

THE 9th MEETING
OF THE ASSOCIATION OF EUROPEAN SENATES
Bucharest, October 11 – 13, 2007

Ensuring a transparent and accountable governance – the contribution of the Senates

Nicolae Vacaroiu, President of the Senate of Romania

Dear Presidents and Vice-Presidents of the Senates,
Senators and Secretaries General,
Distinguished members of the Diplomatic Corps,
Ladies and Gentlemen,

It is a privilege for me to express today, on behalf of all my colleagues senators and on my own, the utmost joy to have you here as guests of the Senate of Romania, on the occasion of the 9th meeting of our Association. Undoubtedly, the Association of European Senates has already established a good tradition of cooperation between the Upper Chambers of European parliaments. I am deeply honored to meet you and most pleased to wish you a heartfelt welcome to Bucharest.

The participation to the activities of the Association of European Senates has a particular significance for the institution that I represent, in view of the essential role incumbent upon the Romanian Senate, in advancing, supporting the country's priority objectives, as determined by its new status of EU member. I am referring here to the consolidation of domestic reforms, a prerequisite for the full integration within the European Community structures as well as to the gradual assuming by Romania of the capacity of direct participant, responsible and effective in the drawing up and implementation of the projects of the European agenda, including by enhancing its geo-strategic value in the sub regional, regional and Euro-Atlantic context.

The Senate of Romania is currently assigning a diverse portfolio of parliamentary resources in order to perform its constitutional mandate at new level and for the implementation of the foreign policy objectives, enjoying the consensus of parliamentary political parties. One of the foreign policies supporting instruments - his merits are nowadays unanimously recognized - is parliamentary diplomacy.

From this point of view, the 9th meeting of the Association of European Senates is one of the most significant international parliamentary events organized by Romania over the past years.

Dear colleagues,

The strengthening of the rule of law requires constant efforts and innovative initiatives aimed at improving the relations between Parliaments and the Executive. By virtue of the mandate entrusted to us by citizens and the defining function of the democratic oversight of the Executive's activity, the Senates play a decisive part in ensuring a transparent and accountable government in order to gain and preserve the citizens' trust while providing them with stability, security and welfare. I therefore consider - and hope I have your assent - that the main theme of our meeting is generous enough and will offer us the opportunity for a fruitful and interesting exchange of opinions.

I would also encourage you to tackle a wider range of issues that are relevant to the main theme of the meeting, which pertain to the parliamentary area, in general and to bicameralism, in particular. I am thinking of a general approach of the Senates' role and priorities and the challenges they are confronted with in promoting good governance.

At the same time, during our discussions today, we welcome any suggestions and proposals aimed at further enhancing the cooperation among the European Senates, based on the criteria of pragmatism and efficiency, thus allowing us to reinforce the identity and role of the Association in the framework of parliamentary cooperation at European and international levels.

For the last part of the meeting, we have proposed a panel debate on enhancing the Senates' administrative capacity, considering that it would be interesting and useful to present to you the excellent results of the PHARE Twinning Program recently concluded, to which three members of our association participated: the Senates of France and Italy, together with the National Assembly of Hungary, as partners, and the Senate of Romania, as beneficiary. Obviously, the reason why we have included this item in our agenda is to inform each other of a variety of experiences in the field of capacity building projects for Senates, therefore I invite you to share them with us.

In the future, I believe that we might take into consideration the setting up of a concrete mechanism designed to take more benefit of the Association's potentialities in terms of cooperation and exchanges of experience and good practices as a means to identify individual needs of constitutional capacity building for the different dimensions of the Senate's activity and, starting from these, to establish the assistance and cooperation formulas on bi- and multilateral bases among the members of the Association.

Having said this, I thank you all for your attention and I declare open the 9th Meeting of the Association of European Senates, wishing full success to the debates to follow.

Distinguished guests, some logistic issues. Ever since April you received the agenda of our meeting and we added some new topics afterwards. The latest version of your agenda is in your folders and if you have any remarks about the agenda...no? Ok. So, thank you very much. Before starting our debates I would like to tell Senator Iñaki Anasagasti, Secretary of the Spanish Senate, congratulations and wishes of prosperity and success to them and to the Spanish people as today is Spain's National Day. Regarding the proceedings of our meeting, first of all, I would like to introduce my colleagues: Vice-President Norica Nicolai, Secretary of the Senate, Mr. Gavrilă Vasilescu, Senator Cornelia Cazacu and Secretary General Dan Vasiliu. As for the speaking order, I will invite the heads of delegations in the alphabetical order of the states they represent in Romanian. If you have written speeches, please give them to the Secretariat in order to copy them and give them to the interpreters and also to those who might want a copy of these speeches. The first topic will be covered until half past ten when we have a coffee break and you are invited in the foyer of our hall, and at eleven o'clock we will come back discussing the main topic. At half past twelve we will have lunch and continue our discussions of course, with the most interesting topics until half past two. At half past two the heads of delegations will kindly accompany me to the Cotroceni Palace for a brief meeting with the Romanian President, Mr. Traian Băsescu. We will then come back and resume our proceedings at four o'clock, four p.m., to continue first of all with the topic of transparent and accountable governance and then, at half past four, we will start the second panel regarding the "Strengthening of the Administrative Capacity of the Senates", a very short panel and, if you agree, at the end of our meeting we will adopt a

joint statement. We have already sent the text to the delegations and we can discuss it throughout our proceedings and hopefully at the end of this meeting we will manage to adopt, of course with your assent, this joined statement of the 9th Meeting of the Association of European Senates. At six p.m., in one of the adjoining rooms we have organized a press conference with the heads of delegations and those who want to say a couple of words about our Association, about the meeting, will have the opportunity to do that. We will also hear some remarks about the next ordinary meeting and about an extraordinary assembly. The first topic will be tackled by the Austrian Delegation, the second one by the Russian Delegation. So this is our agenda for today, distinguished colleagues, and consequently I would suggest being as speedy as possible and starting with the first topic of our meeting, the contribution of Senates to transparent and accountable governance. I would invite to take the floor Mrs. Anna Elisabeth HASELBACH, Vice-President of the Federal Council of Austria.

Anne-Elisabeth Haselbach,

Vice-President of the Federal Council of the Republic of Austria

Distinguished delegates,

Ladies and Gentlemen,

First of all Mr. President I would like to say thank you for the excellent preparation and organization of this meeting and of course for the warm hospitality we are enjoying.

The topic we are dealing with in this debate is undoubtedly of relevance for the development of a sound democracy. Only a transparent administration will be fully accepted by society. In this context it has to be pointed out clearly: transparency and good governance has to be the issue for all partners in a society, like the legislative, the governing bodies, the judiciary and businesses and so on. They all have to accept the rules and they all have to live up to them by developing awareness for the damage any wrong doing does to a society. And just one example: all parts of a society have to realize that both giving and taking bribes is not just illegal, it is immoral and does great harm to society. First I would like to give you a basic idea of the role of the Federal Council in the law making process in Austria. The Federal Council has to - among other things of course

- prevent possible infringements upon the privileges and competences of the provinces by laws that are passed by the National Council. The most important competence of the Federal Council in this respect is the use of its veto power. This is to ensure that the Federal State does not increase its competences virtually bit by bit at the expense of the provinces.

Ladies and gentlemen, compared with the National Austrian Council, the Federal Council does not have certain powers that I personally would welcome for the Federal Council. These are for instance: the right to set up special investigation committees, the right of a vote of no confidence vis-à-vis a member of the Federal Government and the power to impeach members of the Federal Government. In the following I would like to give you a brief overview of the control instruments we have at hand: first, the right of questioning members of the Federal Government. The Rules of Procedure of the Federal Council provide for the following instruments: these are oral questions during question time, written questions and so called urgent questions in plenary sittings. In particular, the right to pose urgent questions in plenary sittings offers an efficient tool in order to force a discussion with the member of the Federal Government questioned. Secondly, the right of deciding on binding resolutions. In passing so called “resolutions” the Federal Council can bind the authorities of the Government to comply with the view expressed by the Federal Council. Thirdly, the right of demanding the presence of a respective member of Government during plenary and committee sittings. Maybe these instruments are a bit underestimated but I think they shouldn’t be underestimated in their contribution to transparent and accountable governments. Presently, we are engaged, in Austria, in a wide ranging discussion on an overall reform of the structure of the Federal State. The role of the legislative and controlling possibilities of the Federal Council are an important issue in all the respective deliberations. I do think an equitable distribution of control-rights for both Chambers should be a major consequence of federalism, as federalism is one of the main pillars of the Austrian Constitution.

Ladies and gentlemen, as societies are changing, governmental and legislative responsibilities are constantly widening and interdependencies are growing, I do think the Federal Council of Austria and - I may say - the Senates of Europe in general have to be equipped constantly with increased competences, in particular with regard to governance

control. Such an increase of competences of the Senates can and should also lead to improving the public's perception of our work. I consider it one of our main tasks, to demonstrate the usefulness of bicameralism, to raise awareness of the necessity of a pluralistic parliament as the elected representative of the people. So, let me emphasize that we should never hesitate to use the right of putting our finger on matters of common concern. Where we are faced with the lack of possibilities of the Senates compared to the rights of the respective other parliamentary body in our countries we should try our utmost to set up legal framework for increasing control competences. For the better of good governance it is up to us to prove the necessity of bicameralism, to prove our faith in democratic values and to prove our unconditional devotion to the rule of law.

Thank you.

President Nicolae Vacaroiu

Thank you very much Vice-President, Anne-Elisabeth Haselbach. I really appreciate your presentation and we are very happy to see how concerned you are with the enhancing of the role of the Federal Council with respect to control over governance. I'm sure you'll be successful. Now let me invite Mister Armand De DECKER, the President of the Belgian Senate, to take the floor.

**Armand De Decker,
President of the Senate of the Kingdom of Belgium**

Mr. President, dear colleagues,

I have the honor to speak here before you, Mr. President and let me thank you for your hospitality, for the wonderful evening you have offered us yesterday at the Mogoșoaia Palace. It has given us the chance to meet and as far as I'm concerned, because I have just resumed my position as President of the Senate for just two months, it has been a special pleasure to be able to be with you and to see friends that our Association allowed us to know better. On this occasion, I would like to once again congratulate our friend Christian Poncelet for the extraordinary idea he has had when he suggested the setting up

of this Association, of our Association. I think the Senates play a special role in the democratic system. They must contribute to improving the quality of governors and this is the topic we are discussing here together. And this because of several reasons. First, because they often, our Senates, provide better representation of the various groups in the territory, local groups, culture groups in our different countries but also because the Senate, by definition, is what I defend as much as I can in Belgium, my country. Mainly, the Senates are fighting one of the worst evils of our times, namely the idea of immediacy. In the Chamber of Deputies in our various countries people work under the pressure of the immediacy. I think nothing is worse than this pressure of the moment, of the immediacy in the legislative activity. The meetings in the Second Chamber are taking a step back and they refuse to look at things under the pressure of the moment. In the Belgium Senate there is no such a thing as an emergency procedure, which is often used by the Chamber of Deputies, and we are proud of it. Sometimes the Government is criticizing us or the press is making jokes about it. I think people are actually happy that the Senate takes the time to think of what they do. The evil of our times is that we are not giving enough time for reflection, for thinking. The topic of our meeting is transparent and accountable governance. You have invited us here, into this palace which is a perfect example of a Government that was neither transparent nor accountable but that was well known. But be happy that we can, in this place, talk about transparency and accountability. Our colleague from Austria was mentioning the means that the Senates have available. Anyway, the Austrian Senate has available several instruments in order to take care of transparency of governance. In our country too, there are procedures that enable us to control the government, to ask questions of the Government, oral and written questions. We may demand explanations and, as we see in Belgium, the Belgian Senate can no longer sanction the Government. We are asking questions but the result of those questions is no longer a motion of no confidence. However we can ask questions of the Government and the Government is expected to come and provide an answer and since we can't sanction them anymore, we can't punish them. I could tell you from my experience that, in a way, this is giving us more room for manoeuvre in the Senate when we ask questions of the Government. When a deputy is asking a question, at the end, there is the risk of a motion of no confidence for the Government, but the dialog is very

different in the case a Senator ask a question. So, we have more freedom and the government sometimes can provide an answer more freely. They know they will not be punished. So, I think this is sometimes a benefit. However, in order to control the activity of a government we have other instruments too. The Court of Audits in Belgium that is checking all the public expenditure and we also have a Financial Inspection which is doing an ex ante control of expenses. They do this kind of auditing everyday in the case of Government expenditure. The Court of Audit is doing their inspection after the expenditure has been made and every year they deliver a report to the deputies on their findings.

