

## Special Representative

To:

PA President

and

PA Secretary General

### *Permanent Council Brief Week 7, 2007*

This week, meetings of the Permanent Council, a Special Permanent Council, the Preparatory Committee, the Advisory Committee for Management and Finance, and of the new Committee on Economy and Environment, took place. There was also an Expert Conference and the Annual High-Level Meeting between the Council of Europe, the OSCE and the UN on Counter-Terrorism. On Thursday and Friday, I participated in a PACE Conference on 'the Parliamentary Dimension of Election Observation: Applying Common Standards', as part of an OSCE PA Delegation.

The High-Level Tripartite Meeting concluded with a joint communiqué, the draft of which was circulated some minutes before the closure of the meeting. It contained language on Human Rights in the fight against terrorism. Since it did not mention a role for parliaments or parliamentarians in that context, nor did it at any point speak about judicial safeguards, I spontaneously recommended to amend the text in a paragraph that read "Promoting international co-operation and ensuring that any measures taken to prevent and combat terrorism comply fully with obligations under international law, in particular human rights law, refugee law and international humanitarian law" by the words "and that they provide for sufficient judicial safeguards as well as effective parliamentary oversight". OSCE Secretary General Perrin de Brichambaut, who chaired the meeting, commented my proposal by saying that of course everybody "is fond of parliamentarians", but that parliamentarians are primarily legislators, and that it was questionable whether "parliamentary oversight" was the right word in this context. This confirmed my impression that the executive side in Vienna is rejecting this notion with renewed vigor probably because it had figured prominently in President Lennmarker address last autumn, and because of the appointment of the Parliamentary Assembly's Special Representative on the OSCE Budget. However, Petur Blöndal (Iceland) will now have an opportunity to speak with the Secretary General before the start of the Winter Meeting.

The PA Delegation to the Strasburg Meeting was headed by Vice-President Joao Soares and Secretary General Spencer Oliver. Roberto Battelli, Christian Miesch, and Yakup Kepenek as well as Tina Schøn also spoke for the PA (see PA Website). We all had to defend the Parliamentary Assembly against unfair allegations in the context of our ongoing disagreements with ODIHR. We pointed out that we are guided by the 1997 Cooperation Agreement (freshly endorsed by the last Ministerial Council), which has established a perfectly reasonable division of labor. What leads to ODIHR's attacks is that it does not accept the leadership of the Chairman-in-Office appointed Parliamentarians in the process of establishing the preliminary post-election statement.

Unfortunately, in Vienna, although nobody has ever witnessed the negotiations during an Election Observation Mission, there is a tendency to rather believe in the complaints of fellow technocrats than to listen to the arguments of PA representatives, and I fear that some of the briefings PA delegations will receive in the next days will be based on the resulting one-sided picture. There are exceptions, though. The Swiss ambassador had arranged a working luncheon with ten delegations, which gave me an opportunity to present the PA's position.



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Ambassador  
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