

Relations between national parliaments and international parliamentary assemblies

A. Topical discussion introduced by Mr. Klebes, Cleric of the Parliamentary Assembly of the Council of Europe Extracts from the Budapest meeting in March 1988

Mr. KLEBES, Clerk of the Parliamentary Assembly of the Council of Europe, explained why his introductory note had raised issues slightly different from those originally chosen for the topical discussion. In September 1980 the ASGP had adopted a report by John Priestman, the then Clerk of the Parliamentary Assembly of the Council of Europe, on relations between national parliaments and international parliamentary assemblies. On re-reading that report (which had been published in edition number 123 of the ASGP Journal, Constitutional and Parliamentary Information), it seemed that most of the information it contained was still valid although there were places in which some details could be brought up to date. It was for that reason that he decided to concentrate in the topical discussion on the recent development of international parliamentary institutions in the world.

He emphasised that he had chosen the expression international parliamentary institutions in order to cover all categories of inter-parliamentary body. It was not always possible to distinguish clearly between those assemblies whose members were directly elected by national parliaments and those associations whose members could be appointed by national parliaments without necessarily taking into account the exact representation of different political groups. The classification of international organisations had never been easy. A distinction could be drawn between those governed by international law and those not so. The former were based on international treaty which was normally multilateral. Nonetheless there were also national assemblies which joined just two sovereign states such as the parliamentary assembly established by the Treaty of Union between Libya and Morocco.

Among the assemblies not based on international law, there was a great variety: normally some agreement existed between national parliaments giving the bodies some legal status in national law; such was the position of

the Commonwealth Parliamentary Association. A French law of January 1988 had also given to the International Association of French-speaking Parliamentarians privileges and immunities analogous to those of an international organisation.

Mr. KLEBES recalled briefly recent developments in international parliamentary organisations: (1) the Latin-American parliament was now founded on an instrument of international law and there was no inter-governmental equivalent. (2) The treaty establishing the Andean parliament came into force in 1984 and representation in it was identical to that of national parliaments. This parliament would be elected by universal suffrage from 1994. (3) The treaty establishing the Central American parliament was not yet in force because it had not yet been ratified by Costa Rica, though that country had announced its support for the principle. (4) In Asia Brunei had joined the ASEAN parliamentary body but since it had not had a parliament this did not increase the number of members of the ASEAN parliament.

More important developments had occurred in Europe. The European Parliament had seen its powers considerably strengthened by the Single European Act which came into force on 17th July 1987. The idea of creating a second Chamber to this parliament had been discussed again recently. There were two views: some thought that the Council of the Community should play the role of a second Chamber with the European Commission becoming, step by step, a federal European governments. Others felt that the second Chamber should comprise representatives of national parliaments.

The parliamentary assembly of the Council of Europe would comprise from May 1989 (with Finland joining) the delegations of twenty-three member states. The parliamentary assembly also seemed to be becoming a bridge between western and eastern Europe: some eastern European countries had shown an interest in joining the parliamentary assembly. The status of permanent guest had been created and Hungary would probably be the first country to fulfill this role. The frequency of regional meetings and the creations of the conference of presidents of democratic Spanish-speaking parliaments and the round table meetings of ACP/EC bodies, a consultative organism working within the context of the Lome Convention.

Mr. KLEBES concluded by saying that although international parliamentary institutions had increased in number it was not possible to say that their role had gained in importance. Apart from the European Parliament which had certain budgetary powers, particularly that of vetoing the Community budget, the other international assemblies had practically no power at all. While this did not diminish their role which was to promote international co-

operation and to exercise influence on governments, if the existing assemblies became parliaments in the full sense of the term they would obviously cease to be international.

In the course of the topical discussion the following spoke: Mr. LAUNDY (Canada) gave details about the Conference of Speakers of Commonwealth Parliaments which has existed since 1969 and was particularly active.

Mr. ALBA (Spain) said that the Conference of Speakers of Democratic Spanish-speaking Parliaments had become, with the accession of Brazil, the Conference of Presidents of Democratic Parliaments of the Spanish and Portuguese languages.

Mr. HOOPLOT (Suriname) referred to the Amazonian parliament.

Mr. CHARPIN (France) said that the International Association of the French-speaking Parliaments (AIPLF) had recently acquired the status of a body governed by international law.

Mr. KLEBES spoke about the links between the European Parliament and the Council of Europe.

Mr. POHLE (European Parliament) referred to the possibility of different regions being represented in the second Chamber of the European Parliament. The essential problem which the international parliamentary institutions faced was the weak echo that their activities received in their national parliaments.

Mr. LAUNDY said that the Canadian parliament took a close interest in its participation in international bodies. Each delegation had to give a report at a plenary sitting on its activities in the relevant international parliamentary organisation.

Mr. KLEBES emphasised the importance of national parliaments restricting the number of international parliamentary organisations in which a single Member of Parliament was entitled to take part. There was a tendency for some Members to accumulate, in addition to their national mandate, multiple international memberships.

Mr. HAYTER (U.K.) said the distinction should be drawn between international assemblies which had some powers and those which did not. Relations between national parliaments and international assemblies without any powers presented relatively few problems. There were difficulties, however, between national parliaments and international assemblies which did have substantial powers over such matters as sovereignty. The House of Lords European Communities Committee had been studying the implications of the

two different legal frameworks under which both the European Parliament and the U.K. Parliament had responsibility for certain matters.

"The essential problem which the international parliamentary institutions faced was the weak echo that their activities received in their national parliaments"

The staff of the House of Lords Committee visited the European Parliament regularly and there were proposals from the European Parliament to make this traffic two-way.