Dear colleagues, during these three years while I have not been with you, I worked for the Government and I was in charge of the Department of Cooperation and Development. The characteristic of cooperation for development in the EU member countries is that it is a crucial instrument for international policy. The EU member countries increasingly believe that the best way of making the world a more stable place is not just military force as the United States rather too often believe. There are whole regions of the world where one could avoid wars and conflicts in order to make the world a more stable place. You know that the European Union, the EU member countries have pledged to provide 0.7% of their GDP for assistance, for development. These are considerable amounts. In order to make sure this money is used efficiently, this money that Europe is providing for assistance, for development, Europe believes in the principle of good governance, transparency and accountability through the role of Parliaments. In most of the countries that we are aiding, we try to make sure that the political life in those countries is controlled by Parliaments that are equipped to do it, equipped to control the activities of the Government. Let me quote in a most recent example, a spectacular one: only for the organization of democratic elections in the Democratic Republic of Congo, the UN international community provided more than 500 million euro, just to organize the elections. And this is a lot of money. This money could be used in other projects, health projects, education projects or whatever you wish. However, one thing is certain, the developing countries are not going to develop unless they are better governed and good governance, whether we like it or not, goes first through democratic control. When a minister knows that he will have to come before Parliament every week and the

parliamentarians are equipped with instruments, with internet links, with competent public servants to question the government, good governance is necessarily taken into account and ministers have to prove prudence. Unless they do so they risk staying shorter in government, leave their positions earlier. Therefore parliamentary control over the Governments in our country is essential. In Europe this is how we think, this is what we are. But it's not because of that our governance would be perfect or ideal. We are far from ideal governance. We just tend towards good governance, accountability and transparency.

Dear colleagues, before I close my remarks, let me refer to two topics that are important to my mind as in matter of transparency. At the level of European politics, the project of the European Constitution enabled national parliaments to find a place in the decision making process at European level. Indeed, the new text stipulates that when half of the national parliaments of the European Union express reserve as to subsidiarity or proportionality of a legislative text, a Green Paper or a White Paper, the European Commission has to reconsider the text, to reconsider the document. Well, we are speaking about proportionality and subsidiarity. This is a principle according to which the Union acts within its competence only when its action is more efficient than national, regional or local actions. This is linked to the principle of proportionality, so that the action of the Union should not be disproportionate, considering the objectives of the Treaty. At present we can no longer speak about European Constitution, but about the Reformatory Treaty that would strengthen the role of national parliaments and the Council of Ministers and the European Parliament will have to vote on the opportunity of approaching a bill when half of the national parliaments believe that the rules of subsidiarity or proportionality are violated. The Senate in Belgium organized these controls of the subsidiarity in an independent fashion. We actually benefited from the tests organized by COSAC in order to improve our procedures and from the 1st of February we have the possibility to control the documents whenever we believe this is necessary. Our Assembly plays an important role in the control of subsidiarity in our country. Indeed, the Senate is receiving all the documents from the European Commission and the Senate is sending to our regional parliaments the respective documents. Very soon, the Senate will also take care of the control of subsidiarity of our

regional parliaments on the IPEX website that also allows for controlling subsidiarity in other European countries. So, the Senate is a true platform, important platform in this respect. You know, that in other countries too, the Senate focuses a lot on this issue – the Senate of France, the House of Lords, the Eerste Kamer in the Netherlands. All good examples in this respect may be control of subsidiarity. This is no surprise because these are European issues that concern us all, this is complex matter that requires a thorough knowledge of these dossiers and I am sure that during our meetings, we will be able to talk more about this topic. Let me also look at the second European issue, this time related to the principles of transparency and accountability. There are two major areas of European politics where Europe is going to intensify joint action, one is defence and second is cooperation for development. The French Minister of Defence and the President of the Republic spoke of the extent to which France wants to support and relaunch the European Foreign Defence Policy. I think this is becoming increasingly important and political awareness in our various countries about the importance of integrated defence in Europe could lead to measures that may end with the setting up of a European Army. This will take time, but what are the means to democratically control this kind of policy? For the moment this is just an intergovernmental matter, but I am speaking here about the national parliaments in our countries, where we check the basis of this European Defence Policy. From now on, our national parliaments that are discussing European policies, they do not have very much information about yet. The national parliaments vote the defence budgets, while the European Parliament is pretty well informed about the European Defence Policy, but does not contribute to the creation and funding of this policy. For the moment, as you know Europe has just one parliamentary instrument to check on the transparency of these policies: the Western European Union Assembly that was set up in 1954. I believe that when it comes to cooperation for development we are doing increasingly more. The European Council of Ministers for Cooperation and Development make decisions together about allotting for instance, money for Africa, but who is actually checking that? The national parliaments do not have very much information about what is happening at European level. I think this is a democratic deficit. So, I am pleading before you, let's seriously consider the definition designed and actual functioning of a European Parliament made up of national

parliamentarians that should have the specific task and responsibility of looking at these policies that are intergovernmental in nature. I am sure you may ask how it is possible for a Belgian to say that. Because the Belgians are in favour of community policies. Indeed, we hope that these policies become increasingly more community policies. This would make the European Parliament stronger. Yet, how can we do that? How can we control these policies? How can we have the support of the public for these policies when there are no representatives of the nation that are informed enough to look at these policies? Of course, there is the Council of Europe. Should not we consider such institutions, perhaps we can think of a parliamentary assembly, we can think of its composition that should include this international dimension of European policy that has been for a long time under intergovernmental competence.

Let me conclude by expressing my special pleasure to be here.

President Nicolae Vacaroiu

Thank you very much, Mr. President for debating such important topics. One regarding our theme, and we have learned something about the way the Belgian Senate monitors the activities of the Government and also the other topic: the relationship with European institutions on the strengthening of the European parliaments' responsibilities. And I believe that these are important topics we should reflect upon. I think it is extremely important that the Senates and the European parliaments have emphasized the importance of this relationship with the European institutions, this is very important. I will now invite Mr. Ilija FILIPOVIC, President of the House of Peoples of the Parliamentary Assembly of Bosnia Herzegovina. You have the floor.

Ilija Filipovic,

President of the House of Peoples of the Parliamentary Assembly of Bosnia Herzegovina

Honourable President of Romanian Senate, Mr. Văcăroiu, honourable Ladies and Gentlemen, Excellencies, dear Presidents and Vice Presidents of the European Senate,

I congratulate you as the President of the House of People of the Parliamentary Assembly of Bosnia and Herzegovina. During this debate on the meeting theme, ensuring transparency and responsible governance: Senates' contribution, it is my duty to inform you that Bosnia Herzegovina does not have its own Constitution brought to democratic procedure. We have received that Constitution during war conduction after the collapse of former Yugoslavia. There is no similar case in the world of forming this Constitution. In 1995 we have received in Dayton a Peace Treaty for Bosnia Herzegovina that has 12 annex, which includes annex 4, the Constitution of Bosnia Herzegovina with 12 chapters and 2 annex. That is how we became the only country in the world whose Constitution is a part of an international treaty, which in a complicated way decided the internal state structure and three constitutive peoples: Croats, Serbs and Bosniacs and have put them in two entities. Today, Bosnia Herzegovina has 13 existing Constitutions, two of them are of entities Republic of Srpska and Federation of Bosnia Herzegovina, 10 Constitutions in federal units called cantons. The Constitution of Bosnia Herzegovina has an annex 4 of the International Treaty, which has never been translated in the three official languages in Bosnia Herzegovina, which are Bosnian, Serbian and Croatian and was never published in the Official Gazette of Bosnia Herzegovina. This is the reason why our Constitution is very interesting for lawyers around the globe. Until now, the international community had a very big influence in bringing legal acts. Parliamentary Assembly of Bosnia Herzegovina consists of two equally important houses, which are the House of Representatives and the House of Peoples. The position and the relations between the Houses of the Bosnian Parliamentary Assembly are set within the framework of the standard concept of two houses structure, which is typical for complex states. The House of Peoples has 15 members, five from each nation, five Serbs, five Bosnians and five Croats. The House of Representatives has 42 members, 15 from the Republic of Srpska, 28 from the Federation of Bosnia Herzegovina. This form of bicameral system resulted from the need to put emphasis on specific importance of constituent status of the three people of Bosnia Herzegovina and to create a mechanism for adoption of the most important legal acts without favouring any of the peoples in Bosnia Herzegovina. The House of Representatives and the House of Peoples of the Parliamentary Assembly of Bosnia Herzegovina are separated organizationally and functionally and may sit and

decide together in a plenary only in certain situations as provided for by the Constitution or legal norms. There are just a few constitutional provisions that regulate this area, so that most of the issues are regulated by the Rules of Procedures of the two Houses and other by laws. The competences of the House of Peoples are multiple, its legislative function being the most important and dealing with the House of Representatives, the House of Peoples left the initiative to the House of Representatives, so that laws and other acts tabled in the Parliamentary Assembly of Bosnia and Herzegovina are first discussed by the House of Representatives. The Rules of Procedure envisage that upon proposal of the House Collegiums, the House of Peoples may discuss laws and other acts prior to the House of Representatives; though as a rule it is the House of Representatives that do it first. In this way, the House of Peoples is not taking a second class or passive role, but rather giving initiative to the House of Representatives, while leaving a possibility of previous discussion in the other house for particular reasons. In any case, in this form of bicameralism, it is clearly confirmed that all legislation has to be approved by both houses in identical texts in order to be adopted. If difference occurred during the procedure, both houses form joint commissions which harmonize text of disputable provisions. Both Houses of Parliament have the same authority, but the House of Representatives has the exclusive power to confirm the Council of Ministers on the proposal of the mandator. On the other hand, the House of Peoples has the authority to protect vital national interests, which means that 1/3 of peoples' representatives can stop some decisions which might be damaging for the people's interest, which is decided by the Constitutional Court of Bosnia Herzegovina. The Constitution of Bosnia Herzegovina has never been translated in the three official languages and has never been published in the Official Gazette. At this moment we do not have a lot of power in our parliament because most of the influence is gained from the parliaments of the other countries. They make most of the important decisions for us. The political parties are mostly divided into several parts. One of them is, for example, the National Party which is one of the most popular in Bosnia and they are actually divided into three parts, because there are three peoples living there and it is very important for this party to be united because Bosnia needs to solve its own ethnical problem, because this is the crucial problem in Bosnia. We have three major peoples in the country which quarrel between each other very often

and we hope that we might solve these problems fast enough. And of course, we hope that the world and especially the European Union might help us solving some other problems concerning the infrastructure and some political problems, because we still are not at the same level as the Western countries and we need assistance. So, we hope also that the countries might understand our situation and we might need several couples of years to get back on the level we used to be before. It is very important for us not only to join the Western world also as to stand for our interests and we think that our own problems must be solved by us. Thank you very much.

President Nicolae Vacaroiu

Thank you President Filipovic. A very interesting speech, especially as we have learned more about the situation in Bosnia, which is still undergoing a transition period, but what is very encouraging is that in this formula they have, they still have the power to apply the tools for preparing and adopting good quality legislation and this right of the Peoples' Chamber to reject those draft laws they consider dangerous for the society is very important. Now I will give the floor to the President SOBOTKA of the Czech Senate.

Přemysl Sobotka,

President of the Senate of the Parliament of the Czech Republic

I am very happy for being here. I want to emphasize the importance of the bicameral system to the advance of democracy and also I would like to say that it is extremely important for us to emphasize transparency and good governance. I am convinced that it would be very interesting for you. Ever since last year we have seen a tendency of the European Union to become a super state, a unified super state. They will be able to pass through a bureaucratic mentality to change our existence. And they don't want to extract from the experience of new member states with the bureaucratic behemoth of socialism. If we want to use new methods of appreciation, we need to ask these representatives very important questions, namely if they are the artisans of transparent and accountable governance and also if they believe that in such governance it is important for them to

have a special role of the committees of the national parliaments as a system for promoting the new democratic countries. With regard to the pressure of European parliaments, we need to use the experience in countries with bicameral parliamentary systems, each of our countries has experience in bicameral systems, and in each of these countries the chambers have various experiences and various opportunities of influencing the political system as their aim is to give democracy a better quality. The Czech Senate is elected in a very special way, the senators are replaced every two years and this way the Senate is a basic pillar of democracy in the Czech Republic and I am very happy to see more and more that the European integration process has not undermined the importance of national parliaments. I believe that the European Commission has to pass some measures to involve national parliaments more in the Union's activity. At the same time, this initiative has to be more and more formulated bottom-up in order to start from the grass roots of these issues. We should also evolve from the situation of formal approval because energy or security issues cannot be solved by the most enlightened bureaucrats. We should recognize that we have a problem here. For three years I have been following whether the initiatives and positions of our national parliaments in Brussels have been followed by concrete answers. I am still waiting for a solution, but we haven't found it, to some of our issues. At the last year's meeting, I have been intrigued by the idea of Baroness Hayman, the Speaker of the British House of Lords, regarding the risks of international terrorism and other such activities if a certain part of society is apathetic. It may be an even more dangerous enemy for democracy. I agree with this approach and I believe that apathy is a danger for Europe and therefore we have to keep our eyes open, we have to be present and we have to discuss about other topics in order to ensure our peace and prosperity and to make sure that it is precisely the activity of national parliaments which have to counter the bureaucratic tendencies. As the Union has become more and more complex, we don't want the citizens to be afraid of this idea of unification. Bilateral relations should be the basis, the foundation of better relations and that is because we don't want to be united against something, but in order to promote something positive. International political activity must strengthen the control function of the principles of subsidiarity and proportionality. The lack of willingness in taking into account the other experiences and hidden agendas cannot be used for unify Europe. The

upper chambers usually are not in a political conflict and this allows them to be the ideal room for national debates, international debates of importance for the whole society. So, we need to take advantage of this space and promote both in our country and abroad all these ideas. At the same time, we should not be afraid to present controversial opinions because only through dialogue we may get impetus for our governments and for our parliaments. I am convinced that this meeting will be very useful and inspiring to us, so I would like to thank the President of the Romanian Senate for a very good organization of this meeting. Thank you.

