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**The complementary role of National Parliaments
and European Parliamentary Assemblies
in shaping a Greater Democratic Europe**

Presentation of sub-theme 1

**How to co-ordinate action between national parliaments and the Parliamentary
Assembly of the Council of Europe as well as other European Assemblies in the
drawing up and implementation of European norms**

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Special importance of coordination with new members states of the Council of Europe

Cooperation with the Parliamentary Assembly of the Council of Europe, and with other international parliamentary forums, plays a central role in everyday practice of every national parliament, but it is indeed of very special importance for those who are just establishing or restoring traditions of democratic life, who have returned to the European family or nations during the last decade.

Common understanding of shared values and norms. Diversity and unity

Let us clearly envisage what are the purposes and goals of this cooperation. First of all – do we really believe in Europe without dividing lines; Europe as a common space where democracy is being practiced possibly through the models that differ but based on the values; principles and criteria that are commonly shared and similarly understood? Certainly we do. I am sure that all of us are partisans of this understanding of Europe which has been shaping in front of us.

Every Council of Europe member country historically contributed its own experience to the Pan European process and this synergy resulted in introducing what we call European norms and standards and nowadays in the Palace de l'Europe we do not discuss French, German or other democracy in particular, but Pan-European process which should combine, make compatible unique diversity of national identities and common European norms.

Need for new European mechanisms to respond to new challenges of new reality.

Questions, challenges and threats of post –World War 2 period, the period of cold war, were properly responded to through creation of the Council of Europe, Euro-Atlantic Alliance, European Community, OSCE and other international cooperation networks. During the decade since the fall of the Berlin Wall, completely new reality and challenges have occurred and they, I am afraid, are not yet adequately addressed through effective mechanisms.

New challenges of new reality as prioritised in the Council of Europe's newest member states.

The long list of these challenges, or at least those of them which are very well visible from our part of the world can be reduced to the following points:

1. Local and regional conflicts that not only undermine development and stability of the particular regions but accumulate threat to the entire pan-European security.
2. Internationalised or even globalised corruption and organised crime which is currently one of the main obstacles for successful economic reform and development in countries in transition and which can and do provoke social unrest, mistrust of democratic institutions and the process of transition itself.
3. Necessity to perfection the common practice of interaction with international financial institutions, which most frequently adopt too much bureaucratic, formalised and standardised approaches. It remains a common problem to all post-soviet countries and results in mistrusts of economic reforms and principles of free market economy and frustration in not only socially unprotected parts of societies in transition, but also among free entrepreneurs. Through sophistication of this interaction, it would be possible to implement better-tailored economic reforms.

4. Need for more active attention to the environmental component of development, providing basis for sustainability, especially in countries in transition which suffer from social and economic shortages and ignore aspects of development which in long and medium term perspective can cause irrecoverable damage.
5. Institutionalisation of democratic experience and practices in the emerging democracies not only through adopting new legislation but also ensuring implementation of new norms which can be achieved by creating a strong civil society, supporting non-governmental sector through proper legislation and its implementation.

Parliamentary dimension of resolving regional conflicts

The conflicts in the Balkans and the Caucasus have shown that the regional conflicts are indeed number one on the European list of threats. Parliamentary cooperation is really important and is an effective instrument in that MPs are traditionally more flexible, quicker to react and frequently most capable in terms of confidence building and restoring contacts.

As far as Southern Caucasus is concerned, the initiative of the President of the Assembly, which will bring three Southern Caucasian Speakers together for the third time, is very helpful and in this regard, I take this opportunity to thank Lord Russell-Johnston for his noble initiative. This framework under the aegis of the Council of Europe has already proved to be very effective in terms of developing cooperative spirit and building mutual confidence.

In ensuring peaceful resolution of conflicts and promoting reconciliation, constant international presence and involvement at parliamentary and not only international bureaucracy level seems to be an inevitable element and precondition to any progress. I can refer to Georgia's example and state that with no exaggeration, we partially owe the optimism of Georgian society in terms of peaceful and just settlement of Abkhazian problem to the rapporteurs of the Parliamentary Assembly of the Council of Europe who prepared highly accurate neutral and fair reports on internally displaced persons, human rights issues and other aspects related to the conflict. They even succeeded in convincing tens and hundreds of thousands of refugees experiencing extreme hardships and shortages that post conflict settlement was possible by using international mechanism with no arms and avoiding violence. That is why I would like to encourage PACE to continue its effective involvement on more regular basis. I am confident that such an approach must be equally effective in any other region.

Parliamentary surveillance in combating corruption

In the age of economic globalisation, we witness internationalisation and globalisation of corruption and shadow economy which, due to the effects of globalisation frequently outdistance the processes of globalisation of the world economy. Corruption especially is a huge problem for more vulnerable countries in transition where it is the direct product and consequence of collapse of the so-called 'command-administrative' economy and where the state institution that are yet very young, inexperienced, weak and exist since a few years, cannot prevail in combating this destructive phenomenon.

