

PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC
COOPERATION

PABSEC

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Istanbul, 27 October 1995

LEGAL AND POLITICAL AFFAIRS COMMITTEE

REPORT

on the Follow-up of the Implementation of Recommendations:

RECOMMENDATION 2/1994 (Doc.: LC 242/94)

“THE LEGISLATIVE HARMONISATION AMONG
THE BSEC PARTICIPATING STATES”

RECOMMENDATION 7/1994 (Doc.: LC 510/94)

“THE VISA FACILITIES BETWEEN THE
PABSEC MEMBER COUNTRIES“

RECOMMENDATION 11/1995 (Doc.: LC 1024/95)

“THE COOPERATION IN ELIMINATING CONSEQUENCES OF
NATURAL CALAMITIES AND TECHNICAL DISASTERS”

**Worked out by the Committee and Adopted by the General Assembly
Since 1994**

Presented by: Mr. Karoly KERÉKES, Chairman of the Committee (Romania)

1. INTRODUCTION

Upon the proposal of the Romanian delegation approved by the decision of the Committee (Doc.: LC 1025/95) on the Long-Term Plan of Action passed by the fifth meeting in Baku on 27 April 1995 and endorsed by the Fifth General Assembly in Moscow on 5-7 June 1995 the main item on the agenda of the Committee meetings in autumn 1995 and the Sixth Plenary Session of the General Assembly is the Follow-up of the Implementation of the Recommendations adopted by the Assembly since its establishment.

Within this framework the Legal and Political Affairs Committee at its sixth meeting in Chisinau on 25-26 October 1995 will take up the issue concerning the follow-up process of the implementation of the recommendations 2,7 and 11 worked out by the Committee and adopted by the Assembly since 1994.

It was decided that the national delegations would forward relevant information about the implementation processes in the respective countries when PABSEC International Secretariat would have drafted the report and subsequent recommendation on this issue based on the information received.

The International Secretariat circulated the letter to the national delegations (Ref.: SG 1372/95 of July 10 1995) requesting them to furnish the Secretariat with the information on implementation of the recommendations for the Committee Report and to forward proposals for the Recommendation 12/1995 to be adopted by the Sixth General Assembly in Ankara on 27-29 November 1995.

The present report was drafted on the bases of the documents prepared by the Committee and adopted by the General Assembly. At the sixth meeting of the Committee in Chisinau the national delegations informed about the implementation processes of the recommendations adopted by the Committee.

2. RECOMMENDATIONS WORKED OUT BY THE COMMITTEE AND ADOPTED BY THE ASSEMBLY SINCE ITS ESTABLISHMENT.

Since the very beginning the Assembly placed importance to development of the legislative framework for the Black Sea Economic Cooperation having the objective to identify barriers and obstacles and to ease the existing difficulties hindering realisation of the goals of the Black Sea Economic Cooperation put forward in the Summit Declaration on the Black Sea Economic Cooperation of 25 June 1992 and the Bosphorus Statement. With these barriers removed states would have a favourable environment for ensuring gradual development of the multilateral cooperation in all spheres of life.

Taking these common global interests into account the Committee committed itself to an overwhelming purpose of harmonising legislative systems and to make efforts to eliminate current difficulties due to the great disparity in legal regulations.

At the same time the emphasis had been put to the transformation of the Black Sea into the sea of peace, stability, prosperity and friendship.

a. Recommendation 2/1994 on the Legislative Harmonisation among the BSEC Participating States (Doc.: LC 242/94)

The Recommendation was prepared by the third meeting of the Legal and Political Affairs Committee in Tbilisi on 16-17 May 1994 and adopted by the Third Plenary Session of the PABSEC General Assembly in Bucharest on 22 June 1994.

The Assembly, reaffirming its conviction that Declaration on the Establishment of the Parliamentary Assembly (Adopted on 26 February 1993 in Istanbul) required rigorous and sustainable efforts of the parliaments in the region to ensure genuine democratic values and turn the Black Sea into the area of friendship harmony prosperity and stability, decided to start the process of bringing together and harmonising the legislative systems in order to set up a coherent and productive framework to remove obstacles preventing cooperation in the region.

The Assembly called upon the parliaments to increase the awareness of the parliamentarians of the role of the PABSEC giving the strong impetus to the cooperation process in the Black Sea area to transform the regulations and to follow-up the implementation of the decisions of the Meetings of the Ministers of the Foreign Affairs of the BSEC Participating States as well as the recommendations of the PABSEC and adapting the national regulations to respective standards.

Recommended the governments to make efforts to successfully put into practice provisions of the Summit Declaration and the Bosphorus Statement adopted by the Heads of the State or government of the Participating States on 25 June 1992 in Istanbul through involvement in the accomplishment of the projects. take appropriate concrete measures to further reduce or progressively eliminate the obstacles impeding the regional cooperation, particularly with regard to most urgent spheres in the cooperation process.

Given the complexity implementation of projects for successful transitional changes as well as the link between the economic development and stability in the region the conflicts had been put under the focus as the as the most predominant obstacle hindering the implementation of common projects.

It was in this spirit that the Committee started investigation of the spectrum of disputes prevailing in the region in order to determine ways and means for creating a solid workable mechanisms for their settlement at the **seminars**.

