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**Contents**

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Parliamentary Diplomacy Uncovered: European and Global Perspectives

Guest Editors: Stelios Stavridis and Davor Jančić

For the Contents, please see pp. i-ii inside matter.

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## Introduction

It is widely recognized that the Mediterranean is one of the world's least structured regions in terms of intergovernmental regional cooperation.<sup>1</sup> Indeed, despite the growing number of initiatives launched since the mid-1970s by external political actors, such as the European Union (EU), United Nations (UN), Organization for Security and Cooperation in Europe (OSCE), North Atlantic Treaty Organization (NATO), Council of Europe and the United States (US), with a view to promoting economic, political and scientific cooperation, the level of *intra-regional* institution-building has remained rather low.<sup>2</sup> One of the most ambitious projects in this area, namely the Euro-Mediterranean Partnership (since 2008, the Union for the Mediterranean),<sup>3</sup> is generally regarded in the literature as falling short of fulfilling its main objectives as originally set out in 1995 in Barcelona. Roberto Aliboni identifies three main factors accounting for this low level of institutional development.<sup>4</sup> First, as already mentioned, the main political (and cultural) initiatives in the Mediterranean are taken by external actors; as a consequence, the Mediterranean basin remains a 'border' and not a 'centre' in itself. Second, the Mediterranean countries do not con-

## The Parliamentary Assembly of the Mediterranean and Its Contribution to Democracy Promotion and Crisis Management

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### Summary

One of the main functions of international parliamentary institutions (IPIs) consists of conducting parallel diplomatic relations, known as parliamentary diplomacy, especially in the fields of peace-building, crisis management and democracy promotion. The effectiveness of this form of so-called 'parliamentarization' of international relations is often called into question, and can only be judged through systematic empirical work. This article aims at contributing to this debate by exploring the parliamentary diplomacy activities performed by one of the most prominent parliamentary actors in Euro-Mediterranean relations: the Parliamentary Assembly of the Mediterranean (PAM). What kinds of tools has PAM adopted to implement its parliamentary diplomacy function? What is the impact of PAM's parliamentary diplomacy? The article considers the following elements: legal and policy instruments; institutional features; functions performed while in session; activities directly addressing the national level; and parliamentary diplomacy as such. The period encompassed by the analysis ranges from 2006 to 2014.

### Keywords

Parliamentary Assembly of the Mediterranean (PAM) – parliamentary diplomacy – crisis management – democracy promotion

1 Stephen C. Calleya, *Security Challenges in the Euro-Med Area in the 21st Century: Mare Nostrum* (London: Routledge, 2013); Zlatko Šabič and Ana Bojinovic, 'Mapping a Regional Institutional Architecture: The Case of the Mediterranean', *Mediterranean Politics*, vol. 12, no. 3 (November 2007), pp. 317–337.

2 According to Šabič and Bojinovic, political actors/institutions are 'external' to the Mediterranean if, despite devoting a substantial part of their activities to the Mediterranean, their headquarters are not located in the Mediterranean and their membership is not composed exclusively of Mediterranean actors. In their study, which is one of the most comprehensive on this issue, the authors map more than 40 initiatives launched in the region by these actors between 1970 and 2006. See Šabič and Bojinovic, 'Mapping a Regional Institutional Architecture', pp. 322–323.

3 The Union for the Mediterranean is the successor to the Euro-Mediterranean partnership. On the relationship between the two projects, see, in particular: Roberto Aliboni, 'The Union for the Mediterranean: Evolution and Prospects', *Documenti IAI*, no. 09/39E (2009); Federica Bicchì and Richard Gillespie (eds.), *The Union for the Mediterranean* (London: Routledge, 2012); Paul James Cardwell, 'EuroMed, European Neighbourhood Policy and the Union for the Mediterranean: Overlapping Policy Frames in the EU's Governance of the Mediterranean', *Journal of Common Market Studies*, vol. 49, no. 2 (2011), pp. 219–241.

4 Roberto Aliboni, 'The Role of International Organizations in the Mediterranean', *Hellenic Foundation for European and Foreign Policy Working Paper*, no. 01/002 (2001), p. 2.



stitute a 'security complex';<sup>5</sup> they have different security agendas, since the factors that affect South-South security have little to do with those affecting North-South security. Finally, great economic gaps exist between countries in the north and the south of the basin, because of very different political and institutional regimes.

However, in contrast to this weak intra-regional intergovernmental institutional framework, non-governmental and less traditional forms of cooperation and diplomacy seem to be developing at a more robust pace. Already in 2007, Zlatko Šabič and Ana Bojinovic identified particularly dynamic growth in Mediterranean cooperation initiatives carried out by non-governmental organizations and networks, local authorities, research institutes and think tanks.<sup>6</sup> What is missing from this list is a clear reference to the role played by parliamentary actors. Especially since the end of the Cold War,<sup>7</sup> the role of parliamentary institutions in international relations has grown to such an extent that some scholars now talk about a 'parliamentarization of regionalization and globalization'.<sup>8</sup> In particular, Andrés Malamud and Stelios Stavridis claim that parliamentary institutions generally engage in international affairs in three major ways: 1) by strengthening their oversight capacity *vis-à-vis* national governments' foreign policy; 2) by conducting parallel diplomatic relations,

known as parliamentary diplomacy, at the bilateral and multilateral levels; and 3) by establishing and empowering parliaments as representative bodies of international or regional organizations.<sup>9</sup>

In the Mediterranean, too, a 'complex, multi-level and multi-actor parliamentary scene'<sup>10</sup> has developed, consisting of a nested web of interactions among sub-state parliamentary actors, national parliaments and international parliamentary institutions. Yet unlike the intergovernmental track, in the parliamentary sphere a truly intra-regional pan-Mediterranean institution has actually emerged — the Parliamentary Assembly of the Mediterranean (PAM), established in 2005.

