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How do national parliaments take forward the work of parliamentarians who attend international parliamentary assemblies?¹

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Introduction

As Secretary General of the Parliamentary Assembly of the Council of Europe, the oldest and widest pan-European Assembly, which brings together the whole continent's lawmakers from the parliaments of 47 member States, reflecting on how national parliaments take forward the work of their delegations to international parliamentary assemblies is a matter of on-going interest and constant concern. With a touch of humour and a healthy dose of humility, I would admit that, as Secretary General, my greatest fear is that national parliaments simply do not care about our work and activities. I am therefore ready to hear positive, reassuring and encouraging messages!

In September 1980, the ASGP adopted a report by John Priestman, then Clerk of the Parliamentary Assembly of the Council of Europe, on "Relations between National Parliaments and International Parliamentary Assemblies" (Constitutional and Parliamentary Information, No. 123/1980). The report dealt more particularly with

- the appointment of national delegations to international parliamentary assemblies;
- the information from national parliaments on the activities of international assemblies;
- the follow-up to decisions taken in international assemblies;
- action taken in this respect by national delegations and governments;
- administrative links between national parliaments and international assemblies.

Thirty-three years after the adoption of the Priestman report, it might be interesting to look again at relations between national and international parliamentary assemblies and in particular at the question of taking forward/follow-up of the work of international assemblies by national parliaments. Questions to be answered could be the following:

- i. Are there any specific procedures in national parliaments to discuss/ensure follow-up to debates/adopted texts of international parliamentary assemblies?
- ii. Do national parliaments regularly debate (in plenary or in committees) questions related to international parliamentary assemblies, and in particular to the activities of their national delegations to these assemblies?
- iii. Do members of national delegations take actions (at national level) related to their activities in international parliamentary assemblies (questions to ministers, references during parliamentary debates, articles in the press, etc.)?
- iv. What is the added value for national parliaments / individual parliamentarians of their participation in the work of international parliamentary assemblies?

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The Parliamentary Assembly – as any other international parliamentary assembly – operates in a highly competitive environment: parliaments are taking an active part in the work of an increasing number of organisations (**part I**).

Therefore, keep high national parliaments' interest and motivation to participate in PACE work is a must (**part II**). Strengthening interaction with national parliaments, improving the resources of this co-operation network, in order to gain visibility and efficiency is the task the Assembly has set itself as a top priority for the past five years.

I. Increasing number of international assemblies, increasing competition?

International parliamentary institutions have mushroomed over recent decades. National parliaments are therefore involved in interparliamentary co-operation through their participation in an increasing number of parliamentary institutions, at various levels, and more importantly at various levels of political and legal commitments.

1. Terminology and classification

In 1989, Heiner Klebes, Mr Priestman's successor in the post of the Clerk of the Parliamentary Assembly of the Council of Europe, presented a report on "The development of International Parliamentary Institutions" (Constitutional and Parliamentary Information, No. 159 1/1990) in which he proposed a classification of international parliamentary institutions.

For the purpose of this paper, the term "international parliamentary assembly" is preferred to the term "international parliamentary institutions". It is used where the members of the institution concerned are either elected or designated by national parliaments from among their members in such a way as to ensure fair political (and gender) representation. On the other hand, international parliamentary institutions cover all categories of interparliamentary bodies, including associations (which are based on individual membership).²

The classification of international parliamentary assemblies is not an easy enterprise. However, developing such a classification is an essential prerequisite – and shall be used – to assess parliaments' level of involvement and commitment in multilateral parliamentary co-operation.

Generally, classifications are "area-related" or "issue-related" and emphasise the composition of international assemblies – in a geographical sense – thus distinguishing world-wide, regional, sub-regional or inter-regional assemblies, or their goals, scope for action and activities: some international assemblies are more general in competence while others have subject-specific missions.