Where international organisations involved Ministers taking decisions, there ought to be a parliamentary body which discussed those decisions. Both the European Community and NATO were organisations in which national Ministers collectively took far-reaching decisions and there was a danger of the so-called "democratic deficit" if those were not subject to proper parliamentary scrutiny.

Mr. RYLE (U.K.) said that contacts between the U.K. House of Commons and the European Parliament were growing. A recent change had been made to give members of the European Parliament passes to enable them to have access to some parts of the House of Commons. He felt that bilateral contacts between national parliaments should also be considered. For instance there were steps towards establishing some formal bilateral link between the Parliament of the Republic of Ireland and that of the U.K. He drew attention to the fact that the Council of Europe Assembly, of which Mr. Klebes was the Clerk, would be celebrating its fortieth birthday on the 5th May and the Speaker of the U.K. House of Commons, the Clerk of the House and others would attend the ceremony.

The Development of International Parliamentary Institutions

B. Report by Heinrich Klebes, Clerk of the Parliamentary Assembly of the Council of Europe

What follows is a revised version of the report submitted to the Association of Secretaries General of Parliament at its Budapest session in March 1989. It takes account of comments made on that occasion and of developments since.

Introduction

In September 1980, the ASGP adopted a report by John Priestman, then Clerk of the Parliamentary Assembly of the Council of Europe, on "Relations between National Parliaments and International Parliamentary Assemblies". It was published in No 123 of Constitutional and Parliamentary Information. Nine years later, the time may have come to discuss developments which have taken place since.

The Priestman report dealt more particularly with

- the appointment of national delegations to international parliamentary assemblies;
- the information of national parliaments on the activities of international assemblies;
- the follow-up to decisions taken in international assemblies;
- action taken in this respect by national delegations and governments;
- administrative links between national parliaments and international assemblies;
- other means of cooperation, such as Speakers' Conference, joint committee meeting etc.

Re-reading the report leads to the conclusions that the information it contains under the above headings is still largely valid—even if, here or

there, details could be filled in or brought up to date. Therefore, it is proposed in this paper to dwell on the further development of international parliamentary institutions around the world.

In *Part I*, following a few remarks on terminology, we shall make an attempt at classification, reflected in the *Appendix* to this paper. The latter, apart from presenting international parliamentary institutions in a different order, brings the information contained in the Priestman report up-to-date and completes it by including the juridical bases of the assemblies concerned and the composition of national delegations.

Part II will be devoted to developments in Latin America, Africa, Asia and Europe, including inter-regional parliamentary institutions.

It does not, therefore, necessarily refer to assemblies that have been in existence at the time of publication of the Priestman report, except if there are new facts concerning their composition, their legal status or their areas of competence. A (hopefully) complete survey of existing interparliamentary institutions is given in the Appendix.

I. Terminology and Classification

1. Terminology

We have chosen the term *international parliamentary institutions* with a view to covering all categories of interparliamentary bodies. The term *assembly* is used where the members of the institution concerned are either directly elected or designated by national parliaments in such a way as to ensure fair political representation. However, it is not always easy to draw a sharp dividing line between assemblies and *associations* whose members may well be appointed by their national parliament without necessarily reflecting the distribution of political forces on the national scene. The difference is clear where parliamentary associations are based on individual membership.

We use the term *integrated assembly* when the body concerned is an integral part of a supranational or intergovernmental organisation. Such an assembly normally derives its legal existence from the same treaty as the international organisation as a whole. But it may also be based on a separate treaty as, for example, the Andean Parliament.

2. Classification

The classification of international organisations is not an easy enterprise. In any case there is no obvious solution.¹

At its Sofia meeting in September 1988, the Interparliamentary Union (IPU) instituted a new status of associated membership open to international parliamentary assemblies whose existence is based on international law.² This recognized the fact that there are, *in legal terms*, two different types of international parliamentary institutions: those governed by international law, and those which are not.

The former are based on an international treaty,³ normally a multilateral one. However, there have also been bi-national assemblies involving two sovereign states only, such as the short-lived parliamentary assembly established under the treaty of union between Libya and Morocco, signed in Oujda on 13 August 1984, since then replaced by the five-nation Consultative Council established under the 17 February 1989 treaty creating the Arab Maghreb Union (*infra*). In exceptional cases, an international parliamentary body may be based on the secondary law edicted by an existing international organisation. This applies to the Parliamentarians' Committee established under a Resolution of the Council of European Free Trade Association (EFTA).

As will be seen from the Appendix, there is a variety of solutions for those assemblies/associations which are not based on international law. At the origin, there is normally an agreement between national parliaments (except for parliamentary associations based on individual membership). Legal personality may be secured by registration as an association under national law. Thus, the Commonwealth Parliamentary Association is a registered charitable association under British law. The Association of French-Speaking Parliamentarians was granted privileges and immunities in France,

¹ See *inter alia* Miche Virally, *De la classification des organisation internationales*, in : *Miscellanea Ganshof van der Meersch*, Tome ", Bruxelles-Paris 1972, pp. 364 ss; Heinrich Klebes, *Les institutions parlementaires Internationales*, in: *Revue Générale de Droit international public*, Tome 92 (1988) 4, pp. 815-880.

² See art. 3 of the statuts.

³ The term "treaty" is used in the meaning of art. 2(1) of the 1969 Vienna Convention on the law treaties: "an international agreement concluded between States in written form and governed by international law". It is irrelevant whether the instrument in questions is actually called Treaty or by any other name, such as Convention, Agreement, Arrangement or Accord.

similar to those of an intergovernmental organisation, under a French law of January 1988.