Nevertheless, the literature has devoted little attention to this institution, while mainly focusing on the parliamentary dimension of the Euro-Mediterranean Partnership. As a consequence, this article aims to fill this gap and assess the role played by PAM in the fields of democracy promotion and crisis management, which represent the bulk of its mandate. Drawing on the growing academic literature on international parliamentary institutions,<sup>11</sup> PAM's diplomatic activities will be explored in order to identify the kind of tools adopted by the assembly to implement its mandate and to evaluate their real or potential impact.

5 A security complex is defined as 'a set of states whose major security perceptions and concerns are so interlinked that their national security problems cannot reasonably be analysed or resolved apart from one another'; see Barry Buzan, Ole Wæver and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder, CO: Lynne Rienner, 1998), p. 12. The idea of regional security complexes was originally developed by Buzan, and lately worked upon by Wæver, and is now part of the Copenhagen School's collective theoretical approach to security. The theory aims at providing a conceptual framework that captures the emergent new structure of international security, drawing on the assumptions of the post-Cold War international relations' take on a more regionalized character, and that insecurity is often associated with proximity, since most political and military threats travel more easily over short distances than over long ones. In addition to the above-mentioned work, see also Barry Buzan, 'New Patterns of Global Security in the Twenty-First Century', *International Affairs*, vol. 67, no. 3 (1991), pp. 431–451; Barry Buzan and Ole Wæver, *Regions and Powers: The Structure of International Security* (New York: Cambridge University Press, 2003).

6 Šabič and Bojinovic, 'Mapping a Regional Institutional Architecture', pp. 329–331.

7 Nonetheless, the origins of international parliamentary institutions can be dated back to the establishment of the Inter-Parliamentary Union in 1889, with a wish to create a permanent institutional structure for the peaceful settlement of international disputes.

8 Olivier Costa, Clarissa Dri and Stelios Stavridis, 'Introduction', in Olivier Costa, Clarissa Dri and Stelios Stavridis (eds.), *Parliamentary Dimensions of Regionalization and Globalization: The Role of Inter-Parliamentary Institutions* (Basingstoke: Palgrave Macmillan, 2013), p. 1.

9 Andrés Malamud and Stelios Stavridis, 'Parliaments and Parliamentarians as International Actors', in Bob Reinolda (ed.), *The Ashgate Research Companion to Non-State Actors* (Farnham: Ashgate, 2011), pp. 101–115.

10 Irene Fernández Molina, Paqui Santonja and Stelios Stavridis, 'Post-Conflict Libya Reconstruction and Reconciliation', *EISA Conference*, Warsaw (September 2013).

11 In addition to references quoted elsewhere in this text, see also Heinrich Klebes, *Relations between National Parliaments and International Parliamentary Assemblies*, report submitted to the Association of Secretaries General of Parliament (1989); Robert M. Cutler, 'The Emergence of International Parliamentary Institutions: New Networks of Influence in World Society', in Gordon S. Smith and Daniel Wolfish (eds.), *Who is Afraid of the State? Canada in a World of Multiple Centres of Power* (Toronto: University of Toronto Press, 2001), pp. 201–229; Zlatko Šabič, 'Building Democratic and Responsible Global Governance: The Role of International Parliamentary Institutions', *Parliamentary Affairs*, vol. 61, no. 2 (2008), pp. 255–271; Lluís Maria de Puig, *International Parliaments* (Strasbourg: Council of Europe Publishing, 2008); Claudia Kissling, *The Legal and Political Status of International Parliamentary Institutions* (Berlin: Committee for a Democratic UN, 2011); Andrea Cofelice and Stelios Stavridis, 'The European Parliament as an International Parliamentary Institution (IPI)', *European Foreign Affairs Review*, vol. 19, no. 2 (2014), pp. 145–178; Davor Jancic, 'Globalizing Representative Democracy: The Emergence of Multilayered International Parliamentarism', *Hastings International and Comparative Law*

Accordingly, the article is structured as follows. The first section places PAM in its historical context and offers an overview of its composition, mandate and internal institutional structure. The second and third sections deal with PAM's parliamentary diplomacy activities in the fields of democracy promotion and crisis management. Even though these two dimensions are often interconnected in operational terms, for the sake of clarity, they are treated here as analytically distinct. The concluding section summarizes the main findings and identifies the major challenges that constrain the efficacy of PAM's activities. The timespan of the analysis ranges from PAM's first session in 2006 to 2014.

