



Draft minutes of the meeting of the Secretaries General of Parliament, Oslo, Thursday 11 September 2014

Mr Sawicki, Secretary General of the Parliamentary Assembly of the Council of Europe, declared the meeting open at 9.35 am, welcomed the participants and conveyed the apologies and best wishes of the Secretary General of the Storting who was scheduled to chair this meeting but who was ill. Mr Sawicki said that he would do his best to replace her in the chair.

Ms Verger and Mr Schade, Co-Directors of the ECPRD and Mr Hueschen and Mr de Buyer, the Secretaries of the ECPRD, were also present on the platform.

Before turning to the agenda, the Chair, Mr Sawicki, thanked the Storting departments for the excellent preparation of this conference and the assistance they had provided to all delegations.

1. DRAFT AGENDA

The draft agenda, which had been forwarded and distributed to all participants, was adopted.

2. MINUTES OF THE MEETING OF 21 SEPTEMBER 2012

As there were no written or oral comments, the minutes of the meeting held in Strasbourg on 21 September 2012 were approved.

3. ACTIVITY REPORT OF THE EUROPEAN CENTRE FOR PARLIAMENTARY RESEARCH AND DOCUMENTATION (ECPRD) 2012-2013

Ms Verger, Co-Director of the ECPRD, before presenting the report, wished the Secretary General of the Norwegian parliament a speedy recovery and apologised on behalf of the Secretary General of the European Parliament, Mr Welle, who had been obliged to remain in Brussels to prepare for the hearings of the future members of the European Commission.

She expressed her satisfaction at the excellent co-operation with the Parliamentary Assembly of the Council of Europe, and in particular with her counterpart Horst Schade. She felt that the success of the ECPRD was due to the quality of the men and women who ensured its functioning in each of the national parliaments, the 119 national correspondents and deputy correspondents whose personal commitment was beyond doubt, and the experts who in each of the parliamentary chambers provided input to the replies given to the comparative requests, not forgetting the Secretaries General of parliament who obligingly allocated the resources, particularly the human resources, necessary for the proper functioning of the Centre. She also thanked all those willing to host in their capital the seminars held every year, generally six in number, on issues falling within the Centre's remit.

She said that the ECPRD was one of the oldest bodies for inter-parliamentary co-operation in Europe, having been in existence for over 35 years. It was all the more valuable given that today more than ever before there was a much greater need to exchange best practice in a broad European framework, and consequently to exchange comparative data. In 2013, at the initiative of the Swedish government, a study had been published containing a compilation of data on the usefulness for parliaments of comparative requests. This study had been reproduced in the activity report. Most requests appeared to be presented by members of parliament and were used throughout the legislative process virtually on a daily basis.

The two main pillars of the ECPRD's activities continued to be the comparative requests and seminars. The number of requests had risen from 530 in the period 2010-2011 to 551 in 2012-2013. The number of replies to requests was 11,800 and 13,000 for those two periods respectively. Ms Verger felt that saturation point had been reached, as she had already feared in her 2012 report. Although today 64% of chambers replied to requests with concrete information and 80% of correspondents did so more or less within the required deadlines, it was important not to exceed certain limits if the quality of replies was to be maintained. Most questions related to the functioning of parliament, and for the legislative part, to legal and social aspects.

During the period covered by the activity report, 13 seminars had been held, attended by a total of almost 700 participants who had been able to pool their respective experience and exchange information on best practice.

After thanking the four co-ordinators of the areas of interest covered by these seminars, she urged the Secretaries General to agree to host seminars. She also drew attention to the constant modernisation of the website, thanks to the investment of the European Parliament, in terms of financing and human resources.

In conclusion, Ms Verger, while acknowledging that improvements could always be made, especially with regard to the provision of summaries of replies, felt that the ECPRD was in a healthy situation. Nonetheless, she reiterated the need to ensure that the Centre did not become a victim of its own success.

The Chair thanked Ms Verger, all the correspondents thanks to whom the ECPRD was able to operate, and the Secretaries General who ensured that the correspondents had sufficient time to reply to the questionnaires. He also expressed his thanks to those hosting seminars in their parliament and who made significant efforts to this effect, especially in budgetary terms.

He suggested that a joint discussion take place on the activity report and on the priorities for 2015-2016 once the latter had been presented.

4. ECPRD PRIORITIES AND PROGRAMME FOR 2015-2016

Mr Schade, ECPRD Co-Director, first of all said that the Executive Committee, which had met in Tallinn in early September, had agreed on the dates of the statutory meetings for 2015: the next meeting of the Executive Committee would be held in Rome on 26 and 27 March, and the autumn meeting would take place in Strasbourg on 10 and 11 September.