President Nicolae Vacaroiu

Thank you, Mr. Sobotka, very interesting ideas indeed, the Senates must be more proactive and we need to impose new mechanisms, new instruments in our relations with the European Parliament and with other European institutions. I will now give the floor the Mr. Peter BIERI, speaker of the Swiss Council of States.

Peter Bieri,

President of the Council of States of the Swiss Confederation

Mr. President, dear colleagues,

May I first thank the President for hospitality, for the fact that we have been given the chance to speak here. For a modern democracy to work, parliaments need to prove maximum transparency in order to justify the trust that the public has put into them. Transparency alone can help us avoid create a separation between parliament and citizens. May I describe how Switzerland solved this challenge? First, let me mention the role of the media and the public character of the debate. Very often the Parliament works behind closed doors and sometimes indeed it is pretty difficult to bring the public to witness debates in parliament. So, that is why it is necessary to provide information to the public and I'm here considering not particularly the media, the role that the media can play in order to assist citizens in Switzerland, where the independence of the media is something we have been having for a long time. We have a large number of newspapers,

a large number of electronic media, both public and private, and information is provided on the role of parliament. Our role is to guarantee to the journalists all the freedom they need, all the conditions they need in order to do their work. That is why we inaugurated one year ago a large press centre in Bern, our capital. In addition to the transparency provided by the media, each citizen should have direct access to the debates in the Federal Assembly, and should have access to the decisions made there. The instruments that allow us to do that in Switzerland are the Official Journal and a very modern system of providing the minutes of the Assembly. The debates are available on the Internet, just two hours after they are over. The citizens can therefore follow the debates in the two chambers; they can look at the way the deputies voted. However, this information is available only from the Lower Chamber, because at the Upper Chamber we still vote in the old fashioned way and we do not record votes electronically. In Switzerland we have a special problem. We have a specific feature of our political system. The Federal Assembly is in a way a sort of militia parliament, I mean the MPs are both MPs and also work in a profession. This system is justified because we can be close to the concerns of the citizen, but it also creates problems. Indeed, anyone has the right to know what the MPs are doing in addition to what they do in the parliament, what is the source of their living, what are the boards they belong to, the foundations they belong to. So, there is a legal basis according to which the MPs have to state their positions and their mandates and all that is available on the Internet. This website is visited by very many people and this proves that for citizens transparency is a real need. A parliament however should be able to meet now and then behind closed doors in order to work in a sheltered place and make important decisions, negotiate things, express ideas in a very straight forward manner. In Switzerland this is possible in the parliamentary committees, where every decision is discussed, debated upon and then presented in the plenary session. They work in the committees behind closed doors and their work is confidential. But even in such cases, in such situations, there are measures that enable us to guarantee appropriate transparency. At the end of their meetings, the committees, the MPs are expected to inform the media in detail about their decisions. Another element that confirms the importance the Swiss Parliament is paying to transparency is the adoption of the principle of transparency in administration. We did that one year ago. Most of the administrative

documents are now basically open to public scrutiny and every citizen may challenge the confidentiality of a document in case that it is still considered to be confidential. I believe that in the Parliament of Switzerland we have reached a high level of transparency and this brings us the trust of the people. However, there are many problems and sometimes we have to resort to compromises. We always remember that transparency is never absolute, nor particularly with respect to setting the political issues. It is essential to tend towards maximum transparency. Remember this principle constantly. These principles also apply to our mission of controlling the activity of the administration of the government. We can do that by means of several instruments. There are two control committees, the Finance Committee and the Audit Committee. In addition to that the Parliament may set up a so-called parliamentary investigation committee that has increased powers. But this is an instrument the MPs resort to only in specific cases and in a very prudent manner. During the past 150 years, such a special committee was set up just three times. The control we are submitted to as representatives of the government is in accordance with the law. The MPs both in the Upper and Lower Chamber have to come before the electorate every four years. This is direct democracy and the Swiss people also have several other occasions of expressing their views on specific issues. During the last four years, the Swiss were invited 26 times to express their views about various national projects. In nine such cases, they voted against the recommendation of the government and the parliament. So, nine times the Swiss did not agree with their elected officials and that could be rather unpleasant for the MPs. However, the Swiss concept of transparency and accountability works and the Swiss people can play a central role in the political game. Thank you for your attention.

President Nicolae Vacaroiu

We would like to thank you, Mr. President. This is indeed a very topical issue, the transparency of relationships between parliament and the citizens. In 2006, in Bern we had such a topic in our Association and many ideas, concepts and instruments were pointed out then, that one can use. Romania has used some of them when it comes to transparency, publication on the Internet, the Official Journal, publication of the debates

and decisions. This is important, but unfortunately, the Parliament seems to rank rather low in the appreciation of the citizens. Now, may I give the floor to the President of the Senate of the French Republic, Mr. PONCELET. Mr. President, I'd like to invite you to take the floor.

**Christian Poncelet,
President of the Senate of the French Republic**

Mr. President of the Romanian Senate, dear friends, dear colleagues, Ambassadors, your Excellencies, ladies and gentlemen, may I simply and frankly call all you dear friends. First of all, I'd like, dear Nicolae Văcăroiu, to express my heart-felt gratitude for the warm reception and sincere friendship you showed us last night. I am the echo of words already said here by one of my friends. That evening, 11th of October in Bucharest, would be something that we will always remember. Dear colleagues, dear friends, the agenda is inviting us to make a contribution as senators to a transparent and accountable governance. It is a very topical issue in France and it has been given appropriate attention during the recent presidential campaign, a very intense campaign, if you remember. This is something we consider in our country from the perspective of the reform of institutions. The President of the French Republic, elected in July this year, set up a Commission for the reform and rebalancing of the institutions of the 5th Republic and the chairman is Mr. Baladur. As you know, we here have been having almost the same Constitution for almost 200 years. I personally very much believe in these principles and this institution has proved efficient, but the theme of transparency appears repeatedly in the letter of the President of the Republic to Mr. Baladur. Their task is to think of a better balance among the institutions. The Parliament is directly involved when it comes to making things more transparent, when it comes to appointing people in order to respect the rise of the opposition and even when it comes to the international and defense policy. The parliament is the expression of the sovereign people and transparency must strengthen democracy and it is no wonder this topic is so present among the population. I would like to thank President Vacaroiu for putting this on our agenda. Let us look more closely at the source of these aspirations for more transparency. We talked a lot about a

crisis of representation. The citizens were not able to find in the mechanisms of representative democracy a true representation of themselves. A separation was made between the national representation and the European representation. In my country, the citizens have been very excited by the recent elections. Many of them decided to come to the ballots, there was a surprisingly large number of voters. The main problem is however that representative democracy does not work all the time in the manner in which it should work. I think we need more transparent and more accountable governance and let me mention in this respect some of the shortcomings we all need to correct: the overlapping of levels in decision making, the level of political decision making is many folded these days, very often there are too many levels at which decisions are made. It is important for the citizens to know who is doing what. This is important for representative democracy; I mean the elected officials should be accountable to those who elected them. However, this accountability may be hard to defend when the electorate can hardly find a way through this leveling, the local, regional, national and European level. So, we need to make things clearer. And that is why we will have to stick to the principle of subsidiarity, whenever possible. We should refer the level which is closest to the citizens and then the citizen can more easily find the information and can also hold the officials accountable. Emphasizing subsidiarity is to mind one of the important tasks of our Senates and this is a special concern for the second chambers. Direct dialogue on subsidiarity in community matters is somewhere between the European Commission and the national parliaments. The European Commission found that the second chamber is more active in this kind of dialogue. The first chambers are dealing mostly with the immediate policy and are less sensitive to the control of subsidiarity. Another important obstacle for transparent and accountable governance is to my mind the difficulty for the citizens to get information, the freedom to inform people is not equal to the freedom to misinform people. Because of the new laws and because of the internet, information is provided to an amount that is unprecedented. The internet is a source of authentic information, the internet has changed the lives of millions of people of this planet who have access to the internet. No matter where we are in the world, we can learn everything we need. This is an essential means and we can use it to provide information and to ensure a transparency to our societies that more and more better educated. They are better educated, consequently. However, it's

difficult to handle this information, just imagine a citizen who wants to find out about something topical, something controversial, such as for instance GMOs. If that citizen goes onto the internet, he will find many sources of information, but after looking many websites, that citizen may still not be able to see things any clearer. A synthesis is needed in order to provide appropriate information and you may say this is the responsibility of the governments. But, you know, what the government says is something that is always creating suspicion in people's minds. You may say this is the role of the media, to provide the information, but we all know how the media works. They tend to pay more attention to the spectacular and perhaps this is not a bad thing every time. What is sensational, this is what they pay attention to, rather than to the substance of things. Therefore, I think it is a very important task of our Senates to contribute to providing information to the citizens, through publications that can be easily accessed and that can show different points of view. I think the Upper Chambers have an advantage in this respect, they can do something special, because they have a better perspective compared to the first chambers. Some of them do not risk being dissolved and therefore have more freedom. That is why it is important to listen to what the civil society has to say. Of course, the government is consulting with the public when they prepare a text, but these consultations are going on in their working cabinet, while in parliament there are hearings and the public can learn about the content and this is a guarantee for the civil society. Well, one of the essential ingredients of good governance, transparent and accountable governance, is parliamentary control over the actions of the executive. This is an indispensable corollary to the principle of transparency and the role of the Senates is, to my mind, paramount. In the parliamentary regimes and most of the European countries have parliamentary regimes, there is an alliance between the government and most of the first chambers, so - and this is unfortunate - we need an assembly that could work independently from the government, without the risk of being dissolved, a chamber that could exercise criticism, that could assess results and that could control. Dear colleagues, I'd like to conclude my presentation and say that parliamentary control is paramount for accountable and transparent governance. We need to persuade our citizens about that. The new information technology can help us in this respect and I also believe that the 5 million visitors on the internet that visited more than 60 million pages on the website of

the French Senate could have a better view on the quality of our work and on the role of our second chamber. I am happy that the French public opinion has been evolving and we have been able to open up to the world, I'll tell you how. The senators go to companies, to various institutions, to the army, for the purpose of seeing facts for what they are. It's a better way for us to understand what the matter on which we make laws is. The Senate is a place where people should make sure that things are done well. A parliament with just one chamber is but an ocean agitated by storm. In France, we initially had a parliament with one single chamber and that was actually terrorizing the people and the people realized they needed balance, so the Senate was set up. In the process of decision-making we must be able to step back and have a better perspective. Our democracy is very often a prisoner of short term, short term in decision making that is why in our chamber we will have to provide a counter balance to that. We need to be able to reflect, forecast and give the people the time to reflect and the time for reflection is in the Senate. Thank you for your attention.

President Nicolae Vacaroiu

Thank you, President Poncelet. Every time his addresses are very pragmatic, to the point, presenting their experience which has been very useful to Romania, including here our capacity building programmes.

Distinguished colleagues, see you back at 11.10, you are now invited in the lounge for coffee and the heads of delegations are invited for a group photograph, so our break last until 11.10.

* * *

President Nicolae Vacaroiu

Ladies and gentlemen, I see that bilateral talks seem to take a little longer, but let's try to resume our debates on transparency and accountability.

I give the floor now to Lord GRENFELL, Deputy Speaker of the House of Lords and, at the same time, Chairman of the European Union Committee.

Lord Julian Grenfell,

Deputy Speaker of the House of Lords of the United Kingdom of Great Britain and Northern Ireland

Mulțumesc, domnule President.

President Vacaroiu, senators, Excellencies and all members of delegations.

