

## Special Representative

To:

PA President

and

PA Secretary General

### *Permanent Council Brief Week 36, 2006*

This week, after a two-day visit of Parliamentary Assembly Secretary General Oliver, I took part in the Montenegrin Election Observation. Kathrin Quesada's successor as Liaison Officer, Andres Blasco Cortés, and our Research Assistants participated in meetings of the Permanent Council, the Asian Contact Group, and the Advisory Committee on Management and Finance.

The main point on the Permanent Council Agenda was the address by the Chief Prosecutor of the International Criminal Tribunal for the Former Yugoslavia, Carla Del Ponte. Under "Current Issues", the Permanent Council discussed Kazakhstan's bid for the Chairmanship in 2009, recent incidents in Georgia and at the Moldovan-Ukrainian border, the anniversary of the September 11 attacks, as well as the usual issues regarding Belarus and Kyrgyzstan.

Despite the fact that representatives of the OSCE PA participate in the meetings of the Advisory Committee for Management and Finance, we are denied access to the detailed information about the financing of individual projects. This information can be found in a special sub-section of the internal OSCE webpage to which we need a special password. The budget experts of all 56 Participating States have access to this particular sub-section of the internal web-page. I have been requesting access for some time and have several times been promised a password. However, last week, when I raised the issue again, OSCE Secretary General Perrin de Brichambaut informed me that the Belgian Chairmanship had ruled not to give us access. This is contrary to what the Secretary General had said during our Annual Session when he claimed that we have unrestricted access to all relevant information through the net. In some instances, the origin of extra-budgetary funds used for OSCE projects has not been disclosed to us, even when we requested it. The funding of a number of OSCE projects involving large amounts of (extra-budgetary) funds remains intransparent to the Assembly. The extra-budgetary funding is also a contentious point in the Advisory Committee for Management and Finance, as the lack of transparency, the limitations to external auditing and the lack of up-to-date financial regulations are a source for dissatisfaction of a number of national delegations.

In the course of PA Special Coordinator Vice President Soares' negotiations with ODIHR about the Montenegrin Preliminary Post-Election Statement, a basic dissent between ODIHR and the PA about the legitimate scope of the 1997 Cooperation Agreement on election observation became apparent. I was informed that the ODIHR, based on the Budapest Declaration, does not see any room for a coordination of election activities by the Parliamentary Assembly, because it claims to be the sole legitimized coordinator. ODIHR's position obviously makes it very difficult to establish a smooth cooperation with the PA delegation leader who the Chairman-in-Office appoints as Special Coordinator of the ODIHR Short Term Observers. Furthermore, ODIHR apparently believes that any joint operation needs to be limited to the Election Day. This contradicts the many provisions of the Cooperation Agreement, which call for a close cooperation between the two OSCE Institutions from the moment they decide to observe an election. It also contradicts our simultaneous and continuous observation activities, which include collecting information from all sources including the ODIHR's LTOs, pre-assessment visits etc.

Finally, I received an answer to a letter to the PC Chairmanship that I had sent out several weeks ago, requesting that the PA Leadership be invited to the next discussion on election observation, which the ODIHR Director will hold in Vienna on September 22. In essence, the answer was the same as the one I had received for the July 7 meeting; namely that it was up to ODIHR to issue an invitation. A little later, I received an invitation from Director Strohal "to observe" the meeting. This means that I will again not be able to react should PC members - like for instance on July 7 - call for a reduction of parliamentary participation in the Post-Election Press Conference.

PA Secretary General Oliver, during his visit to Vienna, held extensive talks with the incoming Spanish Chairmanship, with the EU Presidency, with the Russian Ambassador and with the OSCE Secretary General.

A handwritten signature in black ink, appearing to read 'Andreas Nothelle', written in a cursive style.

Andreas Nothelle  
September 15, 2006