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Organization for Security and Co-operation in Europe
PARLIAMENTARY ASSEMBLY

REPORT

**By Mr. Steny Hoyer, Chair of the OSCE PA Ad Hoc
Committee on Transparency and Accountability**

Annual Session, Brussels 2006



This update concludes that the situation concerning Transparency and Accountability within the OSCE has not changed significantly since the Annual Session in Washington in July 2005.

The Committee will continue to follow the situation in the OSCE and promote greater transparency and accountability. In addition, President Hastings has asked the Committee to review the election observation programme and the leadership role of the Assembly on such missions. He has also asked the Secretariat to prepare a detailed report on the Assembly's election observation activities in a historical perspective. The Committee will meet during the Brussels Annual Session to discuss how to proceed and will report back to the Assembly as appropriate.

In spite of the work to reform the OSCE, the recommendations presented by both the OSCE Panel of Eminent Persons and the OSCE PA Expert Colloquium largely remain unimplemented. Delegations as well as OSCE Officials speak about reform, but there is no consensus about the meaning of such reforms. The Permanent Council has failed to acknowledge the existence of the Colloquium Report and has not even discussed the recommendations. The Committee recommends that national Delegations in Vienna discuss the recommendations of the PA Colloquium with their Governments and urge a debate in the Permanent Council on these recommendations.

On a positive note, the 2006 budget of the OSCE was adopted on time this year. However, although the Ministerial Council in Ljubljana passed some decisions, including on the appointment of the new Secretary General, it failed to reach consensus on the overall Declaration. The Ministerial Council also tasked the ODIHR to prepare a report on election observation including reference to the implementation of existing commitments, possible supplementary commitments, ways to strengthen and further the election related activities and improving the effectiveness of its assistance to participating States. The Ministerial Council completely ignored the role of the Parliamentary Assembly in election observation.

THE WORK OF THE COMMITTEE

At the outset of its mandate, the Committee adopted eight points of priority for its work:

The Committee is working towards a situation in which:

1. The OSCE PA is notified of actions blocking consensus and of opposition countries.
2. The OSCE PA Declarations are considered by the PC with a formal/informal procedure to be established.
3. The OSCE Secretary General annually reports to the Parliamentary Assembly on the PC's consideration of the Assembly's proposals.
4. The Chairman-in-Office prepares a written report on the PC's consideration of the PA Declarations.
5. The OSCE PA reviews and comments on the annual draft budget and the audit report.
6. Regular meetings are held between the CiO and senior OSCE PA Officials, including the Secretaries General of the OSCE and the OSCE PA.
7. Senior OSCE Officials, including the Secretary General be available for invitation, no later than six months after appointment, to meet with the Parliamentary Assembly at either the February or July Sessions.
8. An OSCE PA liaison office is opened in Vienna.

Evaluating the implementation of these eight points, it becomes clear that only half the points have been realized, which is no progress compared with a year ago.

Senior OSCE Officials have continued to come to the OSCE PA Meetings and report on their work (point 7). The annual OSCE PA Winter Meeting, which allows for direct interaction between Members of the OSCE Parliamentary Assembly and leading officials from the OSCE Governmental bodies and institutions, is very useful in this regard. The wide participation in the meeting indicates the great level of parliamentary interest in the affairs of the OSCE, and the Winter Meeting gives the Assembly an opportunity to gather information and ask questions in relation to implementation of policies and priorities. This gives Members a chance to follow-up to the Declarations passed at the Annual Sessions.

In spite of this possibility for the Assembly's Members to raise direct questions, the level of feedback from the Governmental side to the Assembly's Declarations is still not satisfactory (points 2., 3. and 4.). Although, after each of the Annual Sessions, the OSCE PA President or the Secretary General address the Permanent Council and present the Assembly's main recommendations, the Permanent Council has not yet provided sufficient feedback or answers to the political recommendations.

Some previous Chairs-in-Office (Norway in 1999 and Austria in 2000) produced annual reports in which they commented on OSCE policies and actions related to the Assembly and its recommendations. This practice has not been taken up by subsequent Chairs-in-Office.

As a result of the Ad Hoc Committee's work, the OSCE PA now has a Liaison Office in Vienna (point 8). When the Liaison Office opened, however, the question of open access for the OSCE PA to OSCE meetings initially was a difficult issue. The status now is that formally, OSCE PA Representatives in Vienna are given access as observers to formal or informal meetings, including to the meetings of the Advisory Committee on Management and Finance, if no Governmental Delegation objects to this presence. In practice the PA representatives have been admitted to all meetings with one recent notable exception. The ODIHR is conducting a hearing on election observation on 7 July which overlaps with the Assembly's Annual Session. The OSCE PA expressed an interest in sending a representative to this meeting.

The OSCE Secretary General again this year presented the draft OSCE budget and answered direct questions from the floor at the Standing Committee Meeting during the Autumn Conference (Point 5). In previous years, the Assembly has sent its comments to the OSCE on the proposed budget. However, the Assembly never received any feedback from the OSCE Permanent Council on its recommendations. It is even more disappointing that the Assembly has not been informed on any discussion of its comments either by the Advisory Committee on Management and Finance or by the Permanent Council. In fact one year the governmental side even refused to place a discussion of the Assembly's recommendations on the agenda.

The Ad Hoc Committee has stated on several occasions that the combination of lack of transparency with the consensus rule prevents the Organization from taking necessary or even routine action in many cases (point 1). In spite of the fact that several outgoing Chairs-in-Office and the former Secretary General criticized the consensus rule, there is obviously no movement away from practicing it. The OSCE PA Liaison Office in Vienna has de facto access to the meetings, but there is still no general information about actions blocking consensus or which countries use the veto to block various measures. Of course, when an Ambassador opposes something openly in the meetings of the PC or the ACMF, those present will know, but often issues are not discussed in the meetings until a consensus has been reached during informal consultations. Therefore, the secrecy of the consensus process still exists.