The subject of the legal status of international parliamentary bodies not governed by international law is an interesting one. It would merit a more detailed comparative study which, however, cannot be attempted in the context of this short paper.

Next, we must obviously classify international parliamentary institutions in a geographical sense. They may be world-wide, regional, sub-regional or inter-regional (i.e. grouping countries situated in different parts of the world but having similar objectives). Of late, a transnational assembly has come into being, grouping parts of two sovereign states (see *infra*, Transfrontier Regional Assembly Colombia-Venezuela). IPU is the only world-wide parliamentary assembly, if we neglect a few associations based on individual membership, such as Parliamentarians for Global Action. Examples of inter-regional assemblies are the North Atlantic Assembly and the Assembly established under the successive Lomé conventions between the European Economic Community and the countries of Africa, the Caribbean and the Pacific (ACP/EEC Assembly).

Classifications of intergovernmental organisations habitually apply, *inter alia*, the criterion of substantive competence, which may be general or specific. This is not of much use in classifying interparliamentary institutions. Even where international assemblies were created with specific terms of reference (determined, in the case of "integrated assemblies", by the objectives of the international organisation of which they are part), they tend to interpret these in the widest possible sense—at the risk of transgressing them.

II. Recent developments

1. Latin America

a) Since the Priestman report, there has been an important development concerning the *Latin-American Parliament*. The Treaty of Institutionalisation of 16 November 1987 bases the parliament on an instrument of international law. The number of participating countries has increased, from 12 to 19—including a non-sovereign entity, the Netherlands Antilles. Only one country of the Latin American region is not represented, namely Chile. Hopefully, this situation may change after the Chilean elections of 14 December 1989.

b) The *Andean parliament's* constitutive treaty of 28 October 1979 entered into force in 1984 (although the Parliament met already in 1980). It should also be noted that it now has a permanent secretariat in Bogota. Let us recall that, in accordance with article 2 of the treaty, its members are to be directly elected in due course. This matter is to be examined 10 years after the treaty's entry into force.

Following the 1988 codification of the Cartagena Agreement and the entry into force on 15 May 1988, of the Protocol of Quito, the Andean Parliament has become an "integrated assembly", i.e. the parliamentary wing of the Andean Pact.

c) As part of the efforts to establish peace in Central America, the Presidents of the five States concerned (Costa Rica, Guatemala, Honduras, Nicaragua, San Salvador) signed the Treaty establishing the *Central American Parliament* and other Political Institutions in October 1987. However, the treaty is not yet in force, Costa Rica's ratification being still outstanding at the time of writing (December 1989). Thus, it has not yet been possible to organise the proposed direct elections and to constitute the parliament in accordance with the time-table originally envisaged. A further complicating factor is no doubt the continuing political instability in the region.

While the Central American Parliament will not be an "integrated assembly" in the strict sense of the term, it is clearly conceived as the parliamentary wing of a future central American political structure⁴.

d) The creation of an *Amazonian Parliament* had been under discussion for some time in various institutions. It was encouraged, *inter alia*, by the Speaker's Conference of Democratic Ibero-American Parliaments (Resolution of November 1988) and the Andean Parliament (Resolution 234 of March 1989).

Following a preparatory meeting, delegates of the parliaments of Bolivia, Brazil, Colombia, Ecuador, Peru, Surinam and Venezuela met in Lima from 17-19 April 1989 and adopted a Joint Declaration to "initiate the process of establishing the Amazonian Parliament". They met again in June 1989 in Manaus (Brazil), while the participation of representatives of Guyana in order to prepare the Parliament's Statutes and Rules of Proce-

⁴ See *inter alia* the report on the seminar on the "Future of the Central American Parliament" organised by the European Parliament on 12 December 1988.

ture. The adoption of these texts is on the agenda of the next meeting to be held in February 1990 in Cartagena (Colombia).

The new assembly is to constitute the parliamentary counterpart to the governmental organs of the Amazonian Corporation Treaty signed on 3 July 1978 by the afore-mentioned States.

e) A particularly interesting, innovative development has taken place, under the auspices of the Andean Parliament, with the creation of a trans-national parliamentary assembly composed of parliamentarians of two adjacent frontier regions of neighbouring states. The *Trans-Frontier Regional Assembly Colombia-Venezuela* was established under Decision 187, adopted by the Andean Parliament in March 1987, upon the request of the two regional assemblies of the Province of North Santander (Colombia) and the States of Tdchira (Venezuela). The idea underlying this initiative was that adjacent frontier regions very often had historic, cultural, linguistic, economic and social traits and problems in common which should lead them to cooperate beyond national frontiers.

The new assembly, consisting of ten members of each of the two constituent assemblies, met for the first time in August 1987 and adopted its "Constitutive Agreement", its Rules of Procedure (Reglamento General) as well as a number of Resolutions⁵.

f) For completeness' sake, it might be mentioned that the project of a *Caribbean Parliament*, also under consideration for some time, does not seem to have made any progress.

2. Africa

We have already mentioned the *Arab Maghreb Union* established by the treaty signed on 17 February 1989 by Algeria, Lybia, Mauritania, Morocco and Tunisia. Apart from a Presidential Council (Heads of State), meeting of Prime Ministers, a Council of Foreign Ministers and a Follow-up Committee of government officials, the treaty also provides, under article 12, for the establishment of a *Consultative Council* composed of 10 members from each member State, chosen by their respective legislative organs. It is interesting to note that, like most non-European international assemblies, the Arab Maghreb Union adheres to the principle of equal

⁵ For details see "Integración latinoamericana" (published by the Latin American Development Bank's Institute for the Integration of Latin American in Buenos Aires), No 146-147, June-July 1989.

representation of each member State, neglecting differences in population figures.