May I begin by thanking you, Mr. President, very much, and your parliamentary staff, for the warmth of the welcome we have received and the impeccable arrangements made for our meeting. It is a great personal pleasure for me to be in Bucharest once again and an equally great pleasure to be representing the House of Lords at the meeting of the Association of European Senates. Our Upper Houses are differently composed and have varying functions and powers, but in our different ways we all have one thing in common. We try to ensure transparent and accountable governance from the government of the day. It is important too, I think, that we also try to achieve transparency in what we do ourselves in the internal administration of our respective chambers. If I can illustrate this by referring to the activities of my own chamber, the House of Lords, as colleagues will know, discussions are currently being held between our political parties on ways of reforming the membership of our chamber, with the possibility that as many as 80% may be directly elected, although there are many who find the present system very effective. Meanwhile, we continue to be a largely nominated body of about 740 members of whom some 400 attend on any sitting day. As currently composed, no one party claims for more than 30% of the membership. We sit four days a week for over 150 days a year, about the same as the House of Commons, and much of this time is spent in holding the government to account. In performing this function we are greatly assisted by the fact that 22 government ministers sit in our house, and answer for all the different ministries. We are of course, a legislative chamber. All bills, except for those dealing with money, require lords' agreement and most closely scrutinized. About 60% of the House's time is spent on this. Many amendments are proposed and all are discussed. Outside bodies seek

to influence legislation by giving briefings and draft amendments for members to table. The minister in charge of the bill replies to the debate on every amendment or group of amendments at each stage of the bill. This process ensures that the views of the members of the House and of the important outside interest are always heard. The government often changes its draft legislation and response to such arguments and sometimes it is forced to do so on a vote. We are also a forum of debate. We spend just about 1/5 of our time on this. Most of these debates are held on Thursdays and the right to initiate them is allotted by agreement between the political parties. On one Thursday each month, the topics are chosen by a ballot of suggestions from the backbench Members. The topics debated nearly all relate to public issues and the government minister replies at the end all the points made. But there are of course, more ways than that of scrutinizing the executive. One of the most effective is by asking questions orally and in writing. Four oral questions are put by members each day at the beginning of business. Members may also submit up to six questions for written answers each day. In fact, over 7,000 are asked in any one year. In each case, a government minister will reply. All major statements on government policy are made in both Houses and in our chamber are subject a 40 minutes' of questions and answer. There is several of these each week. Probably the most effective means of holding the executive to account is through our policy scrutiny committees, where subjects can be considered in detail, away from the political atmosphere of the chamber. Our biggest committee is that of the European Union, which I have the honour of chairing. It has seven sub-committees, and occupies the time of about 70 members of the House, all of whom have great expertise. But we also have committees on Science, Economic Affairs, the Constitution, Communications, and the Merits of Delegated Legislation. We also join with the House of Commons in the Joint Committees on Human Rights. All these committees consider aspects of Government policy. They hear evidence from interested parties, usually in public, receive written submissions, which are printed or published electronically and make reports to the House on their findings. These reports are published in an attractive and accessible format and many are debated in the chamber. Whether they are debated or not they must receive a written response from the Government within two months of publication. A press officer helps to ensure that the Press, radio and television give coverage to these reports. For example, two weeks ago, a

report of the Science Committee on the incidents and treatment on allergies was - next to the demonstrations in Burma - the second most important news item of the day on morning radio and television. So, what are the characteristics which help our chamber to call the government to account in this way? First, it helps that our chamber, despite the primacy of the elected House of Commons still has a wide range of functions, both legislative and deliberative. Secondly, many of our members are experts in their field and have experience of other walks of life, outside politics. Thirdly, provided there is an inter-party agreement, there is no constitutional restriction on the appointment of select committees. Fourthly, 22 government ministries, as I have mentioned, are members of the House, and answer for their departments. And fifthly, by convention, all reports and questions receive written Government replies. But, Mr. President, it is not enough to ensure accountability and transparency in Government. So far, as is possible, we should all apply these principles to the internal governance arrangements of our respective chambers. In the House of Lords we do this in a number of ways. We publish information relating to the House's administration, like the minutes and agenda of meetings of our domestic committees. The application of the Freedom of Information Act to Parliament in 2005 made us think hard about what could be placed in the public domain and the presumption now is towards publication. Our accounts are published annually and are subject to audit by the National Audit Office. The accounts include a statement by our Secretary General, as Chief Executive, on internal control mechanisms. An internal Audit Committee of Members of the House and two outside members consider the accounts and seek value for money from the organization. The report of the Audit Committee on the accounts is published. The House's Business and Financial Plan is published annually and details of Members' expenses and allowances are published annually and placed on the Parliamentary website. Almost all of these developments have taken place within the last ten years, and I have no doubt that the process will continue. Not everything is perfect, some would say that the current process of nomination to our chamber could be made more transparent and I, for one, am confident that it will be. And we certainly need to do better at communicating with the public about our activities. Where transparency and accountability is concerned, there's always further progress to be made if we, as

politicians, are to retain the trust of the people. Transparency and accountability, we neglect them at our peril.

Thank you very much, Mr. President.

President Nicolae Vacaroiu

Thank you, Lord Grenfell. A very interesting address! Please allow me, because we tried to keep the alphabetical order, but it looks like our colleagues were kept in bilateral discussions, to invite President TIMMERMAN to make her presentation on this topic.

Yvonne Timmerman-Buck,

President of the First Chamber of the States General of the Kingdom of the Netherlands

Mr. President, dear colleagues, ladies and gentlemen,

First of all I would like to thank our hosts, for the excellent evening we enjoyed yesterday evening and for a conference so well organized and interesting. And may I also take this opportunity to thank all colleagues who were so kind to send me congratulations on my reelection as President of the Dutch Senate. Today we discuss our contribution to ensuring transparent and accountable governance. A well chosen topic for it goes to the heart of our democracies. Stable democracies can only be built and grow when there is transparency and accountability. On every level in governments, from the local to the national, from parliament to government, but especially also on the European level. Transparency, accountability, but also open communication, are important preconditions for democracy and rule of law. Realizing those preconditions will vice versa strengthen our democracies and rule of law. A conference like ours today provides an excellent forum to exchange best practices regarding the challenges we face. I would like to place our debate also in the framework of bicameral systems. More specific, I want to put forward two additional questions relating to our position as Senates. First of all, what is the added value of the Senate in ensuring good governance? Second, do we, the Senates accentuate different matters than the Houses of Representatives do? In answering those

questions, and contributing to the topic of our conference, I would like to elaborate on some practices of the Dutch Senate. Let me start by explaining that in the work of the Dutch Senate, three principles are very important: lawfulness, feasibility and enforcement. Our senators test a draft law against these three principles. We do not only test the national draft laws against these criteria, but we also apply them to draft European legislation. These guiding principles are not differentiated between the various political groups. On the contrary, regardless of political signature, all senators see these principles as guiding and I think that this is an element of strength of the Dutch Senate, which sometimes brings about a somewhat different approach from the one followed by the House of Representatives. For a good understanding, the members of the House are very much involved in daily politics, whereas the Senate functions more like a *chambre de réflexion*. Different from the House, the Senate does not have the power to amend a bill, but it does have an absolute right to veto a bill. The three principles, lawfulness, feasibility and enforcement are also the criteria to test transparency and accountability of governance. If a national or European law does not comply with these criteria, there will be a problem after implementation with the accountability. The Dutch Senate strives at preventing that. If I were to look at the difference with our House of Representatives, there exists the possibility that amendments to the law accepted by the House of Representatives in the heat of the political struggle might affect the goal, content and accountability procedures of the law. It is the task of the Senate to scrutinize the law as in the end adopted by the House of Representatives. This also does point to a difference in the activities of the Senate and the House of Representatives. A very successful instrument of the Dutch Senate to ensure good governance on the national level, but also for the national input on the European level, is our system of pledges. During primary debates, but also in written deliberations with the Dutch government, ministers might pledge their word on certain matters, either requested by senators or pro-active to remove remaining concerns of the Senate. Twice a year, the Senate asks for accountability on the part of Government for pledges made. It is a well functioning mechanism and forced by the right of the Senate to veto a law. In addition, we publish these pledges of Government on our public website, which of course provides accountability and transparency to our Dutch citizens. If you look at transparency and accountability, you might also face the

following challenge in your countries. Specific ministers and ministries are responsible and accountable for certain policy field. However, in real terms, it often occurs that policy on legal issues have much ground in common with different ministries. In the Dutch Senate we turn those concerns into opportunities. We invite all members of government involved for a policy-coordinating, policy-overlapping debate. For example, we debated the country and environmental planning of the Netherlands with as many as six members of government, six ministers. This way of working has brought to the surface that sometimes different ministries did not know they were doing the same things; they sometimes appeared to duplicate each other and they sometimes worked counteracting each other. Last, but not least, I would like to inform you on two important European initiatives of the Dutch Senate in relation to today's topic. First of all, our initiative for more transparency and openness of Council deliberations. In 2005, we gathered the support of all national parliaments to send a letter to European Presidency for more openness of the Council. These days, indeed some Council deliberations are held in public. As national parliaments, for the benefit of European transparency and for our citizens, we need to make more use of information gained from these public deliberations. For example, the openness of the Council meetings helped the Dutch Senate a lot when we had fierce discussions with the Dutch government on the European Fundamental Rights Agency. If in the nearby future, the new European treaty provides our parliaments with a strengthened control mechanism, we need to increase our cooperation. If we jointly want to take European stance, we need to make more and better use of instruments like openness and transparency of Council deliberations for our parliamentary benefit. The second European initiative I want to mention today concern our efforts for more transparency and accountability in the European finances. Although improvements have been made, we need to strengthen the democratic control on the EU expenditure. We need confidence-building budget management and improve the control systems. Every country and not just Netherlands should give out a declaration of assurance on the national EU spending. In the Senate, we invite our national Court of Auditors for an annual meeting. This format of cooperation is successful and I urge you all to look into your national input for the improvement of financial control systems recommendable in cooperation with your national court of auditors. As I tried to stipulate

with the national examples I presented, in the Dutch Senate we tried to emphasize other dossiers. We often deal with other aspects of the matter than our national House of Representatives. We especially do that in the European field. The Senate is in the somewhat luxury position that we can pick and choose the European dossiers that we find of such importance that they need our regular and specific attention. I just presented two of those examples. I will however, even given the European involvement of the Dutch Senate, refrain from mentioning other practices. Honourable Presidents, at the beginning of my contribution I posed two questions. First, what is the added value of the Senate in ensuring good governance? Second, do we, the Senates, accentuate different matters than the House of Representatives do? I hope that with the practices of the Dutch Senate I presented today, I have been able not only to convince you that yes, indeed as Senate we have added value in ensuring good governance, but also to emphasize that it is part of our task to pay extra attention to accountability, transparency and open communication. One of the instruments to do both is actually shifting access between Houses of Parliament in the bicameral system. I think, it is my personal strong belief, that in a bicameral system the Houses of Parliament can better complement each other than duplicate. Colleagues, ensuring transparency and accountability on the national and European level equals ensuring democracy and rule of law, and that is why representative bodies of people exist. I thank you.

President Nicolae Vacaroiu

Thank you very much, President Timmerman for this excellent presentation given before us. There are many ideas and concerns in this respect and this is good. May I now speak on behalf of the Romanian Senate about this important issue.

Ladies and Gentlemen, dear colleagues,

The theme under discussion for our Association at this meeting, this 9th meeting, gives me a chance to refer to the most significant aspects of the recent activities of the Senate of Romania. We try to be as efficient as possible, as accountable, transparent and coherent as possible, not only in the relationship between the Parliament and the

Government but also in the relationship with the other important institutions of the Romanian nation. It is indeed an exciting topic, because we can define the role that belongs to the Upper Chambers of Parliaments. In the following interval, which is not going to be simple, more particularly for Romania, that still has to cover some distance, we hope a short distance in order to finalize the accession to the EU. I'd also like to tell you that in recent years the Senate has paid special attention to harmonizing the national legislation with the community aquis. Therefore law-making was prevailing on our agenda. Let me be more specific. The Senate of Romania, the Chamber of Deputies, which is the bicameral system, was set up in 1864, according to the French model. After the Revolution we started using the system again. In 2003, when the Romanian Constitution was revised, we introduced several changes in order to make the process of law making more efficient. Well, experience has shown that we exaggerated a bit and when we will next revise our Constitution, we will have to take that into account. Romania will include several provisions that have as a source its membership in the EU and NATO. We would like the Constitution to better describe the responsibilities of the fundamental institutions in the state: Presidency, Parliament, the judiciary. When the Constitution was revised in 2003, we introduced a classification of laws and here is what we decided. Any bill automatically will have to go through the two chambers and there go through the standard procedures, debates in plenary session, amendments and then the bill will be forwarded to the other chamber. In 2003 we eliminated mediation in case of divergence, in case of differences between the Chamber of Deputies and the Senate. So when we classified the laws, we decided that ordinary laws will be dealt with by the Chamber of Deputies, they will decide on the ordinary laws. The bill is sent by the Government to the Senate, there will be a debate and a vote and then the Senate sends the bill to the Chamber of Deputies and the Chamber of Deputies will cast the final vote. So, the decisive vote is given there, in the Chamber of Deputies. In the case of fundamental laws, the organic laws, the Senate has the decision making power, the ultimate decision making power. So, the process goes in the reverse order. The bill goes first to the Chamber of Deputies and then, after being debated there, the Senate makes the final decision and casts the final vote on that bill. Well, we exaggerated a bit in the Constitution and this has started creating problems for us because in the fundamental law,

in the Constitution, we have introduced for the first chamber seized a deadline for passing of a law. That was a mistake to my mind, more particularly in the complex pieces of legislation such as the codes, the Fiscal Code, the Criminal Code, the Civil Code. If the first chamber is unable to debate the bill within 45 days that will be considered automatically approved and sent to the other chamber that will cast the final vote. In emergency cases, this deadline is 30 days, and for complex bills this is 60 days, the deadline is 60 days. I tried to describe to you in a better fashion how we work. We have been going through a transition time more than 10,000 bills from the simplest to the most complex, having passed by the two chambers during these 16 years. 80% of our legislation is now modern legislation, harmonized with the legislation existing in the EU member countries. I am not hiding from you the fact that we are having problems, namely in the enforcing of the laws and here all the other institutions have to be permanently involved under the scrutiny of parliament of course in order to make sure that the laws are complied with and properly enforced. The relationship between Parliament and Government, between the Senate and Government, this relationship despite all the disputes we are having, I think it is a good relationship. At the Senate – President level, and at all the other levels, there are permanent contacts with the Prime Minister, with the ministers. The ministers are expected to attend the work of the committees, to provide answers to amendments, to give their views about any bill that has any financial influence. The government may express their views to the committees and also to the plenary meeting of the two chambers. And there is another asset in our case. In all the institutions, in the Government, in Parliament, in the Legislative Council, in the Ombudsman institution all the debates conducted, they are immediately published on the internet and they are also published in the Official Journal. This provides constant information to the civil society, to the citizens. They are able to follow what has been going on and to understand how a specific decision has been reached. At the same time, all the institutions that are under scrutiny by Parliament, first follows the Government, are to provide an answer to questions asked by the senators, by the committees, they are to present information on specific issues so that we could be permanently in touch with whatever is happening in the Government. This is also happening in the case of other institutions because according to the Constitution, there are many institutions, such as the

