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Re-engaging in parliamentary dialogue with the United States

Report¹

Committee on Political Affairs and Democracy

Rapporteur: Mr Göran LINDBLAD, Sweden

Summary

The partnership between Europe and the United States continues to be of utmost importance for international stability, security and democratic development in Europe and worldwide. As the negative trend in transatlantic relations seems to be reversed, there are now new possibilities for co-operation between Europe and the United States to tackle the challenges of the modern world. Parliamentarians from both sides of the Atlantic should actively contribute to shaping and strengthening this co-operation.

Although transatlantic parliamentary dialogue is ongoing in various forms, the Parliamentary Assembly is currently not part of it, and there have been virtually no contacts between it and the Congress for many years. The rapporteur believes that the involvement of the Assembly in the dialogue with the American congressmen would be beneficial for transatlantic partnership as it would contribute to the promotion of the values and principles of democracy, human rights and the rule of law.

Accordingly, the report suggests a number of practical steps aimed at establishing working contacts with the United States Congress, as well as at making use of the existing forms of Euro-American dialogue, with a view to developing pragmatic and meaningful interaction and co-operation with the American lawmakers.

1. Reference to committee: [Doc. 11851](#), Reference 3547 of 29 May 2009



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A. Draft resolution²

1. The Parliamentary Assembly reaffirms the importance of the partnership between Europe and the United States, based on shared values, interests and responsibilities. In the aftermath of the Second World War, this partnership played a key role in post-war reconstruction and made it possible for European nations to develop into stable and prosperous democracies. In the new millennium, it continues to be of utmost importance for international stability and security and democratic development in Europe and worldwide.
2. Referring to its [Resolution 1421 \(2005\)](#) on relations between Europe and the United States, the Assembly notes with satisfaction that the negative trend in transatlantic relations now seems to be reversed. It welcomes the renewed commitment to multilateralism and respect of international law declared by the United States Administration under President Barack Obama, which has created new possibilities for co-operation between Europe and the United States to tackle the many challenges of the modern world.
3. Parliamentarians from both sides of the Atlantic should actively contribute to shaping and strengthening this co-operation. Parliamentary dialogue is a necessary element of a genuine partnership and an important channel of political communication which provides opportunities to openly discuss concerns, interests and differences, and to jointly anticipate and address new challenges.
4. In this connection, the Assembly regrets that its readiness to engage in a series of comprehensive dialogues with the United States Congress, as expressed in [Resolution 1421 \(2005\)](#), has remained without a response, and that there have been virtually no contacts with the Congress for many years.
5. The Assembly notes that members of the United States Congress participate in transatlantic parliamentary exchanges in various forms, including in the framework of the OSCE Parliamentary Assembly, the Transatlantic Legislators' Dialogue with the European Parliament and the NATO Parliamentary Assembly and its Parliamentary Transatlantic Forum, as well as on a bilateral level.
6. However, it believes that establishing working relations between the United States Congress and the Assembly, which is the leading European parliamentary forum on democracy, human rights and the rule of law, would contribute to the protection and promotion of these common values, thus enhancing international stability and security. The existing differences on some issues, including the abolition of the death penalty, should not prevent dialogue between European and American parliamentarians. On the contrary, they make it even more necessary. The Assembly hopes that contacts between European and American lawmakers will not be further complicated by the new restrictions on foreign travel of the members of the Congress enacted in May 2010.
7. The Assembly is therefore eager to renew efforts to revive, in a pragmatic way, parliamentary dialogue with the United States Congress. With this aim in mind, the Assembly:
 - 7.1. recalls that representatives of the United States Congress have the right to take part, as fully-fledged participants, in the annual debates on the activities of the OECD, and encourages the Congress to use this opportunity for parliamentary scrutiny of this Organisation;
 - 7.2. resolves to regularly inform the United States Congress of its activities, in particular its resolutions on issues which may be of interest or are related to the United States, and encourages the Congress to also share relevant information with it;
 - 7.3. encourages its relevant committees, in particular its Political Affairs Committee, to establish an exchange of information and, where possible, working relations with counterparts in the United States Congress, including contacts between rapporteurs, possible joint discussions via videoconferences and, when appropriate and feasible, participation in hearings;
 - 7.4. intends to make more effective use of the participation of its representatives in meetings organised by the OSCE and NATO Parliamentary Assemblies by making substantial contributions to these meetings reflecting its activities and positions, and through contacts and dialogue between its representatives and United States congressmen in the framework of the regular activities of these Assemblies;
 - 7.5. invites its Bureau to explore the possibilities for the Assembly to be associated with the Transatlantic Legislators' Dialogue.