Another approach leads to identify whether an international assembly is governed by international law or not. The former would be based on an international treaty, normally a multilateral one. For the latter there might be a variety of solutions (agreement between national parliaments; registration as an association under national law). This legal status categorisation may help in determining the level of legal and political commitment of national parliaments in international parliamentary institutions.

2. Non-exhaustive list of international parliamentary assemblies

Based on the above-mentioned last criteria, the existing international parliamentary assemblies – at least the most well-known – may be listed as follows:

² For a complete overview and classification of IPIs in the world, see "The Legal and Political Status of International Parliamentary Institutions", Claudia Kissling, Committee for a Democratic U.N., 2011. See also "Parliamentary Dimensions of Regionalization and Globalization - The Role of Inter-Parliamentary Institutions", 2013, Oliver Costa, Clarissa Dri and Stelios Stavridis; "International Parliamentary Institutions: Some Preliminary Findings and Setting a Research Agenda", Andrea Cofelice, United Nations University Institute-CRIS, 2012. For a historical perspective and analysis of parliamentary institutions, see "International parliaments", by the late Lluís Maria de Puig, former President of the Parliamentary Assembly, 2008.

- i. International parliamentary assemblies based on an international treaty³
 - Parliamentary Assembly of the Council of Europe (PACE);
 - Benelux Interparliamentary Consultative Council;
 - Nordic Council;
 - Pan-African Parliament;
 - Latin American Parliament (PARLATINO);
 - Parliamentary Assembly of the Francophonie;
 - Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States (IPA CIS);
 - The Consultative Council of the Arab-Maghreb Union;
 - Parliamentary Assembly of the Collective Security Treaty Organization;
 - Interparliamentary Assembly of the Eurasian Economic Community;
 - ACP-EU Joint Parliamentary Assembly.

- ii. International parliamentary assemblies based on an interparliamentary agreement
 - Inter-Parliamentary Union (IPU);
 - Parliamentary Assembly of the OSCE (OSCE PA);
 - NATO Parliamentary Assembly (NATO PA);
 - African Parliamentary Union (APU);
 - ASEAN Inter-Parliamentary Assembly (AIPA);
 - Asian Parliamentary Assembly (APA);
 - Asian Pacific Parliamentarians' Union (APPU);
 - Arab Inter-Parliamentary Union (AIPU);
 - Interparliamentary Assembly on Orthodoxy (IAO);
 - Parliamentary Assembly of the Black Sea Economic Cooperation (PABSEC);
 - Baltic Assembly (BA);
 - Parliamentary Assembly of the Mediterranean (PAM);
 - GUAM Parliamentary Assembly;
 - Parliamentary Assembly of Turkic-Speaking Countries (TURKPA).

- iii. Other international parliamentary assemblies
 - Baltic Sea Parliamentary Conference (BSPC);
 - Commonwealth Parliamentary Association;
 - Euro-Mediterranean Parliamentary Assembly (EMPA);
 - Euro-Latin American Parliamentary Assembly (EuroLat);
 - Euronest Parliamentary Assembly;
 - The Parliamentary Dimension of the Central European Initiative;
 - the Conference of Parliamentarians of the Arctic Region (CPAR);
 - Association of Pacific Island Legislatures.

Moreover, national parliamentarians are sometimes involved in specialised international networks – for example, the Global Organization of Parliamentarians against Corruption (GOPAC), the Global Parliamentarians on Habitat – which, although not parliamentary assemblies, conduct specific co-operation activities that may interfere with national parliamentary initiative and decision-making in the areas concerned.

This chapter would not be complete without mentioning that international parliamentary assemblies may also die. This happened with regard to the WEU Parliamentary Assembly, following the transfer of WEU's operational activities to the European Union in 2000 and its transformation into the Interparliamentary European Security and Defence Assembly, till May 2011, when the Assembly was definitely wound up.