Court of Audit, the Central Bank, the Legislative Council, the Ombudsman, public television, public radio and several others that are to present every year a report on their work before the two Chambers of Parliament. Such reports are therefore presented before the Chambers. The Chambers forward these documents to the special committees in the Senate. These special committees meet, assess the reports, hear people, then the committees provide their report of their work, which is then presented in the joined meetings of the two Chambers. Recommendations are made in case there is a shortage of transparency, if information provided is not full information or correct information. Also the High Council of Magistracy, which is autonomous institution, the guarantor of the independence of the judiciary, it was set up in 2003 but, well, they have some problems with starting working properly. But for almost one year now, the Council has started playing an extremely important role in avoiding any interference of politicians in the workings of justice. So, this High Council of Magistracy also presents a report to the joined Chambers. There is also an annual report on the state of the judiciary, the state of justice. There are debates, questions are asked and we believe this is a good formula for the Parliament to exercise their role as representatives of the interests of the citizen. Related to transparency and accountability we have a series of instruments and mechanisms. They, as a whole operate quite well, there are questions that are asked every week in the Senate, and there are oral as well as written answers, provided by the ministers. It's rather difficult, well, to persuade the Prime Minister to come and answer questions. As a rule he sends somebody to substitute for him. But this is important for our major strategies. There are occasions when the political groups are demanding that the Prime Minister be present for the debates. There is an extremely large number of questions asked, but let me tell you that a question can be quickly turned into a simple motion in the Senate. A simple motion refers to a specific issue, not to something very ample such as the general policy of governing. For instance, an issue concerning transportation, modernization of infrastructure, highways. Such a motion has legal power, too. Once adopted by the Senate, the measures specified in the motion become mandatory for the Government and we make sure those measures are turned into fact. But through a simple motion we cannot remove a minister. In this case we use a second instrument, a motion of non-confidence. The motion of non-confidence is to be debated by both

Chambers, the Senate and the Chamber of Deputies. We have recently had such a motion of non-confidence on the Government, on the whole activity during the half year of the Government. Well, the motion didn't get sufficient number of votes so the Government could not be removed. It was a difference of twelve votes, 221 in favor and actually 232 would have been needed to remove the Government. But this is an extraordinary instrument. Why? First and foremost all this is public debate, the media are present, TV, radio, political parties, the senators. The deputies, more particularly at the end of the week go to the constituencies, meet with the people who sent them to Parliament and inform them about what is going on. They set up investigation committees if there are serious issues. We have at present such committees. One, for instance, is dealing with the manner, in which funds are being used by the nation television, national public television. These investigation committees can be set up by the Senate, the senators vote on the setting up of a committee. The committee is provided a deadline for issuing a report, but we also have investigation committees that are more complex and there deputies, members of the Chamber of Deputies also attend. For instance, we had a special committee on wire taping and the representatives of both Chambers were present, the Senate and the Chamber of Deputies. In the special committees, the Committee on Culture, on Economics, every committee can set up investigation sub-committees in their specific field such as education or health committee. Therefore a committee can set up a sub-committee made up of five or seven senators then they will inform the Permanent Bureau of the Senate and, as a rule, the Permanent Bureau agrees to the setting up of the sub-committees and then they start their work, they prepare a report and either solve the matter while investigation is going on or the matter is then submitted to the Senate that makes decisions as to what the specific ministry is expected to do. A special issue that creates a lot of problems for us and this is very much linked to the manner in which our constitution was written consists in what we call legislative delegation. We gave the Government the right, during the parliamentary vacation and that is January and July and August, during that time interval the Government is able to issue ordinances that have the power of a law. But, as soon as we come back from vacation all this ordinances would have to go through the Senate if necessary we make amendments, if necessary, we reject them. But there are ordinances that in the mean time have already produced effects and

that includes financial effects. But this what I mean, there is a provision in the Constitution and according to that provision, the Government can issue emergency ordinances even while the Parliament is in session. It is true that according to the provision, these emergency ordinances can only be issued in exceptional situations, when there is no room for delay. We thought those will be force major cases, such as flooding, for instance, you can't wait for a month or for three weeks for the Parliament to issue a piece of legislation under such circumstances, but we did not stipulate that specifically in the Constitution. That's why during the last twelve years there's been a lot of abuse. The Government has been producing one emergency ordinance after another and this in a way, a manner of short-circuiting the Parliament, the Chamber of Deputies and the Senate, and of course very often these ordinances include provisions that later create problems because they have not gone through a serious parliamentary filter before being issued. This is one of the reasons why we need to revise the Constitution. We talked to all the responsible institutions not just the Parliament. This time we will be more specific, when exactly can the Government issue emergency ordinances. But we also have a good thing. In the Government, there is a department for the relationship with Parliament. This enables us to keep in constant touch. There is a minister who is constantly attending the meetings of our permanent bureau, that minister is also attending the debates in the Senate. So, we can very quickly send messages or requests to the Government through this minister in charge of relationship with the Parliament. A special problem for us as a new member of the EU is related to the recently set up Committee for European Affairs. We have produced a bill that will regulate the relationship between the Government and Parliament in this respect. We hope that in about two weeks' time we will be able to expedite the passing of this bill. We also had very good project recently, the PHARE project, strengthening the administrative capacity of the Senate. There was a permanent support from, well, let's call it a troika, the French Senate, the Italian Senate and then the National Assembly of Hungary. This has been a very successful program and at the end of our meeting, I'll share my views about this program with you. Well, in my written speech there are more elements than that, but let me stop here.

Thank you very much.

May I now invite Mr. Sergey Mihailovici MIRONOV, the President of the Council of Federation of the Federal Assembly of the Russian Federation. Mr. President!

**Sergey Mihailovich Mironov,
President of the Council of Federation of the Federal Assembly of the Russian
Federation**

Dear President of the Senate of Romania, Mr. Vacaroiu,
dear participants to this session, dear ladies and gentlemen, dear colleagues.
First of all let me welcome, on behalf of the Council of Federation all those who have gathered at this meeting of the Association of European Senates. I would also to express a sincere gratitude to the Senate of the Parliament of Romania and personally to President Văcăroiu, for hospitality and excellent preparation of our meeting and of course for the excellent yesterday evening. Dear colleagues, the subject of our discussions is: ensuring transparent and accountable governance, the contribution of the Senates. This topic is extremely vital and important. The matter of the responsibility of the authority towards the people always was of great importance for any state. The society demands from the authorities greater efficiency and closer and open interaction with it. What are the guarantees of this transparent and accountable governance? First, accountable governance means presence of steady effective authority which is capable to take and implement necessary decisions. Second, accountable governance should be effective. The authority should be creative, capable to prevent any crisis and in case of such crises to effectively neutralize the consequences. The third point of the accountable governance it's the justice of the authorities and politics. Injustice results in the delimitation of peoples and elites, growth of tensions and conflicts between the society and their authorities. In Russia we strive to follow these principles during our state, political, and social and economic reforms, building relations between the authority and the society. What have we been able to realize in our everyday life? Considerable efforts were directed by us during the last years to ensure the due governance in the country unity of its political, social and economic and cultural entity. In December 2007, on the 2nd of December, our country will go through the next Parliamentary elections and in March 2008, the presidential

elections. The Council of Federation of the Russian Federation is one of the most important elements of stability in this period as by virtue of the Russian Constitution. Only, the Council of Federation is one of the supreme bodies of the Russian Federation, never ceases its activities and by virtue of its non-party statutes there is a peculiarity in the Council of Federation taking into account that the Council of Federation consists of two representatives of each region, of each entity of the Russian Federation, one is the representative of the governor of the region who is the main responsible person and the second representative is the representative of the legislative parliament. And on the basis of these, by the internal regulations of the Council of Federation, it is prohibited to create fractions and parties within the Council of Federation. That is why the Council of Federation is a non-party formation. That is why I would like to emphasize again that the Council of Federation during the election period is an effective instrument, effective tool to continue our legislative activities. The activity of the Council of Federation which is the Upper Chamber of Parliament reflects the federal structure of the country and equal representation of regions in our Chamber. A peculiar character is the transparency, the issue of transparency. In our activities, we use different types of openness, meetings and consultations of the members of the Council of Federation, with citizens and the public, on-spot sessions of the committees and commissions in the regions of Russia, public reports, and regular public reports of senators to their regional legislative bodies. Six months ago we decided to broadcast all the sessions online via the internet, all the sessions of the Council of Federation and it is for six months already that we do it. In the Council of Federation we attribute great importance to the maintenance of openness and publicity of law-making. Preliminary consideration of the legislation, quite often begins at the Council of Legislators. It is a structure created within the Council of Federation and I will be modest, but it was created upon my initiative and it includes the speakers of different regional legislative from the entities of the Russian Federation. By such preliminary consultations we can assess how the regions in general will respond to this or that bill. These days, within the Council of Federation, we have conducted a meeting of the Council of Legislators and the President of the Russian Federation attended this meeting. Twice a year he attends the meeting of the Council of Legislators and we consider the economic and other aspects of development of the Russian Federation. I

should say that the Council of Federation, speaking about transparency of law-making three years ago provided an initiative which has been implemented in the Russian Federation for three years already. We issue a special report on the state of the Russian legislation. This is a great work we conduct a special monitoring. We assess how the laws work in the regions, in the entities of the Russian Federation, in the authorities and whether these laws work because sometimes there are laws, ideal laws, from the legal point of view. They cannot be implemented in practice because they do not take into account these or those aspects and reckon on the annual report of great participation is the regional authorities, three Courts: the Constitutional Court, the Supreme Arbitrary Court and the Prosecutor's General Office, and all three authorities participate in such, in the preparation of the law. Of course, the traditional is the work of the Upper Chamber. Their work, which is aimed at the quality assessment of the laws adopted by the State Duma and I can give you an example. During the spring session of the year 2007 we rejected ten bills. We rejected them, most of them were adopted by the Conciliation Commission. Sometimes we impose a veto on such bills because we think that the work on these bills should not go on. The transparency work of the legislators means a close contact with the public. It helps to take into account positions and initiative of members of the civil society. I am firmly convinced that without increase of activity of the civil society in the life of the country the achievement of major national goals becomes impossible. There are different councils of experts within the Council of Federation: Cultural Council, Veterans' Council, Disabled Persons' Council, Agricultural Council and other councils. Urgent commissions demand special forms of reaction of the Chamber and unfortunately, as you can understand, in an inter-confessional Government, in an inter-confessional country as Russia is, there are sometimes inter-confessional conflicts. That is why we created within the Council of Federation a special commission, a joint commission which united the representatives of the legislative authorities and the representatives of the Council of Federation. It is called the Joint Commission on national politics and mutual relations of the State with the religious organizations. And I should say that within this commission we created a quick response group which, in case of different situations which can result in the inter-confessional conflicts, the representatives of this commission go to these regions and they try to prevent. During the last years we managed to prevent

about four conflicts. I can say Kondopoga that is in the Karelia Republic. Most of them know that there are inter-confessional conflicts there and I should say that we prevented about four conflicts during the last time. We have also experience of work within the Parliamentary Commission of Investigation of the act of terrorism on September 1st 2004, in the northern city of Beslan. You remember well about this tragedy and I should thank all of you present here in this room, which during those sad days in Russia supported us. So the Commission processed a huge volume of witnesses' statements and pledges, audio and video materials. Members of the commission have repeatedly visited venues of events to find out the roots of the tragedy. About 1.5 million peoples were interrogated. Then, the results of the investigations were reported to the public. The openness for the international interaction also promotes a transparency. I believe that our today's meeting and the theme, the main theme of our discussion, is one of practical real steps in this direction. We have a great experience of cooperation within the Parliamentary Assembly of the Commonwealth of independent states. We have interesting aspects of good cooperation and I would like to say here about interparliamentary assembly of the member states of the Commonwealth of Independent States. There are enough new thematic lines, we studied this work with the speaker of the Senate of Belgium, De Decker. Interaction with mass-media has an extreme importance and we have always journalists and mass-media representatives and there are special editions which are being published. Maybe we will discuss it bilaterally or multilaterally. We think that our parliamentary editions are very narrow in their format and I think that they are not interesting for ordinary citizens, I think that there are parliamentary editions and the experience how to make these editions interesting for the public and I would be grateful to receive such an experience. An electronic democracy starts to play a special role today because it gives to the citizens new opportunities to receive information, to participate in the decision making process. There is an opportunity to reduce seriously the administrative barriers. In our country the project the Electronic Russia is being realized. We are going to change the principles of mutual relations between the authorities and the citizens. We are trying to create the informational system. The Parliamentary portal is under construction now. This system integrates sites of federal and regional legislative bodies. The information technologies promote closer ties of the Council of Federation

with the population. In particular I can mention the internet discussion and internet conferences. I personally read and respond to all the messages that I receive on my e-mail and I can say that the number of letters grows and any person, any citizens of Russia can pose a question, can express an opinion as for my activities and I will personally respond to such citizen. And many ideas, parliamentary ideas grow from these letters from citizens in different directions. The electronic media cannot replace direct dialogue. That is why the Chamber decided to organize regularly meetings with citizens. More than 16 thousand letters were received by the Council of Federation from citizens in the period of spring session of 2007. The political line on strengthening of responsibility and transparency is the coordinated strategy of all the Russian authorities. This matter is frequently touched upon by president Putin, by the Presidents of the Chambers of the Federal Assembly. The system of assessment of efficiency of regional authorities has been developed and introduced. On June 28th this year the President of the Russian Federation issued a decree that listed 41 criteria of the assessment of efficiency. Among these criteria are birth and death rates, growth of manufacturing and population incomes, and many other criteria.

