

Special Representative

To:

PA President

and

PA Secretary General

Report on the current state of drafting of the Summit Document and PA language therein

The current discussions are confusing. Delegations have three totally different positions: The Chairmanship, supported by CIS countries, insists on working on the basis of the current draft (revision 1) which has been elaborated by the Chairmanship together with the OSCE Secretariat. This draft contains three chapters, one reaffirming "Shared principles", one naming "Shared challenges" and an Action Plan (Shared objectives). Most participating States have put forward proposals on almost every line of the document in chapters 1 and 2.

The U.S. believes that part 2 should be completely deleted, and that the points of importance contained in it should be moved to the other chapters, in particular to the Action Plan. Consequently, the U.S. does not make proposals regarding chapter 2, but proposes (amended) text from chapter 2 for insertion into the Action Plan. The EU has made an extensive proposal to completely change and extend the Action Plan, based on what has been discussed in the Corfu Process. Russia rejects the idea of discussing this. The main controversy is whether the document should directly address the protracted conflicts.

The Chairmanship's draft mentions the PA twice, close to the end of chapter 2 (paragraph 16) and near the end of the Action Plan, with weak language. The placement of this language and its substance suggests that the PA is not a full part of the OSCE. It falls behind the language from the Istanbul Summit. National parliaments are only mentioned as bodies that the PA communicates with.

The draft uses the word "accountability" in many places, but never in the context of parliamentary bodies. Its concept suggests that NGOs and the media should hold governments accountable. Many Vienna diplomats usually reject terms like "accountability, democratic oversight, transparency" when it comes to language on the PA, arguing that oversight is a matter for national parliaments only (this time it was the U.K.). However, when asked to insert a line on the crucial role of national parliaments in exercising these functions, to be followed by a sentence on the PA and its role as link between the OSCE and national parliaments, they rejected this equally, naming two reasons: 1) in some countries parliaments are not democratic and 2) that it is about a different (national) level and has nothing to do with the OSCE. My conclusion is that mentioning a concept of parliamentary oversight, in whatever way it might be construed, is not welcome.

As reported earlier, I have made a number of proposals which have been circulated (I have no right to move amendments). They mainly aim at making sure that the document a) demonstrates a democratic concept of accountability through appropriate language on the role of national parliaments and b) contains appropriate language on the PA, both in chapter 2 and in the Action Plan. Some smaller proposals I made were taken from the Palermo Corfu paper. Apart from speaking up and circulating my proposals, I have repeatedly addressed a number of colleagues asking for support on individual proposals for drafting.

Until the beginning of last week, only one delegation, Turkey, openly called for better language on the PA. On Wednesday the EU proposed improved language on the PA in parts 2 and 3; the U.S. made proposals for PA language only on the Action Plan (part 3), in accordance within their concept of having only a two-part document. What they proposed for the Action Plan was the following: "un-

derlining the important role of the OSCE Parliamentary Assembly as the autonomous parliamentary body of the OSCE, actively pursue strengthened interaction with it, and calling on it to develop its activities further as a key component in our efforts to promote democracy, prosperity and increased confidence within and between participating States."

The text the EU proposed for part 2 reads as follows: "We underline the important role of the OSCE Parliamentary body of the OSCE. We will actively pursue strengthened interaction with the Parliamentary Assembly and call on it to develop its activities further as a key component in our efforts to promote democracy, prosperity and increased confidence within and between participating States." For the Action Plan they propose: "(... *we agree to strengthen the effectiveness and efficiency of the OSCE itself by*) ... intensifying our interaction with the OSCE Parliamentary Assembly and with national parliaments".

The EU has also stated that there should be language on national parliaments somewhere in the document – without specifying this – and Belarus proposed to have a phrase on national parliaments as a first sentence in the paragraph on the PA. Russia said they would "consider to support" PA proposals, but in general they reject any new language and declare that they would like to stick as closely as possible to the Chairmanship's draft. In emails and orally, Denmark, Spain, Greece, Germany, Lithuania and Portugal signaled to me that they would support "some of my ideas" in the EU group, but have not further specified this.

As a reaction to the EU's proposal for the paragraph on the PA in the second part of the document, I said that it should at least read like: "We stress the importance of a strong and effective legislative branch of government for democracy and of the accountability of any exercise of state power, as performed by national parliaments. We underline the important role of the OSCE PA as the autonomous parliamentary body of the OSCE, continuously providing transparency and visibility to the organization. We will actively pursue strengthened interaction with the Parliamentary Assembly in its endeavor to develop its activities further as a key component in our efforts to promote democracy, prosperity and increased confidence within and between participating States, and we will explore further ways of involving our parliamentary institution into the day-to-day work of the organization." For the Action Plan I proposed: "(... *we agree to strengthen the effectiveness and efficiency of the OSCE itself by*) ... "intensifying our interaction with the OSCE Parliamentary Assembly, inter alia in the fields of crisis reaction, conflict resolution, energy security, institution building, elections, gender and human rights, and through it with national parliaments"".

Lithuania announced to me informally that they will support an additional specific proposal I made on closer interaction with the PA in crisis management (in line with the Palermo Corfu paper), which figures earlier on in the Action Plan. "Explore ways how to make use of the expertise and experience of the OSCE PA and its members, and how to include it more systematically in considerations for crisis reaction mechanisms."

I also requested that any language on the PA in any part of the document needs to be moved up in order to stop creating the impression that the PA is outside the OSCE. The EU has signaled some readiness to do this.

The Chairmanship has included the proposals of participating States which were all made orally in the draft they project on the walls of the meeting room, as bracketed text. The result is a document which is almost totally bracketed and unreadable and has not yet been circulated as a written document. A second revision that came out on Monday morning left parts 2 and 3 unchanged until further consultations have yielded results.

This is the status as of 09:00 hrs, November 22, 2010. The next PrepCom starts at 15:00 hrs.



Andreas Nothelle
Ambassador