2. . Draft resolution adopted unanimously by the committee on 7 September 2010.

B. Explanatory memorandum by Mr Lindblad, rapporteur

1. Introduction

1. In January 2005, the Parliamentary Assembly adopted [Resolution 1421 \(2005\)](#) on relations between Europe and the United States.³ This resolution was a response to a significant deterioration in the transatlantic relationship after a series of mutual misunderstandings between the United States and a number of its European partners on foreign policy issues, including the United States' decision to start a war in Iraq without the approval of the United Nations Security Council.
2. The resolution contained, *inter alia*, a series of proposals aimed at fostering parliamentary contacts between the Assembly and the United States Congress, including a call for the latter to consider applying for observer status with the Assembly.
3. While the general climate in United States-Europe relations has considerably improved since the election of Barack Obama as the new President of the United States, what struck me was that contacts between the Assembly and the United States Congress were almost inexistent, and that the initiative of the Assembly to engage in a dialogue with the United States Congress, as expressed in [Resolution 1421 \(2005\)](#), has remained without response.
4. I find this situation regrettable. Parliamentary dialogue is an important channel of political communication which provides opportunities to openly discuss concerns, interests and differences of the parties involved, to dispel misunderstandings and to prevent conflicts. It is a necessary component of a genuine partnership. In my view, the lack of dialogue between the Assembly and the United States Congress is a missed opportunity for both sides.
5. I therefore initiated a motion for a resolution in order to explore practical possibilities for establishing working contacts with the United States congressmen. In my capacity as rapporteur, I had a series of meetings with members and the staff of the United States Congress, both during my visit to Washington DC (March 2010) and during visits to the United States in my national capacity.

2. Current situation: lack of co-operation

6. Since 1995, the United States has enjoyed observer status with the Council of Europe. Resolution (95) 37 of the Committee of Ministers on observer status for the United States of America with the Council of Europe noted that "the United States share the ideals and values of the Council of Europe", and further referred to "the particular interest of the United States of America in strengthening co-operation with a view to increasing stabilisation in the new democracies of central and eastern Europe".
7. The request for observer status at intergovernmental level, however, has not been followed by a similar move at parliamentary level. In [Recommendation 1282 \(1995\)](#) on the request by the United States of America for observer status with the Council of Europe, the Assembly stated as follows: "It will give careful consideration in due course to the separate issue of appropriate status for the United States Congress" (paragraph 8).
8. I must recall that, at that time, a number of influential members of the United States Congress expressed interest in establishing a dialogue with the Assembly. I quote the letter sent to the then President of the Assembly, Miguel Angel Martínez, by the Co-Chairmen of the Congressional Human Rights Caucus, Tom Lantos and John Edward Porter (November 1995):

*"We have learned with great interest of the August letter in which Assistant Secretary of State Richard Holbrooke expressed to Secretary General Tarschys the interest of the United States in acquiring formal observer status at the Council of Europe. ...
... We further understand that, should a relationship of this nature be established, the Parliamentary Assembly would desire and expect a similar linkage to be established with the Congress of the United States, in order to permit a dialogue among legislators, like the one which will result between the member states and the United States as a newly admitted observer.*

3. See [Doc. 10353](#) (rapporteur: Mr Claudio Azzolini, Italy, EPP/CD).

While it is premature at this juncture to make any commitment as to the nature of such an eventual interchange between the US Congress and the Parliamentary Assembly, we would like to assure you, Mr President, of our keen interest in expanding dialogue with fellow legislators concerning the transition to democracy and respect for human rights in central and eastern Europe. We are well aware of the valuable role played by the Parliamentary Assembly in advancing the cause of human rights in Europe. Accordingly, we want to convey to you the interest of the Congressional Human Rights Caucus to serve as your point of contact with the United States Congress until other permanent arrangements can be worked out."

