

Special Representative

To:

PA President

and

PA Secretary General

Permanent Council Brief Weeks 43 - 45, 2010

These weeks saw the continuation of the Review Conference as well as many meetings of the PC and other bodies. I was absent from Vienna for eight days because of the Election Observation in Azerbaijan.

One part of the Review Conference was devoted to the role of the Chairmanship, of the OSCE PA and the decision-making process. I had been requested to make an introductory statement on the OSCE PA (RC.GAL/32/10). For once, the EU came out with a thorough and comprehensive statement on the PA's role (RC.Del/301/10) and Russia also went into some detail (RC.Del/292/10).

Unfortunately, the short paragraph on the PA contained in the U.S. statement for that session (RC.Del/298/10) started with the following sentence, revealing remarkable positions on the status, role and function of the PA: "**Like NGOs, the Parliamentary Assembly can play a constructive role in further implementation of the OSCE's mandate**". I cannot help but interpret this sentence as saying: "The PA, which is similar to an NGO, should abstain from attempts to hold the OSCE executive side accountable and instead focus on implementing what we tell them, which it has not yet done in a constructive manner."

At the end of the week, another "ambassadorial retreat" took place in order to discuss what the Chairmanship had circulated as "Elements" for a Summit document (CiO.GAL/179/10), containing a declaration and an action plan. In preparation of this retreat, I had given several proposals for possible changes in the declaration to some colleagues. These proposals reflected recommendations from the Palermo paper of the Transparency Committee, especially where it deals with the concept of accountable governments and an accountable OSCE. During the meeting I outlined the relevant issues. The only delegation to mention the PA was Turkey, who urged that the document ought to say more and that the PA should be mentioned in the Action Plan.

The role of national parliaments is mentioned nowhere in the paper that the Chairmanship drafted in close collaboration with the OSCE SG Perrin de Brichambaut-led Secretariat. The PA is listed almost at the end of the declaration, using language that has consistently been the lowest common denominator among delegations in the past years. This language is remote from what the Istanbul Summit enshrined in the Charter of European Security when it placed the PA first among the OSCE's institutions. Also, the paper, instead of referring to the role of parliaments, only names NGOs as institutions that are supposed to hold governments accountable. The concept implied by the way it is constructed suggests the following: citizens express their will once in regular intervals, namely in elections, but then it is up to the media and the NGOs to hold governments accountable.

A major problem is that I have no right to move amendments; proposals I make have to be taken up by a delegation in order to be formerly considered. During and after the retreat, I therefore again approached a number of colleagues, some of whom assured me they would support my proposals at least partly. I circulated them (PA.GAL/8/10) and Marc Carillet referred to them in meetings taking place during my absence.

Despite all this, the first revision of the paper (CiO.GAL/179/10 Rev.1) did not take up any of the proposals. While it does mention the PA in the Action Plan, after external organizations, along with the partners for cooperation, it simultaneously changed the wording "the PA as the organization's autonomous parliamentary body" contained in the declaration into "as the autonomous parliamentary body of the OSCE participating States", apparently following the logic of the Secretariat which does not accept the PA as part of the organization.

When I criticized this in the first meeting of the PrepCom on the revised paper, expressing my disappointment about the absence of support from participating States (the EU circulated an extensive paper which also did not give any support), I was in turn criticized for the "tone" I had used. Russia, who announced that it would consider supporting my proposals, at the same time questioned my right to get involved in the drafting in this detailed manner. The EU said it would support putting the PA and the Partners in separate paragraphs.

Apart from that, the many speakers again said nothing in their general remarks in favor of having the document refer to the role of national parliaments nor did they express support for improved – and better placed – language on the PA. Overall, I find the silence very revealing. Some explained to me afterwards that it would be premature to do it now, which seems partly caused by the absence of instructions from capitals. Some, in particular the U.S.A., also want to reorder and reword the whole document which would probably remove the part where my proposals would be located. The U.S.A.'s preference is to either have two documents or to limit it to a section reaffirming commitments and an Action Plan focusing on protracted conflicts. However, judging from 11 years of experience, the almost total absence of "official" support at this point, less than two weeks before we leave for Astana, and the fact that nobody so far has tried to discuss the substance of the proposals with me does not bode well for language that will accommodate our requests.

Otherwise, the PC did its normal work. It decided to allocate 430.000 Euros to the ODIHR for the observation of the upcoming elections in Belarus. It also decided a new concept for the Economic and Environmental Forum further reducing the Prague segment of it; the next one will be held 14 – 16 September 2011. The Ukrainian Deputy Foreign Minister explained why Ukraine wants to chair the OSCE in 2013. The Director of the ODIHR reported on ODIHR's activities. In reply, I made a short statement in which I also called for full implementation of the 1997 Cooperation Agreement.



Ambassador
November 12, 2010