The Consultative Council held its constitutive session on 17 October 1989 in Marrakesh. Under article 12 of the treaty, it is to give its opinion on any draft Decision submitted to it by the Presidential Council and it can "if appropriate, submit to the Council any recommendation it may consider susceptible of strengthening the action of the Union and realising its objectives".

3. Asia

a) There have been few new developments since the publication of the Priestman report. It is worth noting, however, that the Asian Parliamentarians' Union has changed its name to *Asian-Pacific Parliamentarians' Union* (APPU). There are now groups in 8 parliaments, associate groups in 5 parliaments and a number of observer delegations.

b) The accession of Brunei to the Association of South East Asian nations (ASEAN) did not entail an increase in membership in the *ASEAN Interparliamentary Organisation* (AIPO), as there is as yet no parliament in the Sultanate of Brunei. AIPO's regular contacts with the European Parliament have provoked a discussion on the project of establishing an "integrated" ASEAN Parliament on a treaty basis, which would be the parliamentary organ of ASEAN.

4. Europe

a) The *European Parliament*, at the moment the only directly elected international parliamentary assembly, has seen its powers further increased under the Single European Act which entered into force on 1 July 1987. While the European Community is still far from the objective of a federal state, the trend towards supranationality continues. During recent months, the idea of instituting a second Chamber has again been under discussion. There are, mainly, two diverging tendencies. According to one, it is the present Council of the Community which should assume this role (as, for example, the Federal Council under the Constitution of the Federal Republic of Germany), the Commission developing step by step into a European federal government. The other stands for a second Chamber composed of representatives of national parliaments.

b) The Parliamentary Assembly of the *Council of Europe* now comprises delegations of 23 member countries, following the accession of San Marino in November 1988 and the accession of Finland in May 1989. Contrary to the European Parliament, the Parliamentary Assembly does not aim at supranationality.

Recently, there have been a number of initiatives in East and West to develop the Council's potential for all-European cooperation. On 6 July 1989 President Gorbachov expounded before the Parliamentary Assembly his idea concerning a "Common European Home". During the same session, the Assembly instituted a "special guest status" for countries from Central and Eastern Europe, attributing 18 seats to the Soviet Union and 6 each to Hungary, Poland and Yugoslavia. "Guest parliamentarians" can participate in the debates but have no right to vote. On 16 November 1989, Hungary presented its candidature for full membership in the Council of Europe, whereas the Polish Foreign Minister declared his country's intention to become a member of the Organisation.

c) It is recalled that the *Assembly of WEU* consists of the WEU's member countries' delegations to the Parliamentary Assembly of the Council of Europe. There had been suggestions (endorsed at the time by German Chancellor Helmut Kohl) to the effect that the WEU Assembly should be composed, instead, of member countries' delegations to the European Parliament⁶. However, on 8 June 1989 a large majority of the WEU Assembly pronounced in favour of maintaining the present system of delegations composed of members of the national parliaments concerned, bearing in mind, *inter alia*, that three Community States, namely, Denmark, Greece and Ireland were not members of the WEU and that the latter did not belong to NATO.

d) A meeting of Presidents of Parliament of *central and East European Countries* on 10 September 1988 in East Berlin considered a proposal to establish an association of these countries' parliaments. One of its tasks would be to maintain relations with the other European parliamentary assemblies. The matter seems to remain in abeyance.

e) The Priestman report mentioned the Conferences of Speakers of the Community (Twelve) and the Council of Europe (Twenty-three). In November 1988, the first *Conference of Presidents of Parliament of Europe, the US and Canada* took place in Warsaw, chaired by the Marshal of the

⁶ See WEU Assembly Doc. 1163.

Polish Sejm. The agenda included two items: parliaments and democracy; and the promotion of East-West cooperation through the development of interparliamentary relations. It is expected that further conferences of this kind will be convened in the future.

5. Inter-Regional structures

a) The *Conference of Commonwealth Speakers and Presiding Officers* is the oldest and the most institutionalised conference of this kind.⁷ Following informal meetings in 1950, 1965 and 1966, the first formal Speakers' Conference took place in Ottawa in 1969, the next one in 1970 in Delhi and the following ones in two or three yearly intervals in different Commonwealth capitals.

The basic objective is to provide a forum for deliberating upon the specific problems confronting Speakers while presiding over their respective Houses and to foster links between them.

Contrary to other conferences of this kind, the Commonwealth Speakers' Conference established a Standing Committee, meeting in between Conferences, and laid down Standing Rules for the proceedings.

b) In 1983 the first Conference of Speakers of Spanish-speaking democratic parliaments convened in Madrid. In 1986 it changed its name to *Conference of Speakers of Democratic Ibero-American Parliaments*. It now meets every year alternatively in Spain and in a Latin American country.

c) The Priestman report did not yet cover the *ACPIEED Assembly (supra)*, a consultative body functioning under the successive Lomé Conventions. It is composed of one representative of each of the 68 ACP States (parliamentary or, when there is no parliament, another representative designated by the State concerned) and an equal number of representatives of the European Parliament. Its role, under article 25(2) of the 3rd Lomé Convention is, *inter alia* "to promote better understanding between the peoples of the Member States [of the EEC] and the ACP States and public awareness of the interdependence of the prospects and their interests as well as of the need for solidarity in development". (The text of the 4th

⁷ For details see the article by Philip Laundy in "The Parliamentarian" (organ of the Commonwealth Parliamentary Association), October 1971 and the brochure issued by the Lok Sabha Secretariat on the "Eighth Conference of Commonwealth Speakers and Presiding Officers", New Delhi, January 1986.