Dear colleagues, in conclusion I would like to take the advantage of this high stand and to approach to you with a proposal, or to be sincere, I would turn to you with a request. In December 2008 there will be the 15th anniversary of the constitution of the Russian Federation and of course, the 15th anniversary of the Council of Federation of the Federal Assembly of the Russian Federation, headed by me. It is a significant date in the history of development of Russian democracy and Russian parliamentarism. During this time, I propose to hold an extraordinary 11th session of the Association of European Senates in Russia, in November 2008 and I would ask you to support this initiative. In order to know better about the activities of the Council of Federation you can find booklets in English and French. They were distributed in English and French and in conclusion I would like to wish all the participants of this session fruitful and successful work. I'm sure that we can evaluate a positive experience of the activities of our Chambers. I wish you all the success.

Thank you for your attention.

President Nicolae Vacaroiu

Thank you very much President Sergey Mironov for your presentation. It has been extremely interesting, considering the specific features of the Federation Council. It has been a very interesting presentation but also let me thank you for giving such a detailed presentation of what the Council does in order to protect national interests and in order to have good, transparent and accountable governance.

As for your kind invitation to organize in 2008 in November an extraordinary meeting of the Association of Senates, on the occasion of the events that President Mironov mentioned, the anniversary of fifteen years since the Russian Constitution was issued I think we all agree. I hope we all agree and of course we would like Mr. Mironov to provide further information as to the agenda, the venue, whether this should be Moscow or elsewhere. So, in addition to this session, the ordinary session already set, there is this invitation for an extraordinary session. Are there any objections? Ok, then I hope you all agree. Thank you very much, Mr. President, I'm sure we will all be present at that session. May I now give the floor to Mr. Janez SUSNIK, the President of the National Council of the Republic of Slovenia.

Janez Sušnik, President of the National Council of the Republic of Slovenia

Distinguished Mr. President, distinguished colleagues, Excellencies, ladies and gentlemen, dear friends,

To begin with, I would like first to thank Mr. President for the invitation to the 9th meeting of the Association of European Senates. I would like to congratulate you, Mr. President, on the excellent organization of the conference and for the excellent yesterday's evening. Transparent and accountable governance in the state is something that all second chambers must focus on. Regarding the fact that governance in the states with parliamentary regulation is in the hands of the Government, second chambers must focus on the supervision of the Government activity. For the status of the representative body, especially in the parliamentary system, its relation towards the Government as the holder of the executive power is of great importance. The Government, in the modern,

bicameral system is accountable to the first chamber and the issue of its accountability towards the second chamber is different. In the cases of complete bicameralism the Governments are accountable also to the second chambers, which is not the case in the system of incomplete bicameralism. But the majority of second chambers have competences by which they can supervise the activity of the Government. It derives from the constitutional order that between the National Council of Slovenia and the Government there is no constitutionally determined direct relationship as all the relations between the legislative and executive powers. These relations exist only between the Government and the National Assembly. In such a regulation all the relations are developing between the National Assembly and the Government. The National Council thus has no competences in the forming of the Government and the Government is not accountable to the National Council. In the Constitution there is no determined direct competence by which the National Council could supervise the work of the Government. But in spite of this, the Government is forced into the establishment of certain relationships with the National Council. This is why for the status of the Government, also the relationship with the National Council is important beside its relation with the National Assembly. The National Council adopts no final decisions but can strongly influence the decision-making in the National Assembly. The Constitution adopted in 1991 was adopted in haste, so it was not reconsidered too thoroughly and that's why the National Council did not get all the competences. Constitutionally determined competences of the National Council are related to its cooperation in the execution of the legislative function. As the most important decisions of the state authorities are adopted in this framework it is understandable that the authorities of the National Council influence not only the functioning of the National Assembly, but also the one of the Government. This holds true of all the authorities of the National Council in the field of the legislative function from the weakest to the strongest ones. Among the first may mention be made of the right of the National Council to give opinion to the National Assembly on all the matters from its jurisdiction. In practice this means that opinions expressed by the National Council are given to the National Assembly in the matter of legislative decision making can be of enormous importance. This is why the Government can be interested in trying to influence not only the National Assembly but the National

Council as well, in forming its opinions. The Government is aware that the decisions of the National Council can cause various difficulties. This is mostly true in the cases of debates on the laws when the Government tries to persuade the councilors not to file in the suspensive veto. The relation between the National Council and the Government is regulated by the law on the National Council. The National Council and its working bodies have the right to demand explanations and data on the matters treated by various administrative organs. On the other hand the Government is all the time informed about the proposals, opinions and demands of the National Council and also takes its stand towards them. The relation between the National Council and the Government is more precisely regulated in the Standing orders of the National Council. The Standing orders determine that it is the Government's duty to present the materials and the data to the National Council and its commissions upon their request to be able to exercise their activities. It derives from the Standing orders that there must be a special item on the agenda of every session for the initiatives, questions and demands of the councilors. The initiatives, questions and demands of the councilors adopted by the National Council must be from its competence. In this way the National Council addresses the Government and the Ministries to acquire information. It is already stipulated in the Constitution that the National Council is assured the competence to demand the investigation on the matters of public significance, parliamentary enquiry. This means that it cannot carry out the parliamentary enquiry but has the initiative function in its introduction. Upon the demand of the National Council the National Assembly must start the parliamentary enquiry. A very important characteristic of the introduction of a parliamentary enquiry is that it can lead to the enforcement of the political accountability, of the prime-minister and of the members of the Government. In this way the National Council indirectly influence the relationship between the National Assembly and the Government. In the decade of its existence, the National Council has taken advantage of this competence three times. In practice, the National Council cooperates well with the Government. The members of the Government respond well to the questions, initiatives and requests of the National Council and also take part in the sessions of the National Council and commissions. Besides the previously mentioned the National Council influences indirectly the activities of the Government and its services. The National Council

organizes consultations, lectures and debates related to actual themes of social life and the matters in which the civil society expresses its opinions. The representatives of the executive power present at the consultations, lectures and debates are familiar with the ideas and conclusions of all the above mentioned activities as they take them into consideration when preparing their acts, proposals of new laws to be taken into legislative procedure. According to our opinion, the regulation in which the second chamber supervises the work of the Government is appropriate as it assures the transparent and accountable functioning of the Government. Considering the fact that the second chamber, on condition that it is composed on a different basis in comparison to the first chamber, and has a different duration of mandate, can be controlled by different kind of majority in comparison to the first chamber that, as a rule, shapes the Government, the second chamber can supervise the work of the Government in an efficient way. In this case this is besides its corrective role an additional competence that affirms its functioning in the constitutional system of the state. Unfortunately the National Council is not in such position. Ladies and gentlemen, of course we cannot pass by the facts from history that there are still problems in the field of the Western Balkans. We wish very much that an appropriate way would be found which would bring long term peace and welfare for all the nations in this field. So, unilateral decisions are not welcome from this point of view. They could bring additional problems, they would not bring peace, and they could bring additional problems in other fields, in other areas of Europe. I would like to appeal on you to influence your Governments and to reach a consensus which would bring satisfaction with all the three countries. I'm convinced that the European Union and other big countries could come to a common point and to organize, to find positive solutions for this. Slovenia will take over a very important role in January 2008 when Slovenia will take over the Presidency to the Council of the European Union. I think, I'm sure, convinced, that matters will be tackled in a very intensive manner but still I'm not sure that there will not remain some open questions which will be left to be solved by the next presiding country. So, please once again, I would like to ask you to influence your Governments for the cooperation in this. Thank you.

President Nicolae Vacaroiu

Thank you very much for your presentation. I think we all remember that in 2002 in Ljubljana, the Association of Senates focused on the role of bicameralism in strengthening of democracy. Now we are emphasizing that again, thank you very much Mr. President. Now, Senator Iñaki ANASAGASTI from the Senate of Spain is invited to take the floor. You have the floor, senator.

**Iñaki Anasagasti,
Senator, Secretary of the Board of the Senate of Spain**

Well, Mr. President, dear colleagues,

Let me thank you very much for your warm reception last night at the Palace Mogosoiaia. The music was wonderful and at this meeting of senators every country is playing one instrument. But, at the end I hope the symphony conducted by the President is going to sound very well. The Senate in Spain would like to have accountable and transparent governance. We have available instruments, made available to us by the Spanish law. This is the formal instrument but then there is the informal instrument, the political instrument. We can participate in fighting against corruption, for instance. From a legal point of view, the Spanish senator can scrutinize the activity of the Government. We can obtain information from the Government, we can debate upon the actions of the Government and we can demand that the Government directs its policy in a specific manner the rules of the Senate provide for that. First, the questions. The questions can be written or oral questions. They can be asked in committees or in the plenary session. The Spanish Senate has two plenary sessions per month and in both, on Wednesday morning, time is reserved to scrutinizing the Government. Questions are asked and the oral questions have to be asked in the plenary. They have to be concise and refer to just one specific issue, one fact, one thing, demanding just one piece of information, about whether the Government is going to take specific measures in one respect or another or whether the Government will make available a document for the information of the Senate. So, questions can be asked about specific or special situations. Questions come

from the room. First, the senator asks a question, then there is an answer from the Government, from the representative of the Government, then the senator has the right to comment and the Government has the right to a rejoinder. There is in this legislature a political pact according to which once a month the Prime Minister comes to the Senate to attend this supervisory session and he is expected to answer three questions. So there are no substantial differences between the Chamber of Deputies and the Senate in this respect. Both chambers have equal power in scrutinizing the activity of the Government. Then, the interpellations: these are debates on general policy issues, after the questions are asked in the morning. In the debates, well, the minister and the MPs make comments. Any senator has the right to formally question the Government about the policy of the Government in specific issues of general interest. There is first a presentation on behalf of the person who will be asking questions. This takes fifteen minutes. The member of the Government provides an answer for another fifteen minutes and then the senator that asked the question can comment for five more minutes. The Government may provide an additional answer if they wish. Then, the speakers of all the parliamentary groups have five minutes each if they wish to make any comments. If the senator asking the question is not satisfied with the answers provided by the Government, he may propose a motion in that respect. Now, the appearances before the committees: the committees may demand through the President of the Chamber, the presence of a minister in order to get information on a specific issue. The Government too can ask to be present. In both cases, the senators in the committees can ask questions and initiate a debate. Committees can also demand that other authorities or officials be present. Attending these committees is not mandatory but frequently, the members of the Government come and attend the meetings of the committees and they may even demand to be present. Again, there are no substantial differences between the Lower Chamber and the Upper Chamber. The investigation committees, according to article 76 in our Constitution: the Senate can set up investigation committees in any issue of public interest at the proposal of the Government through a decision of the plenary meeting or at the proposal of 25 senators who do not belong to the same parliamentary group. In this manner, we can check whether there are political responsibilities but this is only in very serious matters. The Senate can also - as the Lower Chamber - set up investigation committees and after the

committee is set up they are given a deadline and in this case the presence at the investigation committee is mandatory. The report of the committee is debated in the plenary and the conclusions are published and communicated to the Public Prosecutor whenever necessary in order to take action. There are also the special committees. They are set up just in the same manner as the investigation committees but they are dealing with different matters. They do not conduct investigations, they rather study any issue of public interest. Therefore they are not actually conducting any investigation. The motions can have one of the following results: either the Government makes a statement on a specific issue or sends a bill to Parliament in a specific matter or the Chamber may debate a text which is not legislative in character. Motions can be amended if submitted four hours before the session, which happens actually on Tuesday afternoon. Amendments can be proposed also during the debate on the motion. There is also a specific kind of motion which is the result of a question. This motion must be submitted on the day following the question and must be included in the agenda of the plenary. And, in addition to these instruments there is also the possibility for the Government to send reports to be debated in the Senate. Other institutions such as the Ombudsman, the Court of Auditors, the General Council of the Judiciary are expected through the law to send reports to the Senate and those reports are debated upon. The Lower Chamber receives information on the activity of the General Council of the Judiciary and on the Courts and Tribunals of Justice; the Joined Committee for the relationship with the Court of Auditors is taking care of the expenses and of the audit reports and the Ombudsman presents annual reports. The Nuclear Safety Council is submitting its reports to the Upper Chamber every six months. There is also a mandatory system according to which the senators are expected to declare their interests, to state their interests for avoiding any conflict of interests in their work. The Spanish Senate is interested not only in transparent and accountable governance. The Senate participated in the International meeting on financing politics, parliamentary ethics and corruption, held in London in 2004 or the 2nd World Parliamentary Conference Against Corruption, held in Tanzania in 2006. The involvement of the Spanish Senate was obvious in the organization in 2006 of the Days Against Corruption inaugurated by the President of the Senate and with the participation of international experts in the matter and the outcome was the setting up of important

bodies. To conclude, Mr. President, let me express on behalf of our President the gratitude of the Spanish Senate for selecting this topic for our meeting and I would like to thank the Romanian host for their hospitality and for their magnificent simultaneous interpretation of this conference. Thank you.