#### Parliamentary Assembly of the Mediterranean: Historical Overview, Composition, Mandate and Institutional Structure

PAM is the only Mediterranean institution where full membership is open exclusively to littoral countries. It is currently composed of 27 full member states<sup>12</sup> and twelve international (and/or regional) organizations and institutions with observer status.

Its establishment is the result of the institutionalization process of the Inter-Parliamentary Conference on Security and Cooperation in the Mediterranean (CSCM), set up by the Inter-Parliamentary Union (IPU) in 1992. Indeed, having already held seven Inter-Parliamentary Conferences on Security and Cooperation in Europe between 1973 and 1991, the IPU decided to establish a similar process for the Mediterranean, in order to respond to the main challenges existing in the region. Thus, the IPU parliamentarians from the Mediterranean region met in Malaga in 1992 to set up an inter-parliamentary CSCM. Over its thirteen-year history, the CSCM has held three more inter-parliamentary conferences: in Valetta (Malta, 1995); Marseilles (France, 2000); and Nafplio (Greece, 2005). The members of the CSCM also met twice a year at IPU assemblies, to ensure regular dialogue on the most relevant issues for the region.

At its fourth and final conference, the participating parliamentarians agreed to transform the CSCM process into a permanent Parliamentary Assembly of the Mediterranean. The objective was threefold: to give more stature to parliamentary diplomacy in the Mediterranean; to provide the region with a

12 Albania, Algeria, Andorra, Bosnia and Herzegovina, Croatia, Cyprus, Egypt, France, Greece, Israel, Italy, Jordan, Lebanon, Libya, Malta, Mauritania, Monaco, Montenegro, Morocco, Palestine, Portugal, Serbia, Slovenia, Syria, the Former Yugoslav Republic of

unique parliamentary forum of its own, unattached to any intergovernmental process, where members can draw up their own agenda; and to enhance the widest possible participation of Mediterranean states in the parliamentary assembly with equal voting rights, enabling them to proceed to the drawing up of recommendations and opinions on questions of common concern to the Mediterranean.<sup>13</sup> In particular, to use the words of Member of Parliament (MP) Cortajarena Iturriz, the desire on the part of parliamentarians to establish an ad-hoc body for the Mediterranean reflected 'their confidence in the capacity of parliamentary diplomacy to achieve progress on a number of issues which it has not yet been possible to resolve through official government policy'.<sup>14</sup>

However, this decision soon triggered an institutional conflict with the European Parliament, which did not take part in the CSCM process, but had been the primary driving force behind the establishment in 1998 of the Parliamentary Forum of the Euro-Mediterranean Partnership, transformed in 2004 into the Euro-Mediterranean Parliamentary Assembly (EMPA) and, in 2008, into the Parliamentary Assembly of the Union for the Mediterranean (UfM-PA). The European Parliament President Josep Borrell Fontelles addressed official letters to the presidents of national parliaments of the European Union, inviting them not to support the establishment of PAM, in order to avoid costly duplications in an area already covered by the EMPA.<sup>15</sup> Nonetheless, after a few months of deliberation, all members attending the preparatory meeting of PAM's inaugural session (Naples, Italy, June 2005) reaffirmed their national parliaments' support for the decision to establish PAM as originally agreed.<sup>16</sup> As a consequence, PAM could hold its first plenary session in Amman, Jordan, in September 2006.

The bulk of PAM's mandate is twofold and consists, on the one hand, of conflict prevention, conflict resolution and crisis management through parliamentary diplomacy, and, on the other hand, in promoting human rights and democracy. As to the first dimension, Article 3 of its Statute states that PAM's mission is to develop cooperation among its members by promoting

13 Elsa Papadimitriou, *Security and Stability in the Mediterranean Region*, Parliamentary Assembly of the Western European Union Doc. 1939 (2006), para. 310.

14 Cortajarena Iturriz, *The Development of Interparliamentary Cooperation among the Mediterranean Countries*, Parliamentary Assembly of the Western European Union Doc. 1875, para. 41.

15 Papadimitriou, *Security and Stability in the Mediterranean Region*, para. 311-312.

16 Inter-Parliamentary Union, *Report on the Results of the Preparatory Meeting of the Inaugural Session of the Parliamentary Assembly of the Mediterranean*, in *Results of the 19th Assembly and Related Meetings* (Geneva: IPU, 17-19 October 2005), p. 69. A memorandum

political dialogue and understanding, notably by: fostering and building confidence among Mediterranean states; promoting regional security, stability and peace; and consolidating the endeavours of Mediterranean states. Even though democracy and human rights are not explicitly mentioned, they are extensively dealt with in plenary and committee resolutions and declarations. For instance, the Final Declaration of PAM's inaugural session (Amman, 2006) expresses the hope that the creation of the assembly will assist in the consolidation and deepening of democracy, the rule of law and respect for human rights. Similarly, the 'Charter of the Mediterranean' — that is, PAM's political manifesto, which was unanimously adopted at its third plenary session (Monaco, 2008) — mentions democracy and human rights as the core values that lay down 'the foundation stones for the actions of PAM'.