ACP/EEC Convention signed on 15 December 1989 for a period of 10 years, was not yet available at the time of finalising this report.)

Concluding remarks

If the present trend continues, there will no doubt be a further development of interparliamentary institutions, both in quantity and in quality, in the years ahead. In evaluating their potential for practical action, it should be borne in mind that one of the existing international assemblies is comparable to a national parliament in the constitutional sense of the term. Where they are nonetheless called "parliament", this is more the expression of an objective than a statement of fact. None of the existing assemblies is endowed with legislative powers, even if some of them may have a role to play, mostly of a consultative kind in the adoption of legal norms⁸.

The European Parliament, it is true, has certain budgetary powers, notably that of vetoing the Community budget, whereas the other integrated assemblies have practically none. Furthermore, the Single European Act gave the European Parliament the right to veto applications for membership of the Community and the conclusion of association agreements. *De facto*, the Parliamentary Assembly of the Council of Europe can veto new Members, although a Statutory Resolution of 1951 only gives it the right of expressing an opinion. But, politically, it is hardly conceivable that the Committee of Ministers would set aside a negative Assembly opinion.

No assembly has a say in the appointment of the executive, although the European Parliament has at least the possibility of expressing a vote of censure and, in his Strasbourg speech of 25 October 1989, President Mitterrand expressed the view that under the new treaty to be negotiated in 1990, the European Parliament should be given the right to appoint the President of the European Commission.

Still, the powers of most international assemblies remain extremely limited. Nonetheless they play an important role in promoting international cooperation and in bringing influence to bear on governments. If and when existing assemblies become full-fledged parliaments, they will have ceased to be international in the sense attributed to the term in international law: that is to say, they will have become parliaments of sovereign federal states.

⁸ On the competence of international parliamentary institution, see *inter alia*, the author's afore-mentioned article and the appendix to the report by Ploos van Amstel, Informations constitutionnelles et parlementaires, No 145 (1986) pp. 35-36.

However, few of the existing interparliamentary institutes cannot realistically aspire to such an evolution. Therefore, they cannot and should not apply the yardstick of a national parliament when measuring their own power. But what they can legitimately expect is—and the point was made during the Budapest discussion by a representative of one of the world's oldest democracies—that whenever Ministers or their representatives take decisions in international organisations which are binding on their countries and their citizens, there should be some form of international parliamentary control⁹.

⁹ See also the conclusion of the author's afore-mentioned article (note 1).

APPENDIX

Inventory of international parliamentary institutions

A. Assemblies established under international law¹

I. Europe

1. *European Parliament* (BP 1601 L-2929 Luxembourg)²

i. Legal bases:

- Treaties of Paris (ECSC) of 18 April 1951 and of Rome of 25 March 1957 (EEC, Euratom),
- Convention of 25 March 1957 on certain institutions common to the European Communities,
- Act concerning the election of the representatives of the Assembly by direct universal suffrage (appended to the Council's decision of 20 September 1976),
- European Single Act of 17 (28) February 1986.

ii. 12 Member States:

Belgium, Denmark, France, Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain, United Kingdom.

(Applications for membership of the European Communities submitted by Austria and Turkey.)

iii. Composition: 518 directly elected members.

2. *Parliamentary Assembly of the Council of Europe*

(BP 431 R6, F-67006 Strasbourg Cedex).

¹ Constituted by virtue of an international treaty or by an act of the governmental organ of an international organisation.

² Addresses indicated are those of the Secretariat.

- i. Legal bases:
 - Statute of the Council of Europe (Treaty of London) of 5 May 1949,
 - Resolutions of a statutory character adopted by the Committee of Ministers in May 1951.
 - ii. 23 Member States:

Austria, Belgium, Cyprus, Denmark, Finland, France, Federal Republic of Germany, Greece, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Malta, Netherlands, Norway, Portugal, San Marino, Spain, Sweden, Switzerland, Turkey, United Kingdom.

Observer Status: Israel.

Special Guest Status: Hungary³, Poland, Soviet Union, Yugoslavia.
 - iii. Composition: 354 Members (177 representatives and 177 substitutes) appointed by the national parliaments of Member States.
3. *Parliamentary Assembly of WEU*
(43 avenue du Président-Wilson, F-75775 Paris Cedex 16.)
- i. Legal bases:
 - Treaty of Brussels of 17 March 1948 modified by the Protocol of 23 October 1954,
 - Charter of the Assembly of October 1955,
 - Protocol of Accession of the Kingdom of Spain and of the Republic of Portugal to the Treaty of 17 March 1948, signed on 14 November 1988 (ratification procedures under way, entry into force expected for January 1990).
 - ii. 7 [9] Member States:

Belgium, France, Federal Republic of Germany, Italy, Luxembourg, Netherlands, United Kingdom [Portugal, Spain].
 - iii. Composition: 178 Members (89 representatives and 89 substitutes) appointed by the national parliaments of member States (216 after the accession of Portugal and Spain).
- N.B.* Delegations are identical with those appointed by the respective parliaments to the Parliamentary Assembly of the Council of Europe.

³ Application for full membership of the Council of Europe submitted on 16 November 1989.