9. In practice, however, the United States Congress has since then shown no further interest in developing a stable relationship with the Assembly, let alone in the issue of observer status. Moreover, for many years now, members of the United States Congress have not used their right to participate, on an equal footing with other delegations, in the annual debates on the activities of the OECD held by the Assembly.

10. This does not mean that the United States congressmen take no interest in European affairs, and in particular in the issues dealt with by the Council of Europe and the Parliamentary Assembly. On the contrary, during my visits to the United States and my contacts with members of the Congress, as I informed my counterparts of our activities, I could feel a genuine interest in obtaining information and looking for opportunities to co-operate on matters of European (for example, stabilisation in the Balkans, situation in the countries of the former Soviet Union, in particular in the Caucasus, etc.) and wider international politics (Middle East, Iran, Afghanistan, conflict prevention and post-conflict rehabilitation, non-proliferation, terrorism, drugs, corruption, trafficking, etc.).

11. However, one has to bear in mind a number of factors which may explain the lack of enthusiasm of the United States lawmakers to engage actively with our Assembly.

12. Firstly, the United States Congress is rather reluctant when it comes to institutionalised international relations, and prefers pragmatic forms of co-operation and ad hoc contacts. It does not participate in the activities of the IPU and has only three standing official delegations for relations with foreign partners (Canada, Mexico and the European Parliament).

13. Secondly, there is a question of preferences. In its relations with European partners, the United States Congress clearly gives priority to those institutions and formats where it enjoys full membership and is the key actor, such as the parliamentary assemblies of the OSCE and NATO and the Transatlantic Legislators' Dialogue with the European Parliament.

14. As concerns the OSCE Parliamentary Assembly, American participation is ensured by the United States Commission on Security and Cooperation in Europe ("the Helsinki Commission"), where both the Senate and the House of Representatives are represented, as well as members of the executive branch. Members of this commission attend meetings in Europe at least three times per year: annual sessions and winter and autumn meetings of the OSCE Parliamentary Assembly.

15. The NATO Parliamentary Assembly (formerly North Atlantic Assembly) also enjoys active participation of the United States congressmen. The NATO Parliamentary Assembly holds two sessions a year in Europe ("annual sessions" in November and "spring sessions" in May), and once a year organises a Parliamentary Transatlantic Forum, a meeting held in Washington DC focusing on transatlantic relations. In addition, each year, one of the five committees of the assembly holds a meeting in North America.

16. In the framework of the Transatlantic Legislators' Dialogue with the European Parliament, two meetings are organised per year, one in Europe (usually in the capital of the country holding the European Union presidency) and one in the United States. When meetings take place in Washington DC, participants are often received at the highest political level (namely Vice-President, Speaker of the House of Representatives), which shows the importance that the United States leadership attaches to these relations.

17. Although these three formats differ on many accounts, they have a number of features in common: the United States congressmen participate as fully fledged members; they often assume key positions in the structure of these institutions/fora; they have a decisive say on the political agendas to be dealt with. Moreover, when meetings are held in the United States, it makes it easier for the congressmen to participate.

18. At the same time, one has to bear in mind some practical aspects which the United States congressmen face when getting actively involved in international co-operation.

19. On the one hand, it should be recalled that foreign policy issues, however important, do not have the same priority for the majority of the United States congressmen as those relating to domestic policy.

20. For many of them, participating in international contacts abroad can only come at the expense of an active involvement in their constituencies and is often seen as risky for their political careers, especially taking into consideration the media pressure which has substantially grown since the beginning of the economic crisis. Visits to Europe are often depicted as “leisure trips” and mostly receive negative media coverage.

