperation forums to decide on the political form and content of programmes pursued thereby. When the possibility to control these two issues (particularly the content of the action plan of the given forum) is sufficiently significant, then

the best co-ordination mechanism can be found in information exchange mechanisms operating within national parliaments. Indeed, well informed members representing parliaments in particular forums will be in the position of requesting the elimination of those points in their action plans which are already on the agenda of other interparliamentary cooperation forums.

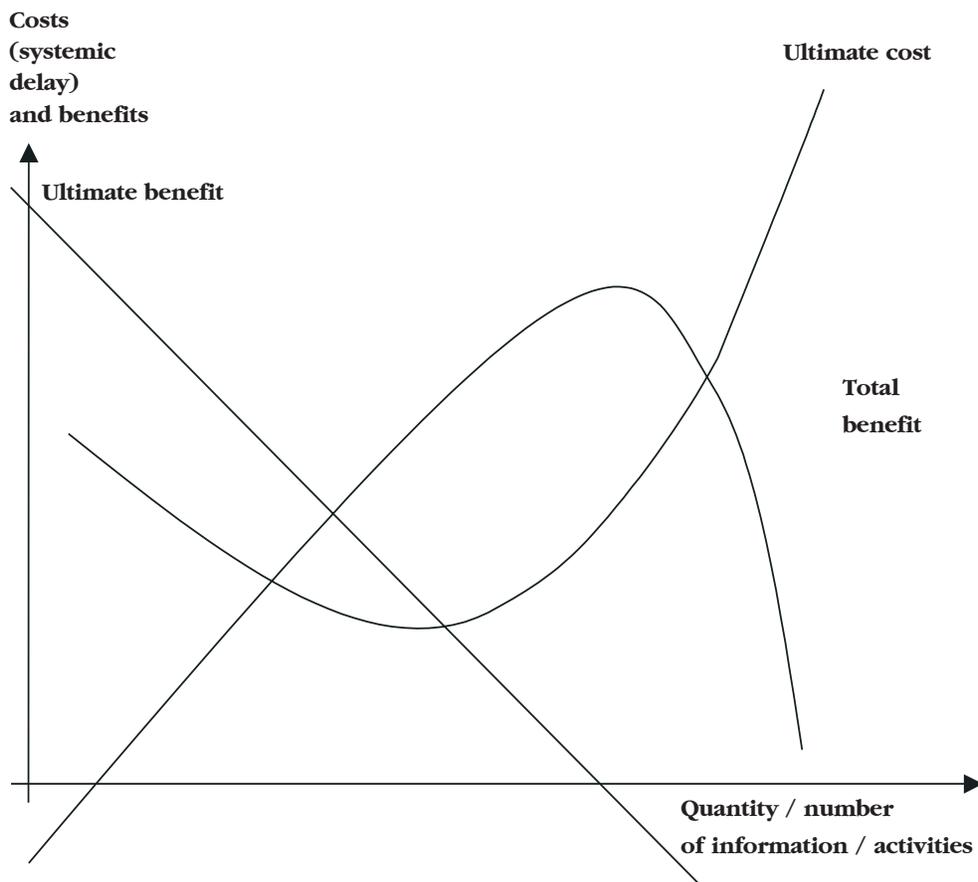
In relation to the explicit practice of co-ordination within individual parliaments, there is a possibility of using more specific methods that facilitate the elaboration and representation of national positions, and that also expand the scope of rationalisation of the activities of individual components of the interparliamentary cooperation system and of the system as a whole. Such methods rather assist co-ordination than constitute its nature: explicit reservation of certain issues to the attention of special cells within the parliament administrative support, appointment of several co-ordination centres (which is a form of delegating co-ordination tasks), improvement of the process of preparing for participation in various forums, restriction of participation in particular forums, improvement of information flow within parliaments, and reconciliation and dissemination of general basic directions of parliament policy which determine more concrete decisions¹³.

6. The issue of systemic *streamlining*

A purely economic argumentation also confirms the need to properly select interparliamentary cooperation forums in which parliaments want to participate as well as information which they would need to process for the purpose of co-ordination. This type of argumentation recognises systemic benefits in interparliamentary cooperation (in the form of achievement of its fundamental objectives cited in the second part of this study). On the other hand, however, from the economic standpoint, such versatile participation in a large number of interparliamentary cooperation forums (combined with a significant number of diversified activities within each forum) must lead to co-ordination difficulties – before all else, however, it forces a deterioration of benefits (unless, as cooperation forums increase their activities, they or parliaments will be proportionally increasing the amount of resources earmarked only and exclusively for their interparliamentary activities). Consequently, that dependence can be illustrated thus:

¹³ Formula based on the study by H. Kassim, *Introduction*, in H. Kassim, A. Menon, B. G. Peters, V. Wright (eds.), *op. cit.*, p. 8.

**DEPENDENCE BETWEEN COORDINATION BENEFIT FROM
INFORMATION/ACTIVITIES AND THEIR NUMBER**



The figure above illustrates the basic dilemma faced by parliaments when they need to decide the extent of their presence in interparliamentary cooperation forums and the number of initiatives undertaken in each forum. As that extent or number increases, so do general benefits, which, however, are also associated with increasing systemic costs (including transaction costs, i.e. involved in becoming familiar with information produced within the framework of cooperation and systemic information processing). The total benefit begins to decrease when the ultimate benefit assumes negative values, i.e. when additional information disturbs the entire system and prevents a correct functioning of the information processing arrangement. This is

correlated with the ultimate information processing cost that begins to grow when the amount of processed information crosses the critical value (i.e. when the pool of transmitted information grows by one unit).

7. Conclusion

The present system of interparliamentary cooperation is very complex. It rests to a large degree on the principle of inertia, without any structural thought having been given thereto. Hence the increasingly perceivable need to reform the system for the purpose of reducing transaction costs without losing evident benefits.

The anticipated reform must combine changes in the functioning of the system of interparliamentary cooperation forums as a whole, individual elements of that system, and parliaments that participate in these cooperation forums. As concerns national parliaments, attention must be given to the improvement of channels of internal information about activities taking place in individual cooperation forums. As concerns individual cooperation forums, there must be first and foremost a better prioritisation of operational activities through which they realise their missions. Also, the excessive dispersal of these activities or the disparity between their number and the ability to carry them through (which is a function of the resources and competencies available to participating parliaments) must be eliminated. As concerns systemic changes, the current process of reviewing the tasks and activities of individual cooperation forums from the angle of their mutual compatibility should be continued. However, that review must be insightful and must take into account the benefits obtained from the functioning of the given forum and the specific nature of compatibility.

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