4. *Consultative Interparliamentary Council of Benelux*

Permanent Secretariat assumed by an official of the Belgian Chamber of Deputies. Council sessions held in turn during a period of 2 years in every member State.

i. Legal bases:

- Convention of 5 November 1955 instituting the Interparliamentary Council,
- Treaty of 3 February 1958 instituting the Benelux Economic Union.

ii. 3 member States:

Belgium, Luxembourg, Netherlands.

iii. Composition: 98 members (49 representatives and 49 substitutes) appointed by the national parliaments of the member States.)

5. *Nordic Council*

(Secretariat of the Presidium, Box 19506, S-10432 Stockholm)

N.B. By virtue of its composition the Nordic Council is an Assembly *sui generis*: parliamentary and governmental.

i. Legal bases:

- Agreement between members of the Nordic Group in the Interparliamentary Union (1951),
- Statute of the Nordic Council embodied in identical laws adopted in 1952 by the national parliaments concerned,
- Convention of Helsinki of 23 March 1962 on cooperation between Denmark, Finland, Iceland, Norway and Sweden⁴.

ii. 5 Member States:

Denmark, Finland, Iceland, Norway, Sweden.

iii. Composition:

- 174 members (87 parliamentary representatives and 87 substitutes appointed by national parliaments of member States as well as by the diets of the Faeroes, Greenland and the Aland Islands);
- government representatives without voting rights (normally some 80 government representatives attend the annual sessions).

⁴ In 1971 the Statute of the Nordic Council was integrated in the Convention.

6. *Committee of members of parliament of the EFTA countries*
(c/o EFTA, rue de Varembs 9-11, CH-1211 Geneva 20)

i. Legal basis:

— Decision of the EFTA Council N° 11/1977 of October 1977

N.B. Informal meetings of members of parliament of the EFTA countries had been held since 1963.

ii. 7 member parliaments:

Austria, Finland, Iceland, Norway, Sweden, Switzerland, Liechtenstein (the latter is not a member State of EFTA but the EFTA agreement is applicable to it under the Protocol of 4 January 1960 concluded between the EFTA member States and the Principality of Liechtenstein).

iii. Composition: Representatives appointed by national parliaments and the Diet of Liechtenstein).

II. Africa

1. *Arab Maghreb Union Consultative Council*
(4-5 zankat Beyrouth, Rabat, Morocco)

i. Legal basis:

— Article 12 of the Treaty of 17 February 1988 on the creation of the Arab Maghreb Union.

ii. 5 Member States:

Algeria, Lybia, Mauritania, Morocco, Tunisia.

iii. Composition: 10 members for each of the 5 member States, chosen by their respective legislative organs.

III. Latin America

1. *Latin American Parliament*
(Casilla de Correo 6041, Lima, Peru)

i. Legal bases:

— Treaty of Institutionalisation of the Latin American Parliament of 16 November 1987, entered into force in 1988,⁵

⁵ The Parliament existed since 1964 on the basis of an interparliamentary agreement.

— Statute of 9 April 1988.

ii. 19 member States (parliaments):

Argentina, Netherlands' Antilles⁶, Bolivia, Brazil, Colombo, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Uruguay, Venezuela.

iii. Composition: A maximum of 12 representatives appointed by each of the national parliaments (art. 15 of the Statute), each delegation having a maximum of 12 votes: if the number of delegates is inferior to twelve, each delegate can cumulate a maximum of 3 votes (art. 17 of the Statute).

2. *Andean Parliament*

(Secretaria Ejecutiva: Carrera 7a, N° 13-58, Oficina 401, Bogota\ Colombia).

i. Legal bases:

- Constitutive Treaty of 28 October 1979,
- Quito Protocol of 1987, entered into force on 25 May 1988,
- Cartagena Agreement, codified text of 15 July 1988.

ii. 5 member States:

Bolivia, Colombia, Ecuador, Peru, Venezuela.

iii. Composition:

- For the time being, 25 members of which 5 are appointed by each national parliament,
- Direct elections to be organised in due course, following the conclusion of an additional protocol specifying the criteria for national representation (art. 2 of the constitutive treaty).

3. *Central American Parliament* (not yet constituted).

i. Legal basis:

- Treaty establishing the Central American Parliament and other political bodies, signed between 8 and 16 October 1987 (ratified, in November 1989 by 4 of the 5 signatory States).

⁶ The Netherlands' Antilles, a non sovereign political entity, did not sign the Treaty of Institutionalisation; but the Parliament's statute qualifies it as a member.

ii. 5 member States (parliaments):

Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua.

iii. Composition:

- 100 representatives directly elected representatives (20 for each country),
- ex officio members: The Presidents and Vice-President of member States at the close of their mandates.

4. *Amazonian Parliament*

i. Legal bases:

- Joint Declaration of 17 April 1989 by the Speakers of five Parliaments.
- Statute and Rules of Procedure in preparation.
- Institutionalisation by way of international treaty envisaged. In the spirit of the Founders, the Amazonian Parliament is to constitute the parliamentary wing of the Amazonian Cooperation Treaty of July 1978.

ii. 5 member Parliaments:

Bolivia, Brazil, Colombia, Ecuador, Guyana,

iii. Composition: Probably five representatives per country.

5. *Transfrontier Regional Assembly Colombia-Venezuela.*

(c/o Edificio de la Gobernación del Departamento de Norte de Santander, Cúcuta, Colombia)

i. Legal basis:

- Decision 187 (1987) of the Andean Parliament,

ii. Members:

The regional legislative assemblies of the province of North Santander (Colombia) and the State of Táchira (Venezuela).

iii. Composition: 10 members of each of the afore-mentioned regional assemblies.

