

PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION
PABSEC

NINTH PLENARY SESSION OF THE GENERAL ASSEMBLY

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REPORT

MECHANISM OF COOPERATION
BETWEEN THE PABSEC AND THE BSEC

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I. INTRODUCTION

1. The Parliamentary Assembly was created to promote partnership and cooperation, stability and peace in the region and to provide and facilitate legal ground for the realisation of the principles and goals embodied in Summit Declaration and Bosphorus Statement signed on 25 June 1992. Since its foundation the Assembly has been consistently advocating close cooperation with BSEC as a prerequisite of achieving the common goals of the Black Sea cooperation process. At its meetings the Assembly repeatedly stressed the role parliamentarians could play in strengthening the institutional and legal basis with greater parliamentary involvement in the BSEC process.
2. In this respect the PABSEC International Secretariat took initiative to work out the first document on PABSEC-BSEC relations with wish to clearly and properly define mechanism of coordination and cooperation between the PABSEC and the BSEC which was communicated to the BSEC Permanent International Secretariat.
3. Subsequently, the Seventh Meeting of the Ministers of the foreign Affairs of the BSEC Participating States in Bucharest on 27 April 1996 adopted Resolution with special reference to relations between the BSEC and the PABSEC - a paper elaborated by the two Secretariats based on suggestions from the Participating States - to be a guideline for the relationship between the two structures.
4. The Assembly at its Seventh Plenary Session in Baku on 13 June 1996, considered and approved the principles adopted by the Seventh MMFA on the relations between the PABSEC and the BSEC and incorporated a special chapter in the PABSEC Rules of Procedure under Article 10.A - Relations between the PABSEC and the BSEC.
5. In addition, prior to the Moscow Meeting of Heads of State or Government and the Eighth MMFA, Mr. Zurab Zhvania, the PABSEC President, Chairman of the Parliament of Georgia, addressed a letter to the Chairmen of the parliaments of the member countries (Ref.: SG2589/96 of 11 October 1996) asking to approach the Ministers of Foreign Affairs on the matter of PABSEC-BSEC relations, in order to facilitate the inclusion in the Moscow Final Declaration a clear cut references to PABSEC-BSEC coordinated interaction.
6. The Moscow Meeting of Heads of State or Government held on 25 October 1996 paid particular attention to the strengthening of the institutional and legal framework of the Black Sea Economic Cooperation. The Final Declaration stressed that "one of the priorities at present is the strengthening of the institutional and legal bases of the BSEC ensuring better interaction in all its dimensions.... and cooperation of the countries in the Black Sea region will be more effective, solid and developing in close interaction among the national parliaments." In this framework the Heads of State or Government emphasised "the role and place of the Parliamentary Assembly as the parliamentary dimension of the BSEC providing consistent support to the Black Sea cooperation process" and that "the BSEC-PABSEC interaction shall be based on an appropriate mechanism".
7. Given the importance to the issue, the PABSEC Legal and Political Affairs Committee at its Eighth Meeting in Kyiv on 30 October 1996 decided to put on the agenda for 1997 Spring General Assembly the Mechanism of Cooperation between the PABSEC and the BSEC.

8. In spite of all the actions and decisions the pattern of cooperation remains rather weak preventing effective achievement of the goals of the Black Sea Economic Cooperation. Although the PABSEC International Secretariat tried its best to pave the way for productive interaction between the PABSEC and the BSEC, the desired results had not been achieved. To this end, the National Delegations are to take decisive stand to make necessary communications with the Ministries of Foreign Affairs and to follow-up the recommendation on the PABSEC-BSEC cooperation at national level.
9. The present report has been prepared pursuant to this decisions and reproduces points of view of the national delegations on mechanism of cooperation between the PABSEC and the BSEC. At the same time, it is designed to review and examine the role of the parliamentary assemblies in other European structures in the light of rapidly changing international environment and to make recommendations to the relevant authorities for implementation of measures required in order to achieve better interaction.
10. The keen interest in the subject was shown by the national delegations of Armenia, Greece, Moldova, Romania, Russian Federation, Turkey and Ukraine furnishing the Secretariat with great number of substantial proposals aiming at improvement of collaboration mechanism between the two structures. On the other hand, the Secretariat sought to obtain and study relevant documents from the Baltic Assembly, the Council of Europe, Nordic Council, the North Atlantic Assembly, Parliamentary Assembly of OSCE, the WEU Assembly and the Inter-Parliamentary Union. At the same time, the matter was discussed at the level of the PABSEC and the BSEC secretariats.