³ Assemblies like the European Parliament, Andean Parliament (partially), Central American Parliament have directly elected members. Therefore, they are not included in the above list. The South American Parliament, which is a proposed body of the Union of South American Nations (UNASUR), is not yet in operation.

3. *Towards an evaluation of international parliamentary assemblies?*

Therefore, within the community of international parliamentarism, it is to be feared that the proliferation of international parliamentary assemblies in our global world will sooner or later clash with national parliaments' constraints, in particular financial and budgetary restrictions.

As former PACE President de Puig mentioned in his book on "international parliaments": "*the danger exists that the multiplicity of these structures may render them superficial and purely symbolic*". The fragmentation of the participation of national parliaments in so many interparliamentary co-operation instruments may result in a complete dilution of the work of the interparliamentary assemblies.

However, international parliamentary assemblies should not be placed on an equal footing. They all share a common platform – to create the conditions for stable democracies, political pluralism, social and economic progress – but they do not provide the same range of instruments to achieve these goals (be they political, economic, social or security/military). One could list and rank international parliamentary assemblies on the basis of their political leadership and effectiveness, their representativeness and effective representation of the citizen's interests, the importance of activities they carried out, the number of decisions taken, the continuity of their operational and administrative structure, etc. Thereafter, why not use the evaluation tools which are promoted by IPU for years.

The Parliamentary Assembly of the Council of Europe is the common home of the parliaments of Europe. It is a pan-European forum for interparliamentary dialogue, where the major emerging and topical issues which are of common interest to all European parliamentary democracies can be debated, where common solutions can be found, a forum where political initiatives can be taken together. The Parliamentary Assembly does not have a legislative function which is comparable to that of a national parliament, but it does play a key role in this field through its right to initiate Council of Europe conventions. The Assembly exercises political oversight over the action of member States in implementing Council of Europe standards, monitors the situation in member States, observes national elections, provide policy guidance, sets benchmarks and disseminates best practices. It operates with a permanent secretariat of more than 100 officials. With 742 reports debated between 2004 and 2012, resulting in the adoption of 954 resolutions or recommendations, the Parliamentary Assembly of the Council of Europe cannot be seen only as the oldest Pan European parliamentary Assembly but above all as the most active one in Europe.

II. Optimising interaction between parliamentary assemblies and national parliaments

The question how the activities of international parliamentary assemblies can better affect the work of national parliaments remains therefore a topical and central challenge for these parliamentary assemblies. I would like to highlight the approach followed by the Parliamentary Assembly of the Council of Europe in this regard.

1. *The Parliamentary Assembly's exploration of ways to enhance relations with national parliaments*

The Parliamentary Assembly of the Council of Europe considered on several occasions the issue of improving connections between national parliaments and international parliamentary assemblies, strengthening their dialogue and mutual co-operation and promoting more effective communication, exchanges of information at both national and European level. PACE had these issues in mind when it adopted Resolution 1640 (2008) on the "Use by Assembly members of their dual parliamentary role – both national and European".

In 2011 the Parliamentary Assembly undertook a reform of its organisational structure, its mode of operation and its means of action; this reform aimed at strengthening its political effectiveness and relevance, increasing its members' involvement, reinforcing the interaction between the Assembly and national parliaments and strengthening inter-parliamentary co-operation.

One year later the Assembly decided to carry out an assessment of the implementation of its reform and, in this context, to examine in particular the expectations of national parliaments as regards the Assembly's work and activities, as well as the impact of PACE adopted texts on the work of parliaments and national governments. This precisely ties in with the main theme currently being discussed.

A questionnaire was sent to PACE national delegations and members at the end of 2012, asking in particular about:

- national parliaments' perception of PACE's role;
- national parliaments' expectations regarding PACE's activities and the issues that the Assembly should discuss first and foremost;
- the impact of PACE's decisions on the work of the national parliaments, the initiatives taken by the delegations to promote these decisions, and the initiatives that could be further developed.

i. National parliaments' perception of the PACE role

A first step towards better understanding the expectations of the PACE parliamentary delegations with regard to the activities undertaken by the Assembly requires obtaining a clear picture of how parliamentarians perceive the role played by the Assembly.