21. On the other hand, the rhythm of political life in the United States is extremely intense, with elections to the House of Representatives taking place every two years. The calendar of legislative activities keeps congressmen mobilised in Washington DC almost all week. On weekends, most congressmen return to their constituencies. One should not forget the dimensions of the United States, which make travelling across the country very time-consuming, and the distance between the United States and Europe. As a result, it is not easy for the congressmen to find time in their agendas for international activities abroad.

22. In addition, due to the economic crisis and budgetary constraints, both chambers of the Congress have recently introduced additional restrictions on foreign travel of their members.

3. Options for improving parliamentary contacts

23. All these considerations taken into account, one should not have too high expectations as regards the prospects of future co-operation between the Congress and our Assembly.

24. Realistically, I do not see any chances for the United States Congress to attempt to enter into any kind of formally institutionalised relationship with the Assembly in the near future, inasmuch as it has not shown any interest until now. Furthermore, our Assembly would not be in a position to grant it on grounds of principle. In particular, as far as observer status is concerned, I recall that in [Resolution 1253 \(2001\)](#) on the abolition of the death penalty in Council of Europe observer states, the Assembly resolved as follows (paragraph 11):

“The Assembly decides to henceforth only grant observer status with the Assembly to national parliaments, and to only recommend the granting of observer status with the Organisation as a whole to states which strictly respect a moratorium on executions or have already abolished the death penalty.”

25. That said, without being unnecessarily optimistic, I believe that some forms of pragmatic interaction with the American congressmen could be found, provided that we identify the purpose of such interaction (and the benefits sought), the issues which could be of common interest or common concern for both the Assembly and the United States Congress, and the possible partners within the Congress.

3.1. Purposes

26. In my opinion, co-operation with the United States Congress should seek to (a) make the activities, experience and achievements of the Assembly known to American partners; (b) offer channels for frank discussion on issues of concern in order to avoid misunderstandings, as well as on issues of fundamental disagreement (for example, the abolition of death penalty); (c) explore possibilities for co-ordinated efforts in promoting democracy, respect for human rights and the rule of law, and in tackling major threats and challenges to modern societies.

3.2. Possible issues for co-operation

27. As mentioned above, my contacts with American colleagues have shown their interest in a broad spectrum of issues dealt with by the Assembly, with particular focus on matters relating to European stability. Taking into account its specific activities in the framework of its monitoring procedure, the Assembly has a lot of information and experience to share on democracy building in the former communist countries. Other European issues of interest for the Americans are the stabilisation in the post-conflict or potentially hot spots such as the Balkans and the Caucasus, and the situation in Belarus. In a broader international context, my interlocutors were sensitive to our activities in relation to the Middle East and Iran, as well as to various transversal matters like conflict prevention and post-conflict rehabilitation, non-proliferation, fight against and prevention of international terrorism, modern-day maritime piracy, drugs, corruption and money laundering, organised crime, trafficking in human beings, etc.

3.3. Possible counterparts

28. In my view, the best partner for the Assembly to build practical and flexible relationship would be the United States Commission on Security and Cooperation in Europe (“the Helsinki Commission”). It is composed of members of the Senate and the House of Representatives who have both the experience and

the interest in European issues, and who represent the United States Congress in the OSCE Parliamentary Assembly. My meetings with the co-chairmen and the staff of the commission showed interest in establishing some form of co-operation.

29. In the House of Representatives' Committee on Foreign Affairs, there is a Europe Sub-Committee. Similarly, the Senate Committee on Foreign Relations has a Sub-Committee on European Affairs. Those two sub-committees seem to be natural partners for the Assembly as regards the exchange of information and possible interaction on European issues.

30. Furthermore, in both chambers' above-mentioned committees, there are sub-committees dealing with international organisations and human rights (namely the Sub-Committee on International Operations and Organizations, Human Rights, Democracy and Global Women's Issues in the Senate, and the International Organizations, Human Rights and Oversight Sub-Committee in the House of Representatives). Those two sub-committees may also be interested in contacts with the Assembly on human rights related matters.