II. MECHANISMS PRACTISED IN INTERNATIONAL ORGANISATIONS

11. The mechanism of interaction established in various international organisations shows that relations between governmental and parliamentary dimensions have different pattern. Nevertheless, the experience of the parliamentary assemblies clearly indicates the growing role of the regional parliamentary structures in dealing with issues of utmost importance for the member countries and the region as a whole.

A. *Regional Parliamentary Assemblies*

The Baltic Assembly

12. The Baltic Assembly, having consultative and coordination function in respect of issues and matters of cooperation between the Baltic nations, together with the Baltic Council of Ministers form the Baltic Council. The two branches of the Baltic cooperation process meet together once a year in a joint meeting, where the parliamentary and the executive parts of Baltic cooperation discuss issues of common interest of the member countries and take mutual decisions.

The European Parliament

13. Although the European Parliament is much different from the other regional organisations having members directly elected in European elections, it functions similar to the other parliamentary assemblies exercising democratic supervision over all Community activities and contributing to the economic and political integration of Europe. The European

Parliament closely cooperates with the intergovernmental bodies - Commission and the Council - complementing and reinforcing the efforts for the European integration.

The Parliamentary Assembly of the Council of Europe

14. The Parliamentary Assembly of the Council of Europe is a deliberative organ, which together with the Committee of Ministers works to harmonise policies and adopt common standards and practices in member states and bringing together at different levels parliamentarians, ministers, government experts, local and regional representatives to pool their knowledge and experience.
15. The Parliamentary Assembly meets in full session four times a year covering a broad range of questions of crucial importance to society. By debating problems of modern society and making recommendations to the Committee of Ministers, it is the starting point for many of the Council of Europe activities.
16. The Joint Committee consisting of equal number of representatives of the Council of Ministers and the Consultative Assembly, meets under the chairmanship of the President of the Assembly to coordinate the activities and conciliate relations between the Committee of Ministers and the Assembly.
17. As a means of influencing the work of national governments on substantive issues the Parliamentary Assembly (a) presents *Recommendations* to the *Committee of Ministers* so that the outlines of the European policies may be incorporated in the intergovernmental work programme; (b) addresses *Resolutions* directly to governments enlisting the support of the national parliaments; (c) takes *Opinions* on issues referred to it by the Committee of Ministers. Once recommendations and opinions have been adopted they are included on the agenda of the Committee of Ministers and resolutions are disseminated to the governments.
18. Representatives or substitutes of the Assembly may at any time address to the Committee of Ministers or to its Chairman written questions bearing on items which fall within the competence of the Committee of Ministers and which are or have been on the agenda of the Assembly. On the other hand, any representative of the Committee of Ministers or any other minister of the government of the member state has access to the Assembly and its Committees. At the same time the progress reports of the Committee of Ministers are placed on the agenda of the Assembly followed by questions and answers. On the basis of the Report the Assembly adopts an opinion or recommendation to the Committee of Ministers.

The Nordic Council

19. The Nordic Council as a parliamentary platform for Nordic cooperation meets to discuss issues of intra-Nordic cooperation, cooperation within Europe and EU. In the sessions ministers of the Nordic governments also participate and discuss objectives for Nordic cooperation and the plans for next year's work. The Nordic Council closely cooperates with the Nordic Council of Ministers which is inter-governmental body composed of the ministers for specific policy areas.

The North Atlantic Assembly

20. The NATO Alliance cohesion is substantially enhanced by the support of the North Atlantic Assembly - the inter-parliamentary forum of the Member countries of NATO. It

brings together legislators to debate and discuss issues of common interest and concern. The North Atlantic Treaty of 1949 made no provision for creation of a consultative parliamentary body but it was increasingly felt that there should be some kind of organised parliamentary interest in and support for the NATO intergovernmental organisation. Although the NAA has no formal role vis-à-vis NATO and is completely independent, over the years it has developed a close and effective working relationship with the Organisation constituting a link between national parliaments and the Alliance which encourages governments to take Alliance concerns into account when framing national legislation.