Each of PAM's 27 national delegations can be represented by a maximum of five members, elected or appointed by, and from among, national parliaments, with equal voting and decision-making powers. In addition to the plenary assembly, which meets once a year, generally for a three-day session, the core of PAM's work is conducted within three standing committees, which deal with: political and security-related cooperation; economic, social and environmental cooperation; and dialogue among civilizations and human rights.<sup>17</sup> The continuity of PAM's work is assured by the Bureau,<sup>18</sup> composed of the assembly's president, who is elected for a two-year term, four vice-presidents and the presidents of the three standing committees, as well as a permanent Secretariat,<sup>19</sup> which was established in Malta in November 2007.

The genesis of PAM, its strict link to the IPU and the CSCM process, and its twofold mandate, have affected its internal structure, composition and functioning in a variety of ways. First of all, the mandate of PAM's standing committees reflects the tried and tested *Conference on Security and Cooperation in Europe* (CSCE)/CSCM system of three different baskets.<sup>20</sup> Moreover, as

17 Moreover, PAM has occasionally set up ad-hoc committees or special task forces to tackle a particular topic, such as the Middle East peace process, migration, free trade, terrorism, climate change, natural resources management, energy and gender issues.

18 Its main task is to inject policy guidance, and to prioritize and steer the activities of PAM.

19 The Secretariat assists the organs of PAM in the execution of their mandate and is responsible for the follow-up to the decisions taken by the assembly. Moreover, it interacts with national delegations, as well as with regional and international bodies that share an interest in the Mediterranean region.

20 The three main chapters, or 'baskets', of the negotiations forming part of the CSCE process were: (I) political and security-related cooperation; (II) economic cooperation, including technology, science and environment-related issues; and (III) human rights, fundamental

with the IPU, the composition of national delegations and the appointment, removal or substitution of individual members are decided at the sole discretion of national parliaments.<sup>21</sup> PAM's statutory rules simply invite members to include 'male and female parliamentarians in their delegation' (Article 11), but, for instance, contain no provision requiring delegations to guarantee a fair and balanced representation of the various political orientations existing in national assemblies. Put bluntly, the assembly seems to show no interest in ensuring the 'input legitimacy' of its members — that is, in evaluating whether they are MPs in the Western, liberal sense of the word, or whether they are 'parliamentary arms of governing elites', arriving at PAM to defend national positions in the same way that diplomats do at intergovernmental conferences.<sup>22</sup>

This practice is partially in contrast with the approach adopted by other IPIs, especially those inter-regional parliamentary assemblies where the European Parliament is represented, including the UfM-PA, but also the (ACP)—EU Joint Parliamentary Assembly (that is, between the EU and African, Caribbean and Pacific group of states) or the EuroNest Parliamentary Assembly (the European Parliament and eastern neighbours Armenia, Azerbaijan, Georgia, Moldova and Ukraine). In all these parliamentary forums, the European Parliament is increasingly invoking, although not always in a consistent way, the need to respect minimum legitimacy criteria for their counterparts to be accepted as members of these assemblies. Thus, for instance, in connection to the recent upheavals in the Arab world, the UfM-PA has suspended Syria's membership, as well as Libya's observer status. PAM has not endorsed a similar approach: not only has it never considered the suspension of any delegation, but when the Syrian delegation could not attend the ninth PAM session in Monaco in 2015 because of the French authorities' refusal to issue transit visas, on the grounds that some of the Syrian members were the subject of EU sanctions, PAM President Francesco Amoroso (Italy), in his inaugural speech, openly blamed France for the absence of the Syrians.<sup>23</sup> Undoubtedly, PAM's approach

21 Article 2 of PAM's 'Rules of Procedure'.

22 Roderick Pace and Stelios Stavridis, 'The Euro-Mediterranean Parliamentary Assembly, 2004–2008: Assessing the First Years of the Parliamentary Dimension of the Barcelona Process', *Mediterranean Quarterly*, vol. 21, no. 2 (2010), p. 103.

23 He stated: 'It is with great regret that I must inform the Assembly of the absence of the Syrian delegation, who could not attend our meeting because of the refusal of the French authorities to issue transit visas. It is a very serious circumstance, considering the very nature of our Assembly as an instrument of parliamentary diplomacy at the service of peace and regional security. I personally notified the position of the Presidency of PAM to the ambassador of France in Italy'; address by H.E. Sen. Francesco Amoroso,

may appear as rather inconsistent with its stated efforts aimed at promoting democracy and the rule of law in the region. However, it may be seen as functional to its 'diplomatic mission'. Indeed, as observed by De Vrieze, the fact that PAM works with all of the parliaments of the region enables it to get involved in various initiatives of parliamentary diplomacy and mediation, including facilitating UN missions and conveying messages from the EU's leadership to the representatives of the Syrian government and parliament.<sup>24</sup> To use the words of former PAM President Rudy Salles (France), 'the spirit of PAM is to create dialogue and respect differences of opinion, and [...] no single Member State will ever be condemned under the auspices of PAM'.<sup>25</sup>

What kinds of functions and tools have been adopted by PAM to implement its conflict resolution and democracy promotion mandates? To begin with, since PAM is an autonomous parliamentary institution and has no intergovernmental counterpart, it cannot exercise 'core' parliamentary functions, such as policy-making and oversight over the executive. In general terms, its powers are of a deliberative nature, consisting of the possibility to adopt non-legally binding reports, opinions, resolutions, recommendations and declarations, which are regularly transmitted to national parliaments and governments, regional organizations and international forums. These 'soft diplomacy' tools are in principle adopted by consensus or, if this cannot be mustered, by a four-fifths majority of the votes cast. Once again, this practice is consistent with PAM's role as a 'centre of excellence for regional parliamentary diplomacy', where dialogue and consensus are preferred to confrontation and harsh debates.