PACE members very clearly consider the Assembly as a unique institution within Europe for the promotion of fundamental values in the fields of human rights, democracy and the rule of law, which hold member States to account on an equal footing by assessing their situation in these areas and monitoring their obligations thereon, as well as for the promotion of standards through the implementation of the European Convention on Human Rights and other conventions. Several delegations underlined the crucial role of the Assembly as a monitoring body to assess compliance with standards in the fields of democracy, human rights and the rule of law.

PACE members also view the Assembly as the largest pan-European forum where specific topical issues in the most diverse areas – and of interest to the greatest possible number of Europeans – are discussed. The Assembly is in step with the political, economic and social situation in Greater Europe; members welcome its technical expertise, and its capacity to initiate serious and substantive reflections, to give rise to in-depth and sound discussions on sensitive political questions, and to promote exchanges of information and good practices.

However, only one-third of the delegations regard the Assembly as a decision-making, even prescriptive, body whose resolutions can directly guide the current or future proceedings of national parliaments. This brings us to the heart of the problem of the visibility and effectiveness of the Assembly's work and of its political relevance.

ii. National parliaments' expectations of PACE activities

When questioned on the issues that the Assembly should discuss first and foremost, the overwhelming majority of parliamentarians and delegations express a clear preference for topics related to the situation in the member States, particularly regarding compliance with the statutory obligations and the undertakings on human rights, democracy and rule of law, as well as the implementation of the judgments of the European Court of Human Rights, and the monitoring of the implementation of conventions. A large majority of parliamentarians consider that questions of current political concern are 'very relevant or relevant'; major emerging problems of European society are also widely considered as 'very relevant or relevant' topics for the Assembly's activities.⁴

⁴ Topical issues mentioned by national delegations on which PACE recommendations would be useful to national parliaments include in particular the following:

- threats to democracy; political extremism; terrorism
- transparent governance, corruption, conflict of interests, lobbying, financing of political parties and electoral campaigns
- State and economy; State compliance with financial and accounting rules; taxation of financial flows
- economic problems and social consequences of the crisis, austerity measures, unemployment, viability of the Welfare State
- sustainable development, health and environment, food security, climate change, the energy issue
- the fight against discrimination, racism, rights of LGBT persons, minority rights, gender equality.

iii. Initiatives taken by the national parliaments to promote PACE decisions and adopted texts

Most parliaments publicise the Assembly's work mainly by drawing up a progress report of the delegation or a report on the Assembly's activities, either annually or after each part-session. In some parliaments, a report may also be issued after each committee meeting in which members participate. In some cases, all this information is published and made available to the public on the parliament's website. One delegation publishes a newsletter.

Some delegations disseminate and publicise the texts adopted by the Assembly and implement its decisions by transmitting the resolutions to the competent parliamentary committees, or by organising a presentation or communication by members of the delegation in the competent committees.

Very few parliaments organise a debate in plenary session on the activities of the Assembly and of the Council of Europe, usually annually, sometimes more regularly in the committee(s) concerned (most of the time the committee on foreign affairs or the justice committee), in any case where necessary. In general, delegations do not much use the opportunity to put standard parliamentary questions to the government in order to draw the attention of national authorities to the Assembly's proposals or decisions.

Several delegations said that they intend to give priority to direct communication with the government, in particular the Minister for Foreign Affairs, by holding regular meetings with its representatives.

iv. How to increase the impact of the Assembly's decisions on the work of national parliaments?

One aim of the Assembly's 2011 reform was to strengthen the interaction between the Assembly and national parliaments. It is clear that asking national delegations to provide a better "after-sales service", especially by more effectively promoting texts adopted by the Assembly, presupposes that these texts deal with issues of relevance to current national policy priorities and future national challenges as well as matters of interest to citizens, so that the Assembly's recommendations can be formally taken on board by the national parliaments under their regulatory and legislative powers.