21. The Assembly also constitutes an important touchstone for assessing parliamentary and public opinion on Alliance issues and plays an indirect but important role in policy formation. Recommendations and resolutions are forwarded to national governments, parliaments, other relevant organisations: (a) *a recommendation* is addressed to the North Atlantic Council asking to take certain action in pursuit of the aims of the Assembly and in the expectation of a reply from the Council; (b) *a resolution* gives formal expression to the view of the Assembly on a matter which does not call for action by the North Atlantic Council; (c) *an opinion* expresses the view of the Assembly in answer to a formal request from the North Atlantic Council or from an international organisation on a matter within the Assembly's competence.

The Parliamentary Assembly of the Organisation of the Security and Cooperation in Europe (OSCE PA)

22. Parliamentary Assembly of OCSE provides a vital link between the governmental side of the OSCE and representatives directly elected by the popular will of votes in their member countries and occupies a unique place in the structure of the OCSE. The Assembly's primary task is to facilitate inter-parliamentary dialogue, an increasingly important aspect of the overall effort to meet the challenges of democracy throughout the OCSE region.
23. The Assembly approve at its annual meeting declarations, recommendations and proposals, submit regular reports of its work and transmit its decisions to the Council of Ministers for its consideration. Reports of the Committees and the decisions of the Assembly shall be transmitted to the Council of Ministers for Foreign Affairs for their consideration. Any minister of the government of a member state shall have right to access to the Assembly and its Committees. The progress reports or requests from the Council of Ministers for foreign Affairs will be placed on the Assembly's register.
24. Although the OSCE Parliamentary Assembly has its own independent budget and may take unilateral, independent initiatives, it has regular and formalised high-level interaction with the other OSCE institutions.
25. The Assembly is represented at every level of official OSCE meetings and maintains a close working relationship with the OSCE Chairman-in-Office and other OSCE Institutions. All decisions and reports of the Assembly are transmitted to the Chairman-in-Office and to the other OCSE institutions. It has become a tradition that Chairman-in-Office addresses the Annual Session of the Assembly and answers direct questions from the Floor and the President addresses the Summit.
26. The Parliamentary Assembly participates in the OSCE's Senior and Permanent Councils as well as the annual meetings of the OCSE Ministerial Council. Leaders of other OSCE Institutions are periodically invited to speak and answer the questions at the Assembly's Standing Committee meetings.

Assembly of the Western European Union

27. The Assembly of the WEU consisting of the parliamentarians who are the members of the Parliamentary Assembly of the Council of Europe, always resolutely transmits recommendations to the Council on ways to enhance Europe's identity in the security area.
28. The Assembly's Activities are not just an echo of those of the WEU Council. While retaining its independence, the Assembly has a prime interest in achieving and maintaining a continuous and intensive dialogue with the Council.
29. The WEU Council communicates a half-yearly report on its activities to the Assembly. Each report is referred to the appropriate committees for study and they submit their views to the Assembly in a report. At the plenary sessions, the report is presented orally by the Chairman-in-Office of the Council, and then answers oral questions put by the parliamentarians. At the same time ministers who are members of the Council and other ministers of member states may be present at all sittings of the Assembly. They may be heard by the Assembly at their own or Assembly's request. The Assembly can also put written questions to the Council at any time and a written reply will be given. Furthermore, the Council informs the Assembly to the best of its ability about any matter relating to its responsibilities, even if they are exercised by other institutions. In addition, a newsletter is regularly sent by the Secretary General of the Council to the Assembly describing the activities of the intergovernmental organs.

B. *The Inter-Parliamentary Union (IPU)*

30. Inter-Parliamentary Union is the focal point for world-wide parliamentary dialogue and works for peace and cooperation among the peoples. It supports the efforts of the United Nations and also cooperates with regional inter-parliamentary organisations, as well as international intergovernmental and non-governmental organisation which are motivated by the same ideals. The principle resolutions adopted by the Conference are submitted by the National Groups to the respective Parliaments and are communicated to their governments with a view to obtain most active possible support for the implementation of these resolutions.

III. PROPOSALS OF THE NATIONAL DELEGATIONS

31. Albania

- a. PABSEC-BSEC shall consider their action in order to discuss simultaneously the priority problems of the Black Sea Economic Cooperation.
- b. To set up a joint working group on specific priority project called upon to prepare the draft document on respective subjects.
- c. The recommendations of the General Assembly shall be considered by the BSEC MMFA.