However, the literature on IPIS has identified several less conventional parliamentary functions that are related both to conflict prevention and resolution, and to the promotion and consolidation of democracy, human rights and rule of law.<sup>26</sup> Space limitations mean that the next two sections of this article

Principality of Monaco (2–4 February 2015), available online at [www.pam.int/default.asp?m=news&id=586](http://www.pam.int/default.asp?m=news&id=586) (last accessed in February 2015).

24 Franklin De Vrieze, *Study on Parliamentary Cooperation: Mapping and Analysis of International Parliamentary Institutions and Parliamentary Networks in the Western Balkans and South East Europe* (Brussels: European Commission, 2015), p. 41.

25 *Executive Report of PAM's Fourth Plenary Session*, Istanbul, Turkey (23–24 October 2009).

26 See, in particular, Stelios Stavridis, 'Parliamentary Diplomacy: Any Lessons for Regional Parliaments?', in Mario Kölling, Stelios Stavridis and Natividad Fernández Sola, *The International Relations of the Regions: Subnational Actors, Para-diplomacy and Multi-level Governance* (Zaragoza: University of Zaragoza, 2006), pp. 55–8; Zlatko Šabić, 'Democracy across Borders: Parliamentarians and International Public Spheres', *Javnost-*

will assess PAM's activities only in connection to four such functions: those of 'norm entrepreneurship' and technical assistance as far as democracy promotion is concerned; and those of a 'moral tribune' and parliamentary diplomacy *per se* with regard to conflict resolution and crisis management.

#### PAM's Promotion of Democracy, Human Rights and the Rule of Law: A Norm Entrepreneur 'on Paper'?

Between 2006 and 2014, PAM held eight plenary sessions, during which 24 resolutions were adopted on a wide range of issues dealing with democracy, human rights and the rule of law, especially drawing on the work of the first and third standing committees. Some of the most debated issues include: religious freedom and dialogue among cultures; the fight against organized crime (including 'Eco-Mafias')<sup>27</sup> in the Mediterranean; the definition and root causes of terrorism; forced migrations; gender and equality issues; education; job creation and unemployment in the Mediterranean; corruption; rights of persons with disabilities (the full list of adopted resolutions is reported in Table 1 below).

However, what qualifies PAM's role as a norm entrepreneur is the fact that some of these resolutions do not simply reaffirm the validity of universally recognized human rights principles, but try to reinterpret them. On the one hand, there has been a clear attempt by PAM members to propose new international legal concepts and definitions. In this sense, the most prominent example is the resolution on the definition of terrorism, which was adopted in 2009 by the fourth PAM plenary session. This outcome is dubious because the subject

Diplomacy', *Madriaga Paper*, vol. 4, no. 7 (2011); Davor Jancic, 'Parliamentary Diplomacy in the European Union', in Henk Kummeling et al. (eds.), *De samengestelde Besselink: Bruggen bouwen tussen nationale, Europees en internationale recht* (Nijmegen: Wolf Legal Publishers, 2012), pp. 109–119; Stelios Stavridis, 'Responsibility to Protect: What Role for Parliamentary Diplomacy?', *ReShape Online Papers Series*, no. 2 (2013); Stelios Stavridis and Irene Fernández Molina, 'El Parlamento Europeo y el conflicto de Libia (2011): una tribuna moral eficiente?', *Revista CIDOB d'Afers Internacionals*, no. 101 (2013), pp. 153–176.

27 The report *Eco-Mafias and Their Impact on the Mediterranean*, which was unanimously adopted on 12 October 2012 during the seventh PAM Plenary Session (Malta), employs the term 'eco-mafia' to refer to 'criminal organizations that commit crimes that damage the environment' (para. 2).

TABLE 1 PAM's resolutions on crisis management and the promotion of democracy, human rights and the rule of law (2006–2014)

Plenary Session	First Committee: Political and Security-Related Cooperation	Third Committee: Dialogue among Civilizations and Human Rights
2nd Session Malta (2007)	– Regional issues: the Middle East	– Dialogue and human rights
3rd Session Monaco (2008)	– 'Charter of the Mediterranean'	– Gender and equality issues
	– The work of the Ad-Hoc Committee on the Middle East in 2008	– Migration
4th Session Turkey (2009)	– The Middle East	– Religious freedom and dialogue of cultures
	– The fight against organized crime	– Building on dialogue
	– The definition of terrorism	– Forced migration
5th Session Morocco (2010)	– The Middle East	– Women in political life in the Mediterranean
	– Organized crime	– Inter-cultural and inter-religious dialogue in the Western Balkans
	– The root causes of terrorism	– Palestinian women refugees
6th Session Italy (2011)	– The Middle East	– Achieving gender equality
	– Organized crime	– Migrations and revolutions
	– New strategies in countering terrorism	– Domestic violence
7th Session Malta (2012)	– Middle East peace process and events in the Arab world	– Education
	– Eco-Mafias and their impact on the Mediterranean	– Job creation and unemployment in the Mediterranean
8th Session France (2014)	– Political developments in the Middle East and North Africa (MENA) region	– The role of women in the Arab Spring
	– Strategies to combat public sector corruption	– Access of people with disabilities to the labour market

remains one of the most vehemently debated issues in international bodies.<sup>28</sup> The resolution defines terrorism as:

[...] violence or the threat of violence, induced by political, ideological, religious or ethnic motives. Terrorist actions are carried out or designed to achieve maximum publicity, and to produce effects beyond the immediate damage to people, property and the environment. The methods used are extreme, destruction is ruthless, and the behaviour is not constrained by the rules of war. The nature of violence is such so as to provoke fear and intimidation.<sup>29</sup>

The resolution was adopted by a large majority of parliamentary delegations. Only France expressed its reservation about the legal implications of acts of terrorism committed by states (Preamble, paragraph 14 of the resolution), while Israel did not take part in voting. Further attempts have been made over time, less successfully, to define other crimes, such as 'forced migrations' (fourth plenary session, 2009) and 'organized waste trafficking' (seventh session, 2012).

On the other hand, PAM has repeatedly sought to harmonize member states' legislation. Even though it has not followed the example of other IRIs by adopting formal 'model laws',<sup>30</sup> PAM has frequently called on the participating national parliaments to adapt their legal and institutional frameworks to international standards in a number of fields, including family law (fourth plenary session, 2009), electoral gender quotas (fifth plenary session, 2010), domestic violence (sixth plenary session, 2011), access of people with disabilities to the

<sup>28</sup> Because of complex political and legal problems, there is no universal agreement on a comprehensive definition of 'terrorism' in public international law. Since 2000, the United Nations General Assembly has been negotiating a Comprehensive Convention on International Terrorism, including a definition of terrorism, but has been unable to finalize it so far. As a way of getting round the problem, the international community has either adopted a number of sectoral conventions, aimed at criminalizing specific types of terrorist activities (such as the taking of hostages in civil aviation and financing terrorism, etc.), or agreed upon non-binding definitions (see, in particular, the general definition contained in Security Council Resolution 1566 of October 2004). Moreover, other international organizations have their own official definitions of terrorism, including the 2002 EU Framework Decision on Combating Terrorism.

<sup>29</sup> PAM, 'Resolution on the Definition of Terrorism', Fourth Plenary Session, Istanbul, Turkey (23–24 October 2009), Art. 24.

<sup>30</sup> For instance, this is the case with the Inter-Parliamentary Assembly of the Eurasian

labour market, and strategies to combat public sector corruption (eighth session, 2014).

However, the main limit of this strategy is that PAM has not set up a systematic follow-up mechanism to assess the level of implementation of its recommendations. Moreover, all of the informative reports produced by its rapporteurs are essentially of a thematic nature, and contain only general information regarding specific country situations. As a consequence, it is not possible to evaluate the extent to which the norms proposed by the assembly have been effectively accepted and internalized by Mediterranean national parliaments. PAM's role as a norm entrepreneur is thus seriously hampered by this institutionalized deficit.

Furthermore, PAM has made limited use of classical technical cooperation tools to promote democracy and the rule of law, such as election observation, technical assistance for constitutional and legal reforms, training seminars for parliamentarians and staff, study tours and civil society empowerment. During the period analysed for this article, PAM had not deployed any autonomous election observation missions, while it deployed only one technical cooperation mission — to Bosnia and Herzegovina between 2009 and 2011 — which sought to contribute to Bosnia and Herzegovina's constitutional reform process.<sup>31</sup>

With the outbreak of the so-called 'Arab Spring', PAM's members are becoming increasingly aware of the need to strengthen the assembly's work on the promotion of democracy. This perception is confirmed, for instance, by the words of MP Michel Vauzelle (France), who, during the seventh plenary session (2012), invoked the necessity to consolidate the work achieved by PAM during the five years of its existence, 'especially as regards sustaining the democratic expectations of the countries to the South Mediterranean'.<sup>32</sup>

#### Parliamentary Diplomacy at the Service of Conflict Resolution and Crisis Management

PAM's parliamentary diplomacy activity that is aimed at conflict resolution and crisis management can be divided into two distinct phases. During its first four years of existence (2006–2010), PAM's parliamentary diplomacy was

almost totally absorbed by the Middle East conflict, while other conflicts in the region, such as Cyprus and the Western Sahara, did not appear at the top of its agenda. Much of PAM's work was carried out by the first standing committee and its ad-hoc committee on the Middle East, which was established at the second plenary session (2007). In this respect, the assembly behaved first and foremost as a 'moral tribune', taking a clear stance on the need to find a 'just and durable' solution to the conflict. The resolutions that have been adopted at each plenary session since 2006, very often by consensus, clarify the assembly's position on the conflict, which can be summed up by the following excerpts:

- favouring a two-state solution based on relevant UN resolutions;
- condemnation of all acts of terrorism, whether perpetrated by individuals, organizations or a state;
- condemnation, on the one side, of the Israeli military intervention in Gaza in December 2008 and January 2009, as well as the blockade of the Gaza strip; on the other side, of the launching of rockets by Hamas militants into southern Israel;
- calling for the dismantling of the 'wall of separation';
- urging Israel to refrain from settlement-building activities in the West Bank and East Jerusalem;
- calling for a credible and transparent international inquiry to assess the succession of events that led to the death of nine activists of the 'Free Gaza' movement on 31 May 2010;
- calling for intra-Palestinian reconciliation;
- calling for confidence-building measures by Israel and the Palestinians, such as prisoner releases;
- judging the Palestinians' request for recognition of the State of Palestine by the UN as 'legitimate, justified, merited, and long overdue'.

Over time, PAM has also sought to strengthen its visibility and 'presence on the ground', mainly by carrying out diplomatic, fact-finding and enquiry missions. The first fact-finding mission in Gaza was organized in May 2009 by PAM Bureau. The objective was to gain perspective on the consequences of the December 2008/January 2009 conflict, as well as to express solidarity with all innocent victims of the confrontation. Moreover, PAM's Bureau also sought to enhance the assembly's visibility among the key actors in the region, through meetings with political leaders in Egypt, Jordan, Israel and the Palestinian Territories, and to present PAM as a serious and trustworthy

<sup>31</sup> Information on the mission is contained in the report 'Constitutional Changes in Bosnia and Herzegovina', rapporteur: Hon. Miro Petek (Slovenia), discussed during the Sixth Plenary Session (2011).



partner for future peace negotiations.<sup>33</sup> A second mission was organized in November 2013, when a high-level PAM delegation visited the Jordanian Parliament in Amman, the Palestinian Legislative Council in Ramallah and the Israeli Knesset in Jerusalem, in order to discuss, among other things, the cross-border impact of the Syrian conflict and the Israeli–Palestinian peace process with the Jordanian, Palestinian and Israeli authorities.

Moreover, PAM has always supported, through its parliamentary diplomatic network, the efforts of the UN, the Quartet<sup>34</sup> and the international community to relaunch direct and indirect talks among the parties, and to find solutions to the permanent status issues of the conflict. In this respect, in February 2010 in Malta PAM organized — together with the UN — an ‘International Meeting in Support of Israeli–Palestinian Peace’ in order to address the five permanent status issues: borders; Jerusalem; settlements; refugees; and water.<sup>35</sup>

The second phase of PAM’s work (2011–2014) corresponds with the outbreak of the Arab Spring, which opened a window of opportunity by allowing PAM to expand both the geographic scope and the objectives of its parliamentary diplomacy. PAM’s role was particularly crucial in three areas: providing financial support; assisting in constitutional reform processes; and facilitating political missions and humanitarian aid.

First, when it comes to financial support, in 2012 PAM managed, through its ongoing cooperation with the major European financial institutions, to facilitate a number of investments and make available € 2.5 billion to finance pilot projects in Egypt, Jordan, Morocco and Tunisia. The long-term sustainability of these projects was ensured by a memorandum of understanding signed between the European Bank for Reconstruction and Development and PAM in 2013.

Second, PAM’s technical assistance in constitutional reforms mainly addressed Tunisia and, at least until December 2013, Libya. PAM was indeed among the first parliamentary delegations to meet with the new Tunisian authorities. It assisted Tunisia in every phase of the constitutional reform process. As for Libya, in 2012 the IPU and PAM sent a joint mission to the country, endeavouring to help Libyan authorities to re-establish a fully functioning

33 PAM, *Report on the Mission to the Middle East by PAM Bureau (18–21 May 2009)*, Fourth Plenary Session (2009).

34 The Quartet includes the UN, US, EU and Russia, and was established in 2002 to mediate the peace process in the Israeli–Palestinian conflict.

35 PAM, *Report on the Joint PAM/UN Meeting in Support of Israeli–Palestinian Peace*, Fifth Plenary Session (2010).

parliament. Moreover, in 2013 PAM organized parliamentary training sessions abroad for Libyan MPs. However, the highly volatile situation that emerged in Libya towards the end of 2013 forced PAM to suspend its assistance programme.

Third, PAM’s engagement in Libya also aimed at mobilizing humanitarian aid and supporting the various UN missions in the country. In 2011, PAM assisted the UN envoy mission to Misrata, Libya, in securing a humanitarian corridor. Over time, however, the assembly’s attention turned to the Syrian conflict. PAM was among the regional actors invited to participate at the first Syria Humanitarian Forum, which was held in Geneva on 8 March 2012. On that occasion, PAM offered its full support, through its regional parliamentary network, to humanitarian efforts and political dialogue in Syria, in view of its previous collaboration with the UN system during the 2011 Libyan crisis. From 28 June to 2 July 2013, PAM fielded a mission to Syria and Lebanon in order to address the delicate issues of humanitarian assistance, humanitarian aid delivery and confidence-building measures. In Damascus, PAM delegates met with representatives of the UN as well as with Syrian MPs. The MPs were urged to help reduce the level of violence, scale up protection of the civilian population and enhance the conditions for humanitarian aid. One of the major problems observed by PAM was poor communication between humanitarian agencies and the Syrian government. As a consequence, PAM proposed that frequent meetings between humanitarian agencies and the Syrian National High Relief Committee could be a step towards addressing this problem. During consultations, issues related to the problematic supply of arms to the parties in conflict by outside actors, the sanctions against Syria (which pose an obstacle to an improvement of the humanitarian situation), attacks on UN convoys, as well as detentions and interrogations of political activists, were some of the central themes. Moreover, PAM’s delegation took the opportunity to strengthen communication between the key international actors by transmitting messages from the UN and the EU to the Syrian government.<sup>36</sup>