President Nicolae Vacaroiu

Dear colleagues I apologize, we are rather ten minutes late. We will have now a break until four o'clock in the afternoon. You are invited in the adjoining room where we will have lunch together and let me remind you that at half past four the colleagues, the vice-presidents, at half past two the colleagues, the vice-presidents will go to the Cotroceni Palace to meet with the President of Romania. So the heads of the delegations, at half past two will go to see the President of Romania. Thank you very much and you are now invited for lunch.

Norica Nicolai,

Vice-President of the Senate of Romania

Ok, we are ready to start the afternoon session, to finalize the third session of our meeting. Good afternoon. I'm very pleased to take over the chairing of this meeting, I'd like to point out at the beginning of this afternoon session that the morning session, the presentations of the heads of delegations pointed out a variety of parliamentary rules and practices meant to provide support to the contribution of the Senates to a transparent and accountable governance. Let me emphasize that the ideas concerning the adjustment of our Senates to the European challenges and not just to the European challenges, the performance of the Constitutional mandate at home and the reassessing of the Upper Chambers as builders of European and democratic society are the important elements in the activity of the institutions we represent. It was emphasized this morning that we need to remember that Europe continues to remain a Europe of nations and the control of subsidiarity in the European construction will have a long career in the democratic discourse, a discourse that will be completely supported by the Senates in our countries.

May I now, dear colleagues, give the floor to Mr. CAPRILI, the Vice-President of the Senate of Italy.

Milziade Caprili,

Vice-President of the Senate of the Italian Republic

Thank you. Thank you, Mme. Vice-President of the Senate of Romania. First of all I would like to thank the President of the Senate for the perfect organization of this meeting and his excellent hospitality. I would also like to convey to you and president Vacaroiu the greetings of President Marini who was not able to attend this meeting today in Bucharest but who cherishes fond memories of the recent visit of the delegation of Romanian senators in the framework of the twinning programme of our parliamentary assemblies. We also recall the positive and broad contacts established during the celebrations of the 50th anniversary of Treaty of Rome which, as you might recall, were held in the Italian Senate in March. Let me share with you our experience on the twinning between the institutions, but first of all I'd like to express my appreciation for the opportunity offered here to discuss about the projects of the European Union meant to assist parliamentary institutions. Twinning programmes and assistance in cooperation programmes among Upper Houses of Parliaments are wholly in line with the aims pursued by the Association of the European Senates since its inception. They are in line with the aim of developing relations among its members. The development started with the periodic meetings of the Presidents should be developed in cooperation projects among our assemblies; they are also in line with the aim of promoting bicameralism in parliamentary democracies. What better way to promote bicameral system than the action meant to strengthen the administrative capabilities of Upper Houses. And, finally they are in line with the aim of recognizing and strengthening European identity, an identity that can be strengthened through the cooperation and support that Parliaments that are more experienced among the EU members could provide to more recent candidates and members. We all know how hard it is for EU member states to become players in the international arena. We have also been concerned by recent events on key issues for the future of our countries and for Europe. Even the new mandate the European Council gave

the ICG last June is not enough to ensure the natural development of a common foreign EU policy. Undoubtedly, the European Union has been successful with respect to its foreign policy in recent decades. I mean, the enlargement policy, the policy of stabilization in the Balkans, the European Neighbourhood Policy, with respect to the neighbouring countries and the Mediterranean countries. It is increasingly necessary for the Union to contribute to spreading peace, welfare and democracy. So, through the strengthening of the European Parliament in several stages and a new recognized role for national parliaments, we can really understand that we have overcome that era of the democratic deficit. We should however be very careful; the future of the Union also depends on the expansion of the democratic mechanisms. It is important to state that here, in this building - this building is a symbol of a result of a situation in which there was no democracy. We have heard here several positions and some things I do not agree with. It is believed that in Europe there are several contradictions. Some people aspire towards an interventionist Europe. I don't think that there is anyone here in this room, I don't think there is anyone who believes that the present difficulties and contradictions that exist have already been solved in a negative manner. I come from Italy. Italy is not just a country of Machiavelli, who was the creator of politics as an autonomous science, it is also the country of the Treaty of Rome and recently we celebrated 50 years since that Treaty. I think going back to that spirit, to the generous intentions of statesmen 50 years ago, is a good thing for us and for Europe. Parliaments should create instruments in order to exercise their power, in order to efficiently scrutinize the activity of governments, to ensure compliance between the national legislation and the community principles, and in order to acquire a new role bestowed by the mandate of the intergovernmental conference last June. And also with a view to cooperation among Senates, the exchange of information and experience is becoming increasingly relevant. In this respect, the Italian Senate was very happy to join the French Senate and the National Assembly of Hungary. The community programme meant to strengthen the administrative capabilities of the Senate of Romania. This twinning programme was one more opportunity to further strengthen the historical ties that already exist between our countries so that Romania could join the European Union. This has been something that Italy has always supported and warmly welcome. This project lasted 18 months and our experts were present in

Romania for more than 100 days and there were three study visits to Rome. Three elements have ensured the success of the programme. First, the environment of full and open cooperation between partners and the European Commission where jobs were shared according to the skills that each partner could bring to the programme. Second, the outstanding level of commitment of the Romanian Senate and its members and staff, which we could see whenever they came to Rome on these study visits. Lastly, the unique composition of this partnership: there were two founding members of the EU - France and Italy - and a new member - Hungary, a country and parliament that had made a contribution to having Romania get closer to the European centers quicker. I would like to express my wish for a fruitful and successful increase of assistance programmes to parliaments. I believe that beyond the purely technical aspects, cooperation and assistance have an important political and institutional value. I believe the Senates have an important role. Upper Chambers play a major role in developing community legislation and when it comes to representing certain territories they are also acting as a forum for reflection. There is a project under way for setting up an institution for a permanent exchange of information between the European Commission and parliaments. My wish is that the European Senates could work closely and share their experience with parliaments of countries neighbouring the EU, emerging democracies in Africa, Latin America countries and Asian countries, and establish ties of cooperation and friendship. This is what Europe and European peoples need. Thank you.

President Nicolae Vacaroiu

Thank you, Mr. Caprili, the Vice President of the Senate of Italy, for this very substantial presentation made here before us. Italy has a good experience in point of good governance, they use a multitude of mechanisms and instruments at present, but they are also concerned with identifying new mechanisms and procedures in order to make scrutiny of the Executive more efficient and more substantial. This concern is important and I am sure we all share their concern. It is obvious from our discussions this morning. Vice-President Caprili referred in his presentation to the second panel that we are going to start very quickly, but up until then let me say that the heads of delegations described

in their presentations a variety of practices EU use that are likely to improve the contribution of the Senates to better governance, to better transparency and more accountability. Of course, the ideas stated in this meeting are likely to help our Senates just to the new challenges; a new challenge is with respect to the constitutional mandates at home, and also with respect to the stronger assertion of the Upper Chambers of parliaments. Why so? Because in a relatively short time we need to become one of the major authors of European construction. Let's not forget that the Senates, almost all of them have conditions, an older age which means more experience in order to become a senator, I mean compared to the members of the Chambers of Representatives, or so there is a large range of professions that are represented in the Senates. These people are aware of things in society as they are. When we work in our constituencies we can make a contribution to the production of good quality laws. We can make a contribution to the creation of mechanisms that will help us check how democracy is actually enforced and also the cooperation between the Lower and the Upper Chamber, this cooperation is absolutely necessary, just as it is absolutely necessary to have a permanent cooperation and dialogue between the Government, the Prime Minister and the President of the Chamber and of the Senate, between the President of the Senate and the President of the country and the other institutions. The Senate is one of the fundamental important institutions of society. Also specific problems have been described here, our colleagues shared with us extremely interesting things, many interesting ideas were launched and all your speeches will be put together into a book that you will soon receive. There are very interesting things and I think we need to take the time to read those speeches again and learn more from what we have heard. Now as we are nearing the end of this panel, if there any comments that you would like to make on the presentations made by the heads of delegations, well, it looks like there are no comments. Let's conclude this panel and start a second one on strengthening the administrative capacity of the Senates, examples of good practices. I would like you to agree, since recently Romania has gone through such a project for strengthening the administrative capacity of the Senate and all the people who participated are sure that it was a success, all the projects became operational. So, may I open the second panel and share with you very briefly the Romanian experience.

Distinguished Presidents and Vice Presidents of the European Senates, dear colleagues, Ambassadors, Ladies and Gentlemen,

I am satisfied to see that you accepted to enter this item on the agenda as I believe this is a very interesting topic which refers to various practices, good practices used for enhancing the administrative capacities of the Senates. And my satisfaction comes especially from the fact that only a month ago we finished the PHARE twinning programme entitled “Enhancing the Administrative Capacity of the Senate of Romania”, the first major cooperation and project initiated by the Senate of Romania and financed by the European Union. It was based on the support of the French Senate, the Italian Senate with the two Presidents, the current President and the former President, and the National Assembly of Hungary. The feedback we received from the Brussels officials, from our twinning partners and from the Romanian ministries, was great, and I must say that we had 58 activities developed over 18 months which created a solid and standing framework of cooperation in improving the administration of the Romanian Senate in order to increase cooperation with national parliaments of the EU member states. The main objective of this project was to increase considerably the administrative capacity, to adapt and implement the latest regulations of the national parliaments of EU member states, able to ensure a higher standard of the Senate’s activities after the accession in line with that of the Senates in other countries. The success of this project was due to all parties involved, the French and Italian Senate, the Hungarian National Assembly and I am very glad to be able to tell you that my colleagues in the Standing Bureau, the Secretary General, the technical secretariat, 80% of the civil servants working for the Senate were trained as part of this project in community law on the latest developments. This was a very big achievement for us. The PHARE project also helped us set up a new specialized structure: the European Affairs Division. We had been concerned about the way we could handle European affairs and now we have the organizational chart completed and we are organizing contests for various positions. The same project also helped us provide a set of amendments to the draft law on cooperation between the Parliament and the Government within the European affairs based on comparative study of the old member states and I can tell you that right now we have a very modern law.

Hopefully, coming into force very soon. Last, but not least, there has been a spectacular change in information management with computer software used both for our relations with the national institutions and our relations with the European Parliament and European Commission. This activity which started 18 months ago was expected to succeed, but as the programme developed, some of these projects were actually started and finished. So, at the moment we have still some projects running, but they too will be finished by the end of November. So, I can say that this project was successful and true proof of the way national Senates can cooperate. And this project was extremely helpful for us and it will help us in the future as well. I would like to thank the French Senate, the Italian Senate, the Hungarian National Assembly, the Brussels officials that have been supporting us and our colleagues, senators, staff who have been involved. This was just a very brief presentation because I just wanted to make an outline of our project if you would like to hear more details, of course we are available.

I would like to ask President Poncelet to tell us a couple of words about this very important project and about France's support in its achievement.