He stressed the importance of the support in budgetary and human resources terms which the Secretaries General could give the correspondents in order to host seminars, meetings of the Executive Committee and annual conferences. He also wished to highlight his excellent collaboration with Christine Verger and the co-operation between the European Parliament and the Parliamentary Assembly of the Council of Europe. Finally, he referred to the document in the files of the Secretaries General containing the ECPRD events and programme for 2015 and 2016. He specified that the Activity Report actually covered events up to September 2014, and the future programme covered events as from September 2014, so the year 2014 was not missing from the two documents but slip between the two.

He welcomed the fact that the Centre had now reached cruising speed. He had no doubt that it would be able to maintain this thanks to the support of the Secretaries General, but nevertheless called for vigilance to avoid any overload.

Ms Flossing (Sweden, Riksdagen) expressed her approval of the activity report which showed the extent to which the ECPRD enabled members of parliament to fulfil their role under the best conditions.

Mr Poyser (United Kingdom, House of Commons) first of all paid tribute to the valuable work carried out by the correspondents, said that the House of Commons would in the near future be hosting a seminar and hoped that other parliaments would follow suit.

Mr Papaioannou (Greece, Vouli Ton Ellinon) concurred with the positive assessment of the ECPRD's activities which he had been following since 2009 and which he noted had made significant advances in both quantitative and qualitative terms. He wished to raise again a problem he had referred to in 2012 and which should perhaps be put to the Executive Committee, namely the semantic differences between one parliament and another. For example, he wondered whether a single definition should be given to the 100 to 200 most frequently used terms in debates and the Centre's publications. A group of parliamentarians and linguists could carry out this clarification work.

Ms Verger suggested that the Executive Committee consider this proposal. She said that the ECPRD bodies had already begun giving thought to producing a table to identify the common points between parliaments on key issues. This table would be regularly updated, would serve as a common basis on key issues and would be made available to all members of the Centre. She added that a first draft of this table would soon be put forward.

The Chair said that some terminology work had already been carried out and believed he was correct in thinking that a glossary of parliamentary terms in five or six languages had at one time been produced by the Polish parliament. He congratulated the Co-Directors, Co-Secretaries, members of the Executive Committee and the ECPRD as a whole for the work that had been achieved.

The ECPRD activity report for 2012-2013 was approved.

The ECPRD priorities and programme for 2015-2016 were also approved.

5. "PARTNER FOR DEMOCRACY STATUS" WITH THE ECPRD

The Chair said that on 16 June 2014, he had sent a letter to all Secretaries General explaining the "partner for democracy" status and making a number of proposals. He outlined the situation as it stood:

Three parliaments had this status in the Parliamentary Assembly: the parliaments of Morocco, Palestine and very recently Kyrgyzstan. The procedure to grant this status was currently under way for Jordan which would perhaps be completed in 2015; other parliaments, especially in central Asia, could also be granted this status.

In 2012, after a long debate, the Secretaries General of Parliament had agreed to give members of parliament with this status a number of rights within the ECPRD, in particular the right to receive the replies to the questionnaires and to attend seminars, but not the right to submit questions. If new parliaments were to join the ECPRD network, there was a fear that the workload would be too great. This had been the main argument put forward two years previously. The Chair said that he had asked the Executive Committee to attend the present meeting and provide an opinion on the matter.

Mr Sawicki summarised the various possibilities: first, to stick to the ad hoc solution that had emerged in 2012; second, to abandon this solution; third, to choose a solution which would be incorporated into the ECPRD statutes. There were two variants for this third solution: (i) to grant partners for democracy all rights, including therefore the right to submit questions, and (ii) to incorporate into the statutes the ad hoc solution currently applied, whereby partners for democracy simply had passive access to the ECPRD, without being able to submit questions.

Mr Schade presented the position of the Executive Committee which had had a long discussion on this issue on two occasions: before the meeting in Strasbourg in 2012 and more recently in Tallinn. It would appear that the partners for democracy were fairly satisfied with the pragmatic solution currently applied and were not pressing to be given additional rights. Moreover, one had to be careful not to increase the already very heavy workload of the ECPRD. This could happen if these partners were given additional rights. With the exception of one vote, a consensus had emerged in the Executive Committee to extend the current solution. Mr Schade added that the Executive Committee would have no objection to this solution being incorporated into the ECPRD statutes.

Mr Hamilton (Netherlands, Senate) felt that the opinion given by the Executive Committee should be taken into consideration. Nonetheless, if the ECPRD statutes were to be amended, he wished to

know whether the partners for democracy would have the same status as observers and special guests. If that were the case, why create a new category rather than simply making the countries in question observers?