31. Another possibility would be to seek to revive contacts with the former Congressional Human Rights Caucus which has now been formally institutionalised as the "Tom Lantos Human Rights Commission". It aims to promote, defend and advocate internationally recognised human rights norms as enshrined in the Universal Declaration of Human Rights and other relevant human rights instruments.

32. I would also mention, as potential partners, those members of the United States Congress who have official functions or participate in the activities of the NATO Parliamentary Assembly and in the Transatlantic Legislators' Dialogue.

3.4. Opportunities for contacts and co-operation

33. For many of the reasons explained above, it is not realistic to expect the regular presence of American congressmen at the sessions of the Assembly, or any other kind of burdensome commitments on their part. That should not be the goal for the Assembly. I believe that, rather than establishing a formal relationship without substantial grounds for it, it is much more important to create the fabric of mutual relations, and to fill it with substance.

34. The President of the Assembly could consider taking the initiative to revitalise the relations with the Congress, bring to the attention of the leaders of both chambers of the Congress various opportunities of co-operation with the Assembly, including the annual debates on the activities of the OECD where the United States congressmen may take part as fully fledged participants, and encourage to make use of them.

35. Relevant committees of the Assembly, in particular the Political Affairs Committee, should be encouraged to seek to establish ad hoc substance-oriented contacts with their American counterparts, exchange information within their respective work programmes, and organise when appropriate joint discussions through modern communication technologies (videoconferences, for example). Similarly, where appropriate and feasible, rapporteurs of Assembly committees might participate in hearings organised by various congressional committees, subject to the availability of budgetary resources. The staff on both sides could be asked to liaise regularly and to keep each other informed on the respective work programmes, agendas and calendars of meetings.

36. It should be possible to arrange, on an ad hoc basis, meetings between the Assembly representatives and the United States congressmen who attend various activities in Europe. For instance, members of the Assembly who represent it at the meetings of the OSCE and NATO Parliamentary Assemblies meetings (annual and other sessions of both assemblies, Rose-Roth seminars, etc.) could systematically be asked by the Bureau to meet the United States Congress delegations present.

37. Furthermore, the Assembly could make more effective use of the opportunities to participate in various meetings organised by the OSCE and NATO parliamentary assemblies where American congressmen are present, and make substantial contributions reflecting the Assembly's work and positions.

38. The presence in Europe of the American participants in the Transatlantic Legislators' Dialogue could also provide opportunities for arranging meetings with representatives of the Assembly. Moreover, one could explore the possibility for the Assembly to be associated in one form or another with these meetings. My understanding is that there would be no opposition to it from the American side.

39. One concrete example of an Assembly activity in which some of my interlocutors showed interest is the visit to the United Nations organised once every two years by the Sub-Committee on External Relations. Given the traditional scepticism of the Americans towards the United Nations and other multilateral

institutions, it might be useful to organise on these occasions some joint European/American meetings with United Nations officials and discuss ways to make this global institution more efficient and active in promoting and defending universal values. Likewise, opportunities for parliamentary dialogue and interaction in other international organisations could be further explored.

40. Last, but certainly not least, a regular exchange of information between the Assembly and the Congress should not be too difficult to establish, at least as regards the resolutions adopted by the Assembly which could be of interest to the Americans, or which deal with issues related to the United States.

4. Conclusion

41. Contrary to what some of us might think, the transatlantic parliamentary dialogue is ongoing, but the Assembly is not currently part of it. In my view, this situation is unfortunate and should be changed.

42. I am convinced that the involvement of the Assembly in the dialogue with the American congressmen would be beneficial for transatlantic partnership as it would enable issues which are very important to the Assembly to be brought to the table, and would contribute to the promotion of the values and principles of democracy, human rights and the rule of law.

43. While any kind of formally institutionalised relationship with the Congress is unrealistic, the Assembly should take new initiatives to establish working contacts with the United States Congress, as well as make use of the existing forms of Euro-American dialogue, with a view to developing pragmatic and meaningful interaction and co-operation with our American colleagues.