Besides international cooperation in particular actions and cases, sharing legislative experience and cooperation between the law enforcement agencies, we should not underestimate the role and importance of Parliamentary surveillance. Happily, I represent the Parliament which is proud to possess very interesting and successful experience in this regards, the Parliamentary Anti-Corruption Investigation Commission which was established, conducted with great efficiency a series of investigations, open hearings broadcasted on main TV channel and ensured transparency of its work and accessibility of all the materials. As a result, several very influential government

ministers and top officials resigned or were fired. The Commission drafted and passed several parts of the anti-corruption legislation such as the Law on Conflicts of interest etc. At the same time the performance of the Commission would have been better if cooperation with similar structures in other parliaments as well as cooperation with international network like GRECO had been possible. I am looking forward to the presentation of my distinguished colleague from Italy – Honourable Luciano Violante with great interest and would like to thank the Assembly that presentation of combating corruption was included into the agenda of our conference.

Need for a new policy of international loan programmes and debt restructuring and the role of a parliamentary component in drafting and implanting this policy.

Concerning interaction with international financial institutions, I would start with stating that I do not belong to those who flatly considers the role of the World Bank and IMF in the countries where economy is developing as negative. Without their cooperation and guidance we would have to deal with very serious social difficulties. However, it must be mentioned, that their rigid, inflexible, much too formalised approaches and inability or absence of will to even slightly or partially adjust bureaucratically approved models and stereotypes to a reality, create frustration in the society their assistance is addressed to. The major cause of these problems is that the role of the parliamentary component overseeing international financial bureaucracies and structures dealing with development and assistance issues is far from being even partially effective.

As for ignorance of the legislative decision making process by the executive, the parliament does not necessarily prevail in what seems to be an inbuilt conflict between different branches of the government. The fear is that such a problem at national level is transferred to European or international level thus aggravating the negative consequences and making it more difficult to find a solution. In this regard, following a very interesting discussion that I recently had, I should point out that, in my opinion, a stronger support of the initiatives and reinforcement of the role of the Economic Affairs Committee of the Assembly would be a useful form of increasing parliamentary surveillance at European level.

Another major area where the need of parliamentary surveillance or involvement is urgent is the issue of European and international loan policy and restructuring of debts. The latter appears strange and may defy any logic. I mean in particular the practice of European Union which annually provides the loans to South and Eastern European countries with the aim of covering the payment of interest rates of previous debts. Frankly, this seems to be a never ending story so long as the policy does not properly include components of differentiation taking account of the performance of the recipient country in the area for which loan was granted. Appropriate parliamentary involvement at the European level would guarantee elaboration and implementation of an effective loan programme policy. It would allow us to adjust the existing practice to standards suitable for both creditors and recipients and finally make international debts an instrument of development rather than an obstacle.

Reinforcing environmental protection programmes through lobbying, debt swapping policy and parliamentary surveillance

Environmental protection is certainly the area where approaches to this new desirable loan programme, in particular debt swapping for environment and sustainable development can be successfully implemented. Since the beginning of my career in politics as a founding member of the Georgian green movement, I fear the general situation is steadily getting worse. In terms of priorities in an economy in transition, with significant social and economic shortages, environmental issues are simply erased from the list of priorities by both – the society and the government. The only hope resides in international cooperation and pan-European and regional programmes, which besides the urgent environmental activities on the Danube, the Black Sea or

elsewhere, enables governments to take international loans provided from strictly conditioned debt swap and other stimulating mechanisms in order to put sustainable environmental protection and sustainable development on the top of the agenda. Working on practical aspects of this concept, lobbying for such projects and oversee their implementation are interesting areas of coordination of efforts on national and European levels.

The challenges of democratic transition and how to address them through coordination of efforts at European level

It is evident that democratic transition is first of all about enabling a strong, viable democratic institutions and an appropriate legal system. Such a legal framework is not just about adopting laws which remain only on paper. From the Georgian experience or that of our neighbours – the lesson we have learned is that it is never easy even when the most liberal laws are adopted. Implementation of the laws is a major task. Sadly, I can refer to many Georgian examples of legislations harmonised with the European Union law which simply do not work because corruption and lack of civil control mechanisms makes the implementation of the democratic legal system a long road potted with artificial obstacles.

For instance, the so-called 'propiska' system is clearly abolished by the law and yet at the lowest level of the municipal departments, it is still a common practice to apply this procedure to verify documents

Even some irregularities occurred during the Presidential elections in Georgian less than a month ago, which proves that normal legal system with its institutional, and legislative components need constant reinforcement and care.

That is why the period when civil society is in the process of forming, the role of Parliamentary surveillance not only by the national parliaments but also by the European parliamentary assemblies have a key role to play and that is why I urge the Assembly to increase its monitoring activity.

Besides the follow-up reports on obligations and elections, I think it would be a good idea to devote more time and effort of the Parliamentary Assembly of the Council of Europe, its committees and eventually other assemblies to exchange of national experiences in democratic institutionalisation, legislative process and implementation of legislation.

The final goal of the democratic transition is to enable the forming of a strong civil society which allows democracy to become an irreversible process and preserves the democratic habit as a way of life. From this point of view, it is crucial to support civic sector – free mass media, NGOs, as well as deregulate the state sector through creation of proper legislative framework which provides maximum transparency and accountability of the state institutions and minimum interference of the state in the economic life (as it was done in Georgia with adoption of numerous texts such as the administrative code), to promote democratic citizenship through civic education programmes.

In all these areas, changes will take much more time if there is no active cooperation with other parliaments and the Assembly.