IV. Intercontinental Assembly based on a Treaty of association and cooperation

1. Joint Assembly ACPICEE

(Avenue Georges-Henri 451, B-1200 Brussels)

i. Legal basis:

— Lomé¹ IV Convention of 15 December 1989⁷.

ii. 12 80 States parties to the Convention:

— Community member States,

— 68 ACP States: Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comores, Congo, Ivory Coast, Djibouti, Dominica, Dominican Republic, Equatorial Guinea, Ethiopia, Fidji, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Jamaica, Kenya, Kiribati, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Mauritania, Mozambique, Niger, Nigeria, Papua New Guinea, Rwanda, St Christopher and Nevis, St Lucia, St Vincent and the Grenadines, Samoa, Sao Tome" and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Sudan, Suriname, Swaziland, Tanzania, Togo, Tonga, Trinidad and Tobago, Tuvalu, Uganda, Vanuatu, Zaire, Zambia, Zimbabwe.

iii. Composition:

— 68 members appointed by the European Parliament,

— 68 parliamentary or, when there is no parliament, governmental representatives, one for each of the 66 ACP states.

⁷ Preceded by the Yaounde Conventions I (1963-69) and II (1969-75) and the *homi* Conventions I (1975-80), II (1980-85) and Lomé" HI (1985-90). Lomé-5 IV was concluded for a period of 10 years. Namibia is to accede to the Convention when she is fully independant.

B. Assemblies and associations based on an interparliamentary agreement

I. Assembly with a mondial vocation

1. *The Interparliamentary Union*

(Place du Petit-Saconnex, CP 438, CH-1211 Geneva 19).

i. Legal bases:

- Interparliamentary agreement of 1984⁸,
- Statute of 1976, revised in 1983,
- Agreement between the Swiss Federal Council and IPU of 28 September 1971 on the Union's privileges and immunities in Switzerland.

ii. 112 member parliaments and one associate member.

Member parliaments: Albania, Algeria, Angola, Argentina, Australia, Austria, Bangladesh, Belgium, Benin, Bolivia, Brazil, Bulgaria, Cameroon, Canada, Cape Verde, Central African Republic, China, Colombia, Congo, Costa Rica, Ivory Coast, Cuba, Cyprus, Czechoslovakia, Democratic People's Republic of Korea, Democratic Yemen, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Finland, France, Gabon, German Democratic Republic, Federal Republic of Germany, Greece, Guatemala, Honduras, Hungary, Iceland, India, Indonesia, Islamic Republic of Iran, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Lebanon, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Papua New Guinea, Paraguay, Philippines, Peru, Poland, Portugal, Republic of Korea, Romania, Rwanda, San Marino, Senegal, Singapore, Somalia, Spain, Sri Lanka, Sudan, Surinam, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, USSR, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

⁸ Founded on 31 October 1888, the first interparliamentary conference took place on 29-30 June 1889 following private initiatives of Sir William R. Cremer and Frederic Passy.

Associate member: European Parliament.

- iii. Composition: "The IPU shall be composed of National Groups. A National Group shall be formed of members of a parliament constituted in conformity with the laws of a sovereign State (of which it represents the population and on the territory of which it functions... International Parliamentary Assemblies established under international law ... may ... be admitted ... as associate members of the Union (Art. 3 of the Statute).

N.B. Associated members contribute to IPU's budget and have the same rights as ordinary members, except the right to vote and to put up candidates in IPU elections.

II. Transcontinental Assembly

1. The North Atlantic Assembly

(Place du Petit-Sablon 3, B-1000 Brussels).

i. Legal bases:

- Agreement between members of parliament of NATO member States of 1954 (Assembly established on 18 July 1955),
- Statute adopted by the Standing Committee of the NAA on 16 April 1970,
- Belgian law of 1974 concerning the status of the NAA in Belgium,

ii. 16 member parliaments:

Belgium, Canada, Denmark, France, Federal Republic of Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, United Kingdom, United States.

- iii. Composition: 188 representatives appointed by national parliaments or their organs (e.g. President of parliament [chamber], parliamentary committees, political groups). Every delegate to the Assembly may have one or more alternates but only one of whom may vote in his place.

III. Regional Assemblies

1. Union of African Parliaments

(Boulevard Roume N° 30, Box 1381, Adidjan 01, Ivory Coast).

i. Legal bases:

- Abidjan Declaration of 27 January 1975,
- Statutes adopted in February 1976 (amended in 1982 and 1985),
- Rules of Procedure adopted in 1978 (amended in 1983 and 1985).

ii. 30 member parliaments:

Algeria, Angola, Benin, Cameroon, Cape Verde, Central African Republic, Comoros, Congo, Djibouti, Egypt, Gabon, Gambia, Guinea, Ivory Coast, Kenya, Liberia, Madagascar, Malawi, Mali, Sao Tomé and Príncipe, Morocco, Rwanda, Senegal, Sierra Leone, Somali, Sudan, Togo, Tunisia, Zaire, Zimbabwe.

iii. Composition: National groups formed by each of the member parliaments. Representatives of States having no parliament, as well as, international and inter-regional organisations, may be admitted as observers to the sessions of UPA.

2. *ASEAN Interparliamentary Organisation (AIPO)*

The seat of secretariat follows the rotation in the chairmanship of AIPO.

i. Legal bases:

- Interparliamentary agreement of January 1975,
- Statute of 2 September 1977 (amended in 1979, 1983 and 1984).

ii. Five member parliaments:

Indonesia, Malaysia, Philippines, Singapore, Thailand.

iii. Composition: Delegations appointed by national parliaments or any other national body performing legislative functions.

