

THE SEVENTEENTH PLENARY SESSION OF THE GENERAL ASSEMBLY

Doc.: GA17/LC17/REC50/01

RECOMMENDATION 50/2001¹

Cooperation among the PABSEC Member Countries in Strengthening the Rule of Law

1. The Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation appreciates that the regional cooperation among the countries in the Black Sea area has cemented the foundation for goodwill, partnership, mutual and reciprocal commitments for establishing peace, stability and prosperity as a prerequisite for the integration of the countries in the Region and into the European structures and broader global mainstream.
2. The Assembly welcomes the achievements of the Organisation of the Black Sea Economic Cooperation and the BSEC Related Bodies and stresses that yet the formidable challenges of the new millennium pose to the countries of the Region the imperative demand of more enhanced regional interaction in the process of consolidation of democracy and the rule of law. The Assembly notes, therefore, that it is vital to concert the efforts on the part of the countries to boost the dynamics in the region through deeper and more consistent country-by-country reforms in the key civil, political, economic and social spheres.
3. The promotion of the rule of law – through activities such as strengthening the good governance, just and fair civil society, independent and impartial judiciary, transparency and accountability, honest law-enforcement and truly democratic institutions – has crucial impact on deepening and expanding regional economic cooperation and creates incentive conditions for fostering fully-fledged market economy and economic growth and elevates the Black Sea countries to the universal standards and requirements of the European integration.
4. Being aware of the interdependence and indivisibility between the strengthening the rule of law and enhancing economic cooperation and development, the Assembly, restates its commitments embodied in the previously adopted recommendations in the priority fields, particularly: Recommendations 1/1994 and 20/1997 on the Improvement of customs regulations; Recommendation 9/1995 on Development of cooperation in banking and finance; Recommendation 15/1996 on Cooperation in combating organised crime; Recommendation 16/1996 on Development of cooperation in the field of trade and business; Recommendation 23/1997 on Harmonisation of

¹ *Rapporteur*: Mr. Michael Yemelianov, Chairman of the Committee – Russian Federation

The Assembly debate on 20 June 2000 (see Doc.: GA17/LC17/REP/01, Report of the Legal and Political Affairs Committee “Cooperation among the PABSEC Member Countries in Strengthening the Rule of Law” discussed in Athens, on 28 March 2001; *Rapporteur*: Mrs. Maria Arsenis – Greece)

Text adopted by the Assembly in Baku on 21 June 2001.

foreign trade regimes; Recommendation 38/1999 on Promotion and protection of the investments; Recommendation 43/2000 on Legislative framework for cooperation among the law-enforcing, customs and migration authorities; Recommendation 46/2000 on Legislative framework for combating corruption.

5. The rule of law and other basic principles of democratic society serve as a force for stability and economic prosperity. Unstable political climate, ethnic tensions and conflicts hinder to a greater extent promotion of economic and political interaction between and among the countries and hamper the progress of democratic development and the regional economic cooperation in general.
6. The member countries are the owners and the actors of the multilateral Black Sea economic cooperation process and their effort in and commitment to this undertaking determines its outcome and success. Parliaments and parliamentarians of the Black Sea countries, as a main vehicle of parliamentary diplomacy, together with their counterparts at regional or international levels and through their partnership with the international parliamentary organisations have immense task to prepare fertile ground for further cooperation and prevent problems from escalating by means of bringing together different points of view, achieving consensus and shaping up shared interests.
7. The Assembly believes that the interaction between and among the PABSEC member parliaments and their partnership with the internationally renown parliamentary organisations like European Parliament, NATO PA, OSCE PA, PACE, IPU, IPACIS, WEU Assembly, etc., as well as with the regional and sub-regional organisations and initiatives such as SECI, CEI and Royaumont Process will bring more positive elements in promotion of joint policies for improvement of socio-economic situation and enforcement of democratic principles.
8. The Assembly calls on the member countries to do their utmost, individually or jointly, to improve further functioning of their democracies in all the above respects and to draw attention to the importance of democracy and the rule of law for solidarity, lasting economic and social development as well as peace, stability and prosperity in the region.
9. **Therefore, the Assembly recommends** the parliaments and the governments of the PABSEC Member Countries
 - i. **to continue taking comprehensive measures** towards transformation into the market-led democracies with vibrant economies, open political systems and strong civil society;
 - ii. **to further enhance** the stability and democratic development through strengthening the democratic institutions and consolidating the rule of law;
 - iii. **to support and facilitate** adoption, improvement or implementation of legislation promoting supremacy of law and other basic democratic principles with due regard to the body of the European Law (*acquis communautaire*) and directed towards bringing the Black Sea region closer to the standards and norms of the European Integration;
 - iv. **to increase** transparency and accountability by means of close and impartial cooperation between parliaments, institutions of executive branch, judiciary and enforcement agencies in establishment and enforcement of coherent legal

framework supportive of a market economy;

- v. **to secure** the parliamentary oversight over the adherence to the principle of rule of law in order to ensure transparency of the administration and the legislative process as a means to increase citizens' confidence in the activities of public institutions and to eliminate bureaucratic sources of corruption.
- vi. **to encourage** institutional and administrative reforms, where necessary, with particular emphasis upon the judicial reform and development of impartial, efficient and independent judiciary;
- vii. **to pay due attention** to the practical implementation of the rule of law by means of independent status of judiciary and judicial decision-making provided that all decisions concerning selection and professional careers of judges are based on objective criteria and merit, having regard to qualifications, integrity, ability and efficiency;
- viii. **to promote** accountability of public administration and its adaptation to the needs of a market-oriented democracies with variations to suit specific situations in the countries;
- ix. **to introduce** sound and efficient civil service systems with administrative procedures in conformity with internationally recognised norms and standards;
- x. **to support** decentralisation reforms and develop effective and efficient local democratic institutions at municipal and regional levels;
- xi. **to encourage** the involvement of the non-governmental organisations and mass media in the activities aimed at promoting transparency and accountability and public awareness-raising activities;
- xii. **to promote** increased participation of citizens in political and social life by incorporating education for democracy and social responsibility in the education system;
- xiii. **to take necessary steps** to secure understanding and internalisation by public and the state institutions of such concepts as transparency, predictability, accountability, fairness and legal certainty to generate trust between the state and its people and creating necessary preconditions for establishing a society governed by the rule of law;
- xiv. **to pursue** the policy of consolidation of peace and stability through sustainable development and implementation of the necessary stability policies, with a view of respect of basic democratic principles and the rule of law;
- xv. **to increase** the role of the representative authorities in establishing direct contacts with other elected representatives for coordination and exchanges of views on consolidating democracy and the rule of law, nationally and internationally and in evaluating national and regional responsibilities and policies in order to ensure elaboration of practical solutions for meeting the expectations of their peoples;
- xvi. **to work actively** with partner countries and to boost cooperation with appropriate regional and global bodies for elaborating joint effective measures towards establishment and strengthening of the democratic principles and practices and expanding scope of mutual assistance and cooperation.

10. **The Assembly invites** the BSEC Council of the Ministers of Foreign Affairs to consider this Recommendation.