The Seminar on “Improvement and Harmonisation of Legislative Systems of the PABSEC Member Countries - Development of Democratic Institutions” took place in Ankara on 22-24 February 1994.

The participants in the Seminar presented the experiences of their countries focusing on complex transitional period from totalitarian regime to rule of law and need for a close cooperation among the members countries to attain the goals of the PABSEC. The references were made to decisive importance of parliamentary democracy, free election and separation of powers, establishment of common legal framework paving the way for new relations with strong emphasis on cooperation between the countries which had already undergone the process of democratisation as well as of other international organisations.

The question of the peace and stability in the Black Sea region had been tackled from the viewpoint of the current developments stressing that the member countries should do their best to find ways for setting up an effective mechanism for settling disputes. On this ground the proposal had been moved to organise the seminar on peace and stability in the Black Sea basin.

The Seminar on Peace and Stability in the Black Sea Region jointly organised with the Inter-Parliamentary Assembly of the Commonwealth of Independent States was held on 3-4 July 1995 in Batumi (Georgia)

The debate on the general topic of peace and stability in the Black Sea region enabled participants to review their thinking about overall problems prevailing in the area and to contribute to achieving much better mutual understanding between the peoples of the region. They were unanimous in stating that the good neighbourly relations between the countries of the region would underpin the effective process of economic partnership. The contributions of the speakers as well as the participants in the debates were developed and identified in the Communiqué - the final document of the Seminar.

The participants expressed their belief that the momentum created by the Seminar should be kept up and strengthened in future with a view of consolidating efforts for solving controversial problems in the region.

b. Recommendation 7/1994 on the Visa Facilities between the PABSEC Member Countries (Doc.: LC 510/94)

As a continuation of the started process of elimination of the difficulties for the fruitful accomplishment of the Black Sea Economic Cooperation the question of free movement of the citizens of the member countries raised spurring the initiative of modification of existing visa regulations.

The Recommendation on Visa Facilities between the PABSEC Member Countries was prepared by the Committee at the fourth meeting in Yerevan on 12 October 1994 and adopted by the Fourth Plenary Session of the General Assembly in Tirana on 13 December 1994.

With a view to create maximally favourable conditions for more effective economic cooperation the long-term project for elimination of the visa formalities was suggested by the Committee. To this end re-regulation of the visa regimes starting with liberation of barriers for

the particular categories of citizens and necessity of a set of rules and procedures removing impediments became priority issue.

The Assembly stressed the significance of the establishment of favourable conditions for people actively and directly involved in the cooperation like MPs, diplomats, government officials, members of the BSEC Council and other businessmen registered according to the national legislation's, accredited journalists, members of the PABSEC International Secretariat and the BSEC Permanent International Secretariat and gradual elimination of obstacles and restrictions preventing their activities.

The Assembly called upon the parliaments to adopt decisions for liberation of the present restrictions and take measures to modify visa regulations and to involve the parliamentary commissions in the process of elaboration of the long-term project.

At the same time the Assembly recommended the governments to re-examine the existing visa regulations and to consider provisions of visa privileges and establishment of visa regimes for the certain categories of the citizens.

Several national delegations presented their information: **Romania** - simplified visa regimes for the Black Sea countries gave opportunity for broader and more effective cooperation, the Hellenic Republic was requested to easen procedure for border crossing formalities; **Russia** - the nearest session of the parliament would be dedicated to modifying visa regimes for the counties of the Black Sea, CIS, etc.; **Azerbaijan** - the issue had been placed on the agenda since the crude oil industry had been attracting more and more foreigners to the country.

c. **Recommendation 11/1995 on the Cooperation in Eliminating Consequences of Natural Calamities and Technical (Doc.: LC 1024/95)**

The recommendation was prepared by the Fifth Meeting of the Committee in Baku on 27 May 1995 and adopted by the Fifth Plenary Session of the General Assembly on 5-7 June 1995 in Moscow.

The frequent occurrences of calamities and disasters in the region prompted idea to work out a scheme or a model of interstate cooperation based on the experiences of the disaster-stricken countries.

The recommendation outlined legislative mechanisms for bilateral and multilateral interstate cooperation to prevent and reduce to the minimum the casualties and to speed up the integrated efforts.

National Parliaments and Governments were called to take necessary measures in order to coordinate handling of natural disasters and technical catastrophes.

CONCLUSIONS

The impact of the recommendations elaborated by the Legal and Political Affairs Committee adopted so far by the Assembly are difficult to assess since no information was provided from the delegations covering the implementation process of those recommendations at the national levels.

The information presented at the meeting in Chisinau supplemented the Report and finalised the preparation of the draft recommendation 12/1995 on the follow-up of the implementation of the Recommendations adopted by the Assembly since its establishment to be adopted at the sixth plenary Session of the General Assembly in Ankara on 27-29 November 1995.

Taking into consideration the growing responsibility of the parliamentary dimension of the Black Sea Economic Cooperation to take lead in legislative harmonisation among the Participating States aiming at strengthening PABSEC and BSEC ability and capacity to enhance an effective cooperation the Legal and Political Affairs Committee along with other PABSEC Committees should not spare efforts in working out the adequate legal framework to facilitate implementation of the projects elaborated by the parliamentary and the governmental dimensions of the Black Sea Economic Cooperation.