3. *Arab Inter-Parliamentary Union*

(Adawi Nwailati Building, Box 4130, Damascus, Syria)

i. Legal bases:

- Agreement of 21 June 1974 of representatives of parliaments concerned,
- Constitutional Manifesto and Charter of the Union of June 1974.

ii. 16 member parliaments:

Algeria, Djibouti, Egypt, Morocco, Somalia, Sudan, Tunisia, Iraq, Kuwait, Jordan, Lebanon, Palestine, Syria, United Arab Emirates, Yemen, Yemen Democratic Republic.

Observer: Palestine Liberation Organisation (PLO).

- iii. Composition: Delegations representing the Arab parliamentary groups affiliated to the Union.

IV. Parliamentary Associations

1. Commonwealth Parliamentary Association — CPA
(7 Old Palace Yard, Westminster, London SW1P 3JY).

i. Legal bases:

- Decision of a group of parliamentarians from the United Kingdom and the five self-governing dominions of the British Empire to form the association (18 July 1911), followed by resolutions passed in each member parliament and acceptance of the constitution of the Association.
- In 1948 change of name to Commonwealth Parliamentary Association.
- New Branches (formed by Members of legislatures in Commonwealth countries) joined by resolution adopted either in their parliament or by a special meeting of their members.
- Constitution of 23 September 1977 amended in 1984, 1986 and 1988.
- Since 26 October 1971 the CPA is a registered charitable association under UK law.

ii. 60 members:

Alderney, Antigua and Barbuda, Australia, Bangladesh, Bahamas, Barbados, Belize, Bermuda, Botswana, British Virgin Islands, Canada, Cayman Islands, Cook Islands, Cyprus, Dominica, Falkland Islands, Gambia, Ghana, Gibraltar, Guernsey, Guyana, Grenada, Hong Kong, India, Isle of Man, Jamaica, Jersey, Kenya, Kiribati, Lesotho (in abeyance), Malta, Malawi, Malaysia, Mauritius, Montserrat, Nauru, New Zealand, Niue, N. Ireland (in abeyance), Papua New Guinea, St Christopher and Nevis, St. Helena, St. Lucia, St. Vincent and the Grenadines, Sierra Leone, Solomon Islands, Singapore, Sri Lanka, Tanzania, Tonga, Trinidad and Tobago, Turks and Caicos Islands, Tuvalu, Uganda (in abeyance), United Kingdom, Vanuatu, Western Samoa, Zambia, Zimbabwe.

Also represented: 12 provinces and territories in Canada, 8 states and territories in Australia, 22 states in India and 13 states in Malaysia.

iii. Composition: The association is composed of sections formed in legislative assemblies in Commonwealth countries functioning at national, state, provincial, territory or dependency level.

2. *International Association of French-Speaking Parliaments*

(235 Bd. St. Germain, F-75007 Paris).

i. Legal bases:

- Association founded in May 1967 under French law,
- Statutes of 1975 (amended in 1977, 1978, 1982, 1983, 1986, 1988),
- French Law N° 88-3 of 4 January 1988 recognising the association as an international French-speaking organisation and conferring on it privileges and immunities in France,

ii. 33 members:

Belgium, Brazil, Canada, Cameroon, Central African Republic, Comoros, Congo, Djubouti, Egypt, France, Gabon, Gedulf⁹, Geneva Canton, Ivory Coast, Jura, Jersey, Lebanon, Luxembourg, Mali, Mauritius, Monaco, Morocco, New Brunswick, Ontario, Quebec, Rwanda, Senegal, Syria, Switzerland, Togo, Tunisia, Zaire.

Associate sections: Louisiana, Maine, Aosta Valley.

iii. Composition: Sections formed in national parliaments or in sub-national legislative assemblies.

3. *Asian-Pacific Parliamentarians' Union*

(Office 604, TBR Buildings, 2-10-2, Nagata-Cho, Chiyoda-ku, Tokyo)

i. Legal bases:

- Agreement of members of parliament of 1965,
- Charter adopted in December 1965 (amended in 1966, 1970, 1971, 1973, 1980, 1983).

ii. Members:

Republic of China (Taiwan), Fiji, Japan, Republic of Korea, Nauru, Philippines, Thailand, Vanuatu.

⁹ Abbreviation for "Groupe d'études pour le développement et l'usage de la langue française" (Study Group for the development and the use of the French language), formed of members of the European Parliament.

Associate groups: Federated States of Micronesia, Marshall Islands, Pallau, Guam, Northern Mariana Islands.

Observers: American Samoa, India, Jordan, Kiribati, Salomon Islands, Tonga, Tuvalu, Western Samoa.

hi. Composition: The Union is composed of national or associate groups formed in parliaments concerned.

V. Nen representative parliamentary associations

P.m. (e.g. Parliamentary Association for Euro-Arab Cooperation; Global Committee of Parliamentarians on population and development, "Parliamentarians Global Action").

ASSOCIATION OF SECRETARIES GENERAL OF PARLIAMENTS

Alms

The Association of Secretaries General of Parliaments, constituted as a consultative body of the Inter-Parliamentary Union, seeks to facilitate personal contacts between holders of the office of Secretary General in any Parliamentary Assembly, whether such Assembly is a Member of the Union or not.

It is the task of the Association to study the law, procedure, practice and working methods of different Parliaments and to propose measures for improving those methods and for securing co-operation between the services of different Parliaments.

The Association also assists the Inter-Parliamentary Union, when asked to do so, on subjects within the scope of the Association.

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