The Chair clarified the current situation regarding the various statuses: in the Parliamentary Assembly, the parliaments of three countries had observer status: Israel, Canada and Mexico; the countries on the southern shore of the Mediterranean and the Central Asian Republics were no longer able to obtain observer status and could only become partners for democracy. To be granted this status, the parliaments had to agree to a number of commitments and fulfil certain obligations, which was not required of observers. The Parliamentary Assembly worked closely with the parliaments which had partner for democracy status in order to secure progress in the rule of law, democracy and human rights. There was no similar type of relationship with observer countries.

In conclusion, the Secretary General of the Parliamentary Assembly felt that the Centre had two possible solutions: granting the partners for democracy the same rights as those currently granted to observers and special guests – the latter category being de facto not represented; the second solution would be to give restricted rights to partners for democracy. The remaining question would be whether to put the agreed solution to the statutes or maintain it on an ad hoc basis.

Mr Khrishi (Palestinian Legislative Council, partner for democracy) first of all welcomed the fact that two years previously Palestine had been given the opportunity to take part in the seminars and numerous ECPRD activities. He conceded that his parliament would like to have additional rights but understood that this might not be possible as it would increase the Centre's workload. Accordingly, he was in favour of maintaining the current solution for a further two years, in the hope nevertheless that over time improvements to this solution could be made.

Ms Rettler (Germany, Bundesrat) approved the solution put forward by the Executive Committee to extend the current ad hoc solution for a further two years. She added, however, that she was open to any other solution.

Mr Hondequin (Belgium, Senate) was in favour of maintaining the current situation without this having to be formalised in the statutes.

Mr Papaioannou would be more inclined to maintain the ad hoc solution, but was surprised that no speaker had called for this to be incorporated into the statutes. He would like to know the reason for this.

The Chair acknowledged that no-one had argued for this but reminded participants that in his letter he had outlined the different possible solutions. Personally, he was in favour of continuing the current practice, but did not wish to impose anything.

Mr Cavera Gomez (Spain, Senate) said that some members of the Moroccan parliament had asked the Spanish parliament to submit questionnaires on their behalf so that they could benefit from the expertise of the European Parliament through the ECPRD. He had replied that he was prepared to do this but was somewhat troubled by an arrangement which involved asking partners for democracy to go through other parliaments.

He suggested that partners for democracy could be allowed to submit questions for a trial period of two years, after which the situation could be assessed and this practice could then be stopped if the Centre's workload became excessive.

Mr Larsen (Denmark, Folketinget) said that he found the current situation which granted reduced rights to parliaments of non-European countries rather unsatisfactory. He wondered whether it would be possible to allow them to submit questions for a two-year period. At the end these two years it would be possible to assess whether this had led to a sharp increase in workload. He felt that these new democracies should be given even more help. If this approach were chosen, a final decision could be taken at the next meeting of the Secretaries General, based on precise data and not assumptions.

Mr Jean-Louis Hérin (France, Senate) said that requests for information submitted by the ECPRD were in addition to the requests for co-operation made by certain parliaments. He conceded that it was particularly tempting to place greater emphasis on this bilateral co-operation, in particular, as far as France was concerned, with Morocco. Offering placements for foreign civil servants or trainees, a practice carried out by both chambers of the French parliament, especially with Germany and Afghanistan, was another way of strengthening exchanges and having a more accurate understanding of the situation than via written replies.

In conclusion, he said he was in favour of the status quo and the ad hoc practice.

The Chair set out the two positions that had emerged: (i) maintaining the status quo for partners for democracy whereby they could not submit questions, and (ii) agreeing on an enlarged ad hoc solution enabling partners for democracy to submit questions for a two-year trial period.

Mr Sawicki reminded the participants that only the representatives of the Council of Europe member states could vote. This therefore excluded the observers and partners for democracy.

Ms Verger, speaking on behalf of the European Parliament and pointing out the latter's financial commitment to the Centre, expressed her preference for the status quo. She understood that certain countries, for political or diplomatic reasons, wished to grant the partners for democracy additional powers, but she did not wish to see the functioning of the ECPRD disrupted by being overloaded. She added that bilateral exchanges between parliaments continued to remain an option.

Lastly, Ms Verger feared that it would be difficult to reverse any extension of powers granted to the partners for democracy once the two-year trial period was over.

The first proposal (to maintain the status quo for partners for democracy) obtained 27 votes;

The second proposal (to allow partners for democracy to submit questionnaires for a two-year trial period) obtained 11 votes.

The first proposal was therefore adopted.

In the absence of any other business, the meeting rose at 10.30 am).