Finally, in 2014 PAM launched an initiative to establish a pool of MPs, who are ready to travel at short notice to critical areas, in order to facilitate the delivery of humanitarian assistance, the protection of civilians, respect for human rights and the negotiation processes. The initiative received open support from several UN bodies, including the High Commissioner for Human Rights, the High Commissioner for Refugees and the Office for the Coordination of Humanitarian Affairs.

36 PAM, *Report on Political Developments in the Middle East and North Africa*, Eighth Plenary Session (2014).

### Conclusions

The empirical analysis of PAM's work during its first eight years of existence allows one to conclude that the assembly's activities have been much more focused on crisis management and conflict resolution than on 'traditional' democracy and human rights promotion.

Indeed, the record of PAM's activities in terms of the promotion of democracy, human rights and the rule of law can be summarized as follows: one technical mission to Bosnia and Herzegovina between 2009 and 2011; an attempt to advance new international legal concepts and definitions; and various proposals aimed at harmonizing national legislation with international human rights standards. However, since PAM established no mechanism to follow up its recommendations, its role as a norm entrepreneur runs a high risk of remaining such merely on paper. This institutional deficit is not of secondary importance if one considers that, after all, one of the keys to the success of the CSCE has been its capacity to monitor the compliance of member states with agreed standards (through the so-called '*dispositif de suivi*', or follow-up procedure).<sup>37</sup> Establishing such an institutional oversight mechanism should thus be a priority for the policy-makers and diplomats involved. In this sense, PAM may benefit from the experience of other IPIs, such as the ACP-EU Joint Parliamentary Assembly, the NATO Parliamentary Assembly's Rose-Roth seminars, or the Parliamentary Assembly of the Council of Europe. The latter, for instance, established in the 1990s an ad-hoc Monitoring Committee, which is responsible for verifying the fulfilment of obligations assumed by member states under the Statute of the Council of Europe and the key European human rights conventions.

On the other hand, a more proactive role has been played by PAM in terms of regional parliamentary diplomacy aimed at crisis management and conflict resolution. In a first phase (2006–2010), its commitment mainly took the form of a moral tribune addressing the Arab–Israeli conflict. Even though its diplomatic effort did not produce immediate practical results in terms of rapprochement between the parties, PAM was able to present itself as a trustworthy partner for possible future peace negotiations. After all, PAM represents one of the few international forums where the Israeli and Palestinian parliamentary delegations can meet and engage in direct talks, even though the Israeli

37 Victor-Yves Ghebeli, *Les conférences de l'Union Interparlementaire sur la coopération et la sécurité européennes, 1973–1991: contribution de la diplomatie parlementaire à la détente Est–Ouest* (Brussels: Bruylant, 1992).

participation in PAM sessions has been rather irregular. The Arab Spring has subsequently created the conditions for a more direct parliamentary engagement on the ground, especially through the political activism of PAM's Secretariat and Bureau. However, this diplomatic work essentially aimed either: (a) to increase PAM's visibility, which is an understandable objective if one considers the fact that PAM is a relatively recent institution that is operating in a regional environment already densely populated by 'concurrent' inter-governmental and parliamentary initiatives; or (b) to support and facilitate initiatives launched by third parties, in particular the UN and the IPU.

Only in 2014 did PAM launch a truly autonomous initiative, consisting of the establishment of parliamentary 'standby units' for rapid deployment in critical areas. Indeed, one of the main constraints that PAM faces is that many of the key actors for Mediterranean security and stability — including the United States, Russia and partially the EU — are *external* to the region and do not have full membership, or even observer status, in the assembly. One way to overcome this may be to strengthen gradually PAM's role as a 'hub' providing much-needed coordination of the numerous multilateral initiatives on Mediterranean security. A first step towards this could consist of assessing the state of affairs of the main current initiatives affecting the Mediterranean, in order to identify their major strengths and pitfalls and to formulate useful policy recommendations, a function that after all is not very far from that exercised by parliamentary inquiry committees at the national level.

Overall, if these endogenous and exogenous constraints are overcome, PAM can in the long term play a key role in the development of a truly Mediterranean region, by facilitating its coherence and the build-up of common values,<sup>38</sup> and thus also laying the foundation for more solid intergovernmental cooperation.

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*Engagement with African Regional Parliaments; in S. Stavridis and D. Irrera (eds), The European Parliament and its International Relations (London: Routledge, 2015); and (with Stelios Stavridis) 'The European Parliament as an International Parliamentary Institution (IPI)'; European Foreign Affairs Review, vol. 19, no. 2 (2014).*