32. Armenia

- a. Set up joint committees or working groups to elaborate conventions or agreements aiming at overall development of cooperation between the BSEC Participating States
- b. When discussing issues in the WGs of the BSEC having legislative contents, to invite members of the relevant PABSEC Committees
- c. When analysing at the Committees issues concerning implementation of the Assembly Recommendations, regarding the work of the executive structures of the Participating States, to invite representatives of relevant WGs of the BSEC.
- d. Arrange joint conferences and seminars aiming at uniting the efforts of BSEC and PABSEC for solving problems and objectives.

33. Greece

- a. As a matter of principle, the interaction mechanism PABSEC-BSEC should have the Purpose of coordinating the activities of the both fora of the Black Sea Economic Cooperation. The main competence of the PABSEC would then be, inter alia, to give advice to the BSEC in the form of recommendations and reports. If the BSEC expresses its intention to take measures on a certain field of activities, then a working group should be built in which experts from both the PABSEC and the BSEC should participate. On the Basis of the conclusions of the working group, a Rapporteur from the PABSEC should draw a report for the Assembly with the assistance of the Secretariat. PABSEC would then approve the report and would adopt a recommendation addressed to the BSEC. BSEC would adopt or amend the recommendation or if PABSEC proposed the conclusion of a treaty, would initiate the proceedings for the conclusion of a treaty, would initiate the proceedings for the negotiation and drafting of the treaty among the participating states.

The Focal Point of that process is common BSEC-PABSEC working group. The discussion of the relevant issues in that group would enable both fora to have an overview of the questions, which are going to be dealt with subsequently by the PABSEC and BSEC acts.

- b. An efficient coordination presupposes that the admittance of a state in both fora, BSEC and PABSEC, is necessary, before their participation in either of them is activated. Thus, if a state has been admitted in BSEC, it cannot participate in its activities unless it has also been admitted in PABSEC.
- c. Similarly, the presidency of the PABSEC and the BSEC should be assumed by the same state every time. There is no reason, why the Presidency of the BSEC should be separated from the presidency of the PABSEC.
- d. It should further be examined, whether the closer cooperation between the two fora enables the fusion of the two Secretariats for the PABSEC and the BSEC activities. In particular, it should be examined, whether that fusion would have, in the long run and in the view of the enhanced activities of the cooperation, a positive effect in the minimisation of the costs. Such a cost minimisation could result from the avoidance of the possible duplication of the activities of the two Secretariats.

34. Moldova

- a. Establishment of a concrete mechanism of cooperation between the PABSEC and the BSEC with purpose to effective coordinate discussion of same topical issues.
- b. PABSEC President attends the High Level Meetings and MMFA of the BSEC Participating States and inform about the activities of the Assembly
- c. Chairman-in-Office of the BSEC is invited to address the General Assembly and inform on the activities of the BSEC.
- d. Recommendations and other important resolutions of the Assembly are communicated to the MMFA to be discussed by them
- e. Documents adopted by the MMFA are placed on the agenda of the Assembly.
- f. Set up of joint committees for coordination of the activities of the PABSEC and the BSEC to achieve goals of BSEC.

35. Romania

- a. PABSEC shall debate matters within the aim and scope of the BSEC process giving priority to the economic matters taken up by the BSEC subsidiary bodies.
- b. Recommendations and other important decisions of the PABSEC shall be transmitted to the MMFA for its consideration.
- c. BSEC and PABSEC Secretariats should work out a joint programme of subjects to be discussed within two organisations.
- d. At each session of the PABSEC General Assembly the BSEC Chairman-in-Office or his representative shall inform the Assembly of the BSEC activities. At the same time at each MMFA, the PABSEC President or his representative shall inform the BSEC of the activities of PABSEC.
- e. PABSEC and the BSEC may set up joint working groups on priority economic matters.
- f. Representatives of the two International Secretariats may attend any meeting organised by BSEC or PABSEC subsidiary bodies.