Several PACE delegations provide concrete examples of Assembly resolutions that directly inspired the proceedings of their parliament or had a direct impact on their work: resolutions relating to the monitoring of obligations and commitments either general or specific (for example, on combating corruption, promoting freedom of the media, or on the abolition of the death penalty), to the implementation of the Council of Europe conventions and of the judgments of the European Court of Human Rights, and those relating to solving bilateral conflicts with the neighbouring country.

2. Closer interaction between international parliamentary assemblies and national parliaments: further food for thought

Concrete steps in order to enhance the operational synergies between the international parliamentary assemblies and national parliaments shall be explored. In every national parliament and parliamentary assembly, a practical way of breaking the routines in interparliamentary dialogue should be found, aiming at a higher level of quality, rationality and efficiency. The link between the proceedings of parliamentary assemblies and national parliaments must be enhanced: documents produced cannot simply be published and made available on websites; if reports and decisions remained in a closed circuit, they will only receive formal, routine or bureaucratic feedback. These are some of the avenues currently explored by the Parliamentary Assembly:

i. Better reflecting the interests and concerns of national parliaments in PACE's work

The Assembly shall improve its awareness of the interests and needs of the national parliaments. Improved interaction would help it tailor its priorities and direct its action in such a way as to ensure European-level debates on issues helpful to national legislators in their day-to-day work.

National parliaments could also better raise their members' awareness of the Assembly's potential as a platform for parliamentary activities on the international stage and as a think-tank, able to identify future challenges and prospective trends which are relevant to national and European concerns.

For its part, the PACE secretariat published in 2012 a handbook for delegation members who are willing to be actively involved in the Assembly's activities and debates and use the procedures at their disposal (such as tabling motions for resolutions or recommendations, written declarations, etc) in order to exert direct influence on the Assembly's work.

Reinforcing PACE parliamentary assistance programmes towards national parliaments is also a priority. For a number of years now the Secretariat has been organising regular seminars on the Council of Europe's activities, the functioning and structures of the Assembly, etc, notably for the benefit of new national delegations set up following elections in member States. The novelty is that nowadays requests for assistance are more specific, targeting parliamentary institutions in specific countries or regions and aiming at promoting standards and good practices in various fields of parliaments' interest.

ii. Promoting direct exchanges between the Assembly committees and their counterparts in the national parliaments

National delegations are the natural relays for Assembly activities, and should promote its work; they are the Assembly's "ambassadors". If it is to be efficient, co-operation between PACE and national parliaments must be fully supported by the national delegations.

However, developing direct links between the national parliamentary committees and parliamentary assemblies should also be considered. PACE delegations themselves expressed a very keen interest in promoting direct exchanges between the Assembly committees and the competent committees of national parliaments in the following ways:

- through direct exchange of information on matters of mutual interest,
- through joint meetings between the committees in Strasbourg or in national parliaments,
- by setting up networks of "contact" parliamentarians or correspondents in sister committees for certain issues,
- by organising a meeting, for instance once every two years, of chairs of parliamentary committees on a given topic.

One concrete action would be to create an e-mail data base of committee chairs (or members) of all national parliaments, which would allow the Assembly to channel information on specific issue to all national parliamentarians dealing with the matter at hand.

The Parliamentary Assembly of the Council of Europe, through its constant process of reform and initiatives, is not the "Sleeping Beauty" of European interparliamentary co-operation. However, whatever the improvements in its mode of operation, part of the problem remains: there is a need, on the part of national parliaments, to be ready to receive PACE proceedings and decisions and to ensure comprehensive feedback. Ultimately, recommendations from parliamentary assemblies should result in legislative initiatives or parliamentary initiatives for political supervision of governments.