Christian Poncelet,
President of the Senate of the French Republic

Mr. President of the Romanian Senate, dear Nicolae, dear colleagues, ladies and gentlemen,

The idea of reflecting of the enhancing of the administrative capacity of the Senates is very important because on September 5th we actually closed the twining project whose aim was to enhance the administrative capacity of the Romanian Senate. The Italian Senate, the French Senate and the Hungarian National Assembly had associated in developing this project and I would like to give you some more details about this twinning project in order to emphasize its dimension, its complexity. There are some lessons learnt from this project. The project which developed over 18 months had five objectives. The first was the better application of the *aquis communautaire*, the second was to improve parliamentary committees' work in order to cooperate better with the

observers. The third was a strategy for the human resources management, regarding recruitment, training, promotion and payment of the staff in order to have an effective and motivated parliamentary administration absolutely necessary for the long term operations of this institution. The fourth objective was to create an integrated management system of the Senate documents, and the fifth was a strengthened institutional capacity of the European Affairs Division, which was created as part of this programme. In order to implement the programme we managed to find important resources, more than 100 missions of foreign experts from the French, Italian and Hungarian parliaments came to Romania in study visits. Almost 50 Romanian senators took part in the project, in order to take into account the political dimension of this administrative strengthening of the Senate. The twinning through the PHARE project is particular because it demands outcomes activity achieved. Beyond these figures, there are some very important reasons for satisfaction. At first, because we can see that the European Union is more and more involved in supporting parliamentary institutions. For a long time, it was considered that governance and rule of law were only the concern of executives, forgetting the fact that the parliaments were the ones voting the laws and that the wisdom of members of parliament and technical instruments, civil servants, all contribute to these laws, administrators should be part of the same construction therefore, which allows for the law to be developed and enforced. Satisfaction, again, because we managed to cooperate with the Italian Senate and the Hungarian National Assembly, it was cooperation between old member states and new member states, Upper Chambers and Lower Chambers in an illustration of the European project whose 50th anniversary we celebrated not so long ago. Our efforts were indeed fructified because Romania acceded on January 1st 2007, and this I am to be able to say is proof of the European cooperation. Bicameralism is essential for democracy. How can we extend this effort in consolidating, enhancing the Senate's administration? Such an activity won't happen in the near future, because this project was made for the bicameral parliament of a state which was on the verge of acceding. Now we can only discuss about suggestions. We are members of the Association of European Senates and I believe that we can find better ways of communicating our support activities throughout the world. We could also take into account a possible cooperation for the Upper Chambers of the countries which are

interested in such cooperation and we could send correspondents who might want to exchange information, to contact some of their colleagues and allow them to answer the calls of proposals, the projects and other documents which regard the capacity building of Senates. I believe that cooperation could be improved based on these projects, for instance by posting this information on the websites and I wish to cooperate more with you in promoting bicameralism throughout the world. So, these are my thoughts with regard to the experience of this project and to conclude, I would like to thank the Romanian Senate and its President for the wonderful reception in Romania, and because we're talking about hospitality, dear Mr. Vacaroiu, I can tell you that the Romanian Senate doesn't need any enhancing of its administrative capacity, on the contrary, it is an example. Thank you.

President Nicolae Vacaroiu

Thank you very much President Poncelet for your kind words, for the appreciation for the Romanian Senate and I would like to thank you also for your address. If I were to draw a conclusion, you said that we express ourselves, we send information, we exchange information, it is a free Association of Senates, but we are becoming a family and it would be very interesting to see if one of our colleagues could help us for instance if we need help in solving a problem. How could the Association of Senates, for instance provide support in such a case? A year ago, it was said in Romania that the Senate should no longer exist because we only need one chamber, it is a waste of public money and so on. And only when the political crisis intention emerged people realized how important the Senate is. So, there are more ideas to discuss, it is a good start and once again I would like to emphasize that this project was a very good example of cooperation, of effective collaboration with the Senates. Now, I would like to ask if you have questions or comments regarding the second panel. No. OK.

Then let's discuss about the **Final Declaration of the Presidency**. As you very well know, in Prague we discussed that this conclusion should be called a "Final Declaration of the Presidency". There have been amendments to our project, many states forwarded

such amendments, France, Italy, the UK, Romania and I think we agreed upon this text. It's based on principles, on general principles. Do you have remarks or comments upon this declaration? No. We took into account all the amendments and I believe that the text has been harmonized properly. It is our Declaration for the 9th meeting of the Association of the European Senates and it will be part of that brochure that we are going to publish and distribute. It will also be given to the Romanian media, if you want to send it to your media in your countries, of course it will be a good thing. It is important to know, for the citizens to know that there is an operational Association of Senates in Europe, which has ideas, solutions, which are nothing but capacity building for democracy, strengthening of the role of national parliaments, which must play a more and more important part in the development of the European institutions. Once again, are there any remarks? No. Thank you very much. Thus we consider that this declaration has been adopted unanimously.

Dear colleagues, this meeting is almost over, so now we should think about the future, about next year and I would like to inform you once again that in the previous meeting, the Federal Council of Austria announced that they would like to organize the 10th ordinary meeting in Vienna, and you all agreed earlier today that we should honour the invitation of President Sergey Mironov for the 11th extraordinary meeting to take place in Moscow. So, I would like to give the floor to Ms. Elisabeth Haselbach, to tell you a couple of words about next year meeting.

Anne-Elisabeth Haselbach,

Vice-President of the Federal Council of the Republic of Austria

Mr. President, ladies and gentlemen, the more parliaments and their members are facing a steadily growing number of challenges and problems asking for solutions, the more it became necessary to exchange information, to discuss about ways to achieve best practices, to get knowledge about development of intentions by the European Union and others. The setting up of the Association of the European Senates provided us with so many opportunities, for instance to gain insights on the current developments of our bicameral systems or on how to improve our daily work. It showed us how to benefit

from the experience and the expertise of others, it provided a platform for dealing with issues of importance. The previous nine meetings, including this one, underlined the importance and the success of the Association of the European Senates. Therefore, ladies and gentlemen, it really is a great pleasure for me to invite you on behalf of the Austrian Federal Council to the 10th meeting to be held in Vienna next year. I would like to suggest that the meeting should focus on the contribution of new information and communication technologies in the law-making process. The goal is to get an overview how far our chambers, their staff, and their elected members are equipped and acquainted with the appropriate technologies and the appropriate knowledge for their legislative work. Furthermore, we would like to learn what kinds of steps are envisaged by you in the medium term. So, once again, let me express the sincere hope of the Austrian Federal Council to be able to welcome all of you at our meeting in Vienna, next year. Thank you.

President Nicolae Vacaroiu

Thank you very much, Mme Vice President. I am sure we will all find a solution to find time to be present in the superb capital of Vienna. May I now give the floor to Mr. Sergey Mihailovici Mironov, the President of the Council of Federation of the Russian Federation. You have the floor, sir.

Sergey Mihailovici Mironov,

President of the Council of Federation of the Federal Assembly of the Russian Federation

Dear Mr. President, first of all I would like to thank all the participants to the today's meeting and first of all, you, Mr. President Vacaroiu, for the decision to adopt the invitation and to conduct the 11th extraordinary session in 2008, in November, in Russia. Dear colleagues, as I understood and I think that we will discuss in detail, the invitation in Vienna will be in the first half of the year 2008. So, I am planning to invite you all in November. I would like to fix the date by mails or in Vienna, in the first half of the year. As for the topic of the extraordinary meeting, I would like you to know that I will send

letters to you and you will be able to propose your subjects for the conference, for the session. The final agenda will be discussed then in Vienna. And the last one, during today's session, I thought that if we are speaking about the 15th anniversary of the Federation Council, I think that this tradition is very good. We should conduct the plenary sessions within the premises of the Upper Chamber. I would like to propose you, as an option, to conduct these 11th extraordinary meeting in St. Petersburg. I have some reasons for it. First of all, it's my native city and I represent St. Petersburg in the Council of Federation. I am more the citizen of St. Petersburg than citizen of Moscow, and I think that as for the architecture this city is more beautiful than Moscow, but there is one more reason. I haven't spoken about the 15th anniversary of the Council of Federation. This is the Upper Chamber of Russia. It was created in 1993. But the predecessor, the prototype of the Council of Federation, there was the State Council of the Russian Emporium. It was a conciliation body, there was not any State Duma, and when the State Duma was created this State Council continued to work and there is a picture of Repin, the famous artist. And this picture depicts the session of the State Council under the head of the emperor Peter. That is why I would like to propose to conduct this session in the building of the Mariinski Palace, in St. Petersburg, the building where the bicameralism of Russia was born and now I represent this council in the Council of Federation. I thank you all for accepting the invitation to conduct the 11th extraordinary meeting in Russia and all other technical details, I will be glad to discuss with you, on bilateral levels, or finally, during our meeting in Vienna. And finally, I would like to thank the organizers of this meeting. I would like to thank the Senate of Romania, and of course, Mr. Vacaroiu, and the Vice President. Thank you very much, dear colleagues.

Anne-Elisabeth Haselbach,

Vice-President of the Federal Council of the Republic of Austria

Please. You know, I was thinking if we have two such more meetings, than we may say on the 15th anniversary of this Assembly.

Dear colleagues, I was speaking about next year, but I was not speaking about the exact time, when we should meet. So, we would be very happy if you would be able to come to Vienna from the 17th to the 19th of April, next year. Thank you, Mr. President.

President Nicolae Vacaroiu

Thank you very much for this additional detail. This is important, we all have our programmes and this may seem like having a long time from now on, but this is not really so. Well, dear colleagues, this is the end. Let me just tell you a few words, at the end of our meeting. I would have liked to have available at least one more day in addition to the day of the meeting, so you could see some of the things in this country. This is not fun, this is information, and this is understanding realities. Tomorrow more than half of the colleagues will have to go home. But it would have been useful for you to participate also in tomorrow's programme, which is a cultural programme, a programme about our history. I hope we will be able in the future, in Vienna and in St. Petersburg, it would be a shame to be in St Petersburg and not have one more day available to see the Hermitage, if that would be possible. Distinguished colleagues, this meeting today has helped us develop and deepen the dialogue on the importance of the Senates, the Upper Chambers of parliaments in a democratic society. The debate on the main theme, namely, "transparent and accountable governance", highlighted the importance of increasing the effectiveness of mechanisms of parliamentary control over the executive activity, as defining the expression of the rule of law and a fundamental prerequisite for good governance. Transparency in the accountability of governance can be guaranteed only through a large representativity and also through the promotion of local communities' interests. The mandate entrusted by citizens as the original holders of the political power validates the exercise of parliamentary oversight, allowing for the discouraging of any governmental initiatives that may not comply with the assigned investiture. I personally believe that the regular exchange of opinions focused on the relationship between Upper Chambers and the Executive are extremely useful and I think it is good to continue and develop them further on. With respect to the current evolution in the EU level, I would like to emphasize the significance of the upcoming meeting of the heads of state and

government in Lisbon, called to approve the Reform Treaty, a document that the Conference of National Parliaments has consolidated throughout in the examination of draft legislative community acts. In this context, I would like to underline the decisive role of interparliamentary cooperation, including under the aegis of the Association of European Senates, in promoting through the institutions that we represent a single position on European affairs, harmonized at a national level, as well as legislative solutions, able to appropriately transpose legal community rules and declarations. Ladies and gentlemen, we have come to the end of our debates, which reconfirm one more time the fact that the Association of European Senates provides valuable framework for communication, mutual knowledge and cooperation. During the course of the meeting, the virtues of bicameralism have been highlighted, notwithstanding the various parliamentary traditions of our countries, bicameralism can provide added value to normative acts, including through the incorporation of points of view promoted by civil society in a public debate. The meeting with you has brought a rich experience to the Senate of Romania. I also consider that our panel discussion on enhancing the administrative capacity of the Senates could represent a good starting point for a more structured approach of our Association's potentialities. Another line of action which in my opinion we should develop under the auspices of the Association is the promotion of parliamentary diplomacy. In this context, I have the pleasure to inform you that I recently received and I talked about this with some of you, with President Mironov, and with President Poncelet. I received an interesting cooperation proposal from the Secretary General of the Association of Senates, Shoora and Equivalent Councils in Africa and the Arab World. Therefore, I suggest, if you agree, that at one of our subsequent meetings, maybe the time is too short until Vienna, if our President Mironov agrees, perhaps there is time to find a formula until then to invite the representatives of this association to participate as observers, if you think this is necessary and that would be a chance for us to talk about the formula of possible cooperation in the future. Dear colleagues, let me, on behalf of the members of our association to thank the Federal Council of Austria for the initiative to organize the 10th ordinary meeting of the Association in 2008, and I also want to thank the Federal Council of Federal Assembly of the Russian Federation for the invitation to an extraordinary session next year in autumn. I would also like to warmly

thank all the delegates participating, the members of the Romanian delegation, the staff of the Senate, as well as the interpreters, for providing the right conditions for this meeting to be conducted. Dear colleagues, dear guests, it is almost 17.30, as you know, according to our agenda, there follows a press conference of the heads of delegations. This is going to be very brief, we will see whether there are any questions. We can provide answers, we are always very well prepared to provide answers. That would be at 18.00, up until then, please let's have a cup of coffee right here. I think the heads of delegations will participate in the press conference.

I am going to invite them into my office to have a cup of coffee and exchange some views.

Once again, thank you for your participation and now I declare closed the 9th meeting of the Association of the European Senates in Bucharest.

Thank you once again for the participation!