36. Russian Federation

- a. Pursuant to the Moscow Final Declaration of 25 October 1996, and within the framework of process of transformation of the BSEC into an international organisation, PABSEC should become the consultative organ of the BSEC.
- b. Consider organisation of permanent consultations on the working programmes of BSEC and the PABSEC, including those of the permanent international secretariats of two organisations.
- c. Pursue the practice of inviting BSEC Chairman-in-Office or his representative to the PABSEC meetings, with a view that the same practice will be applied at the meetings of the BSEC bodies

- d. Elaborate and realise organisational matters in the PABSEC Secretariat on the basis of the relevant standards practised in the BSEC.

37. Turkey

- a. A mechanism of regular contacts may be established between the top level officials of both institutions for the purpose of exchanging information and coordinating their activities. Such contacts may be carried out with participation of the close collaborators of such top level officials or between these collaborators only.
- b. Representatives of each institution may be invited to attend the meetings of the other institution. Such attendance may be confined to the Meetings of the Ministers of Foreign Affairs (MMFA) on the BSEC side and General Assembly meetings on the PABSEC side or may include selected Working Groups on the BSEC side and selected Committees on the PABSEC side. The Attendance may also be determined on a case by case basis according to the items on the agenda of the meetings.
- c. The MMFA may also wish to determine who would attend the PABSEC meetings on behalf of the BSEC. For instance, it may be an official of the Secretariat as well as any person authorised to do so by the Sessional Chairman. As to the representative of the PABSEC who would attend the BSEC meetings, it will have to be determined, of course, by the PABSEC.
- d. The secretariats of both institutions may be assigned with the task of conducting regular contacts, exchanging information and sending all or selected official documents to each other on a regular basis.
- e. If the MMFA agrees to establish institutional relations with the PABSEC, subsequent action may be to assign either the Secretariat or one of the subsidiary bodies (for instance, the ad hoc working group on organisational matters) to follow up the subject.
- f. The MMFA may also draw up a mandate for the Secretariat or the subsidiary body indicating the guidelines which should be followed while discussing with the PABSEC the terms of cooperation.

38. Ukraine

- a. Mechanism of cooperation between the PABSEC and the BSEC has to be drawn up with a view that after adoption by the Assembly it should be agreed upon with the BSEC authorities and signed by the Chairman of the two organisations in the second half of 1997.
- b. Mechanism should secure institutional relations between BSEC and PABSEC.
- c. Free exchange of information as well as access to the documents of both organisations should be secured
- d. Representatives should be exchanged at the meetings of the two structures.
- e. The Secretary General should present detailed information to every meeting of the General Assembly about the actual stage of PABSEC-BSEC relations.

IV. PROPOSALS OF THE BSEC

39. In compliance with the Moscow Final Declaration, the BSEC Permanent International Secretariat invited the Participating States to present their views and proposals on the subject to the senior Officials Meeting so that the respective BSEC position is formulated.
40. At the same time, the PABSEC International Secretariat was requested that the document on BSEC-PABSEC relations approved by the Seventh MMFA (Appendix 1) be taken into account by the participants to the meeting of the Committee in Moscow.

V. INSTITUTIONALISATION

41. It goes without saying that cooperation between the Black Sea countries will gain more effectiveness through coordinated interaction between the parliaments and governments, between the PABSEC and the BSEC. The Assembly could become an important touchstone for promoting a common feeling of solidarity passed to the public domain.
 42. The mechanism of cooperation agreed upon by the Meeting of the Ministers of Foreign Affairs of the BSEC Participating States and the Parliamentary Assembly last year requires certain revision placing the relations on institutional basis.
 43. In this sense the Assembly may contribute to policy formation and political support to the common projects elaborated within the framework of the Black Sea Economic Cooperation, by virtue of its membership from the national parliaments helping to create understanding and mutual confidence.
 44. At the same time, the Assembly, within the general framework of contributing to strengthening the institutional and legal basis of the BSEC shall provide legislative support in all undertakings of the BSEC process and be guided by pragmatic approach to the present stage of the regional integration steers its own activities to facilitate the implementation of short and long-term projects.
 45. The Assembly's proposals embodied in the Recommendation on the mechanism of cooperation between the PABSEC and the BSEC shall be forwarded to the Meeting of the Ministers of Foreign Affairs for consideration.
 46. The mechanism of cooperation agreed upon by the PABSEC and the BSEC shall become an integral part of the of the future new legal status of the Black Sea Economic Cooperation.
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