

## The Senates' Contribution towards Grass-Roots Politics

### I. Opening of the Meeting

**Rolf Büttiker,**  
**President of the Council of States of the**  
**Swiss Confederation**

It is an enormous honour and pleasure for me to officially open this VIII<sup>th</sup> Conference of the Association of European Senates at the Federal Parliament in Berne and to welcome you all here today.

It is thanks to the initiative of Christian Poncelet, President of the French Senate, in 2000, that I welcome the 16 delegations that are here today to address the theme „The Senates' contribution towards grass-roots politics”, a theme which seemed to be representative not only of our concerns but also of the hopes we have for developing relations between members of the Association, as set out in our statutes. This development should take place among ourselves as politicians and among the citizens of our countries. This theme also serves another aim adopted by our organisation, which is to promote two-chamber parliaments.

There are various ways of achieving this reconciliation. Today we shall be sharing experiences and proposals as to how to do this. Opening our meeting to the accompaniment of grass-roots Swiss music also constitutes a way of getting closer together; the round-table discussion this afternoon, which will be attended by two young Swiss people, is another way which we thought both judicious and appropriate.

The round-table discussion has also been organised in response to one of the wishes expressed at the Berlin meeting, namely to allow time for dialogue between participants as well as national declarations. That is why we have taken the liberty of limiting your speaking time this morning

to 10 minutes per delegation. I should be grateful if you would respect this time-limit.

You are most probably the last foreign visitors to walk through the corridors of the Federal Parliament before the major overhaul which will start shortly. The walls of this building have heard speeches by foreign visitors of the highest rank, they have been the backdrop to decisions that were crucial for the history of the Swiss nation, for national, European or world projects, they have felt the emotion and uncertainty of the troubled times that our country has gone through. But don't worry, the walls are still really solid and the dome is securely fixed, and we can get on with our meeting in this prestigious location in a safe and convivial manner. Today we are in the chamber of the National Council, that is the chamber of the other part of the Swiss parliament. And that is a typical example of the productive cooperation between our two Councils.

Because of the renovation work that is due to start after this meeting, the Swiss parliament will be holding its autumn session in the Grisons this year. The Grisons is a mountainous canton in the south-east of Switzerland, which some of you probably know. To my mind, this session outside the federal capital is an additional opportunity to get down to grass-roots level.

I'd just like to give you a few details about the schedule of events for this meeting now. This morning the national delegations will be invited to speak in the order in which they are listed in Article 1 of our statutes. The head of the Belgian delegation will be joining us a little later, which

means that he will in fact not be speaking in the order I have just mentioned. You have been given a list of speakers in the order in which they will be speaking. May I ask you to respect this list.

The heads of the delegations will be meeting the Swiss Minister of Defence, Samuel Schmid, at midday at the official residence of the Federal Council. This fine Bernese patrician house will also be the backdrop for the traditional family photo of the heads of the delegations present in Berne. The other participants and their companions are cordially invited to join the Secretary General to the Council of States, Christoph Lanz, for lunch at the restaurant „Zum Äusseren Stand“, which is a 5 minute walk from the parliament building.

To continue what has become a tradition at our conferences, there will be no official declaration by the Presidents at the end of the meeting, but a summary of the main ideas voiced by the national delegations.

I hope that our discussions will bear fruit and be enriching for all of us, and I'm confident that sharing and friendship will be the keywords for this conference.

I should now like to declare the VIII<sup>th</sup> Conference of the Association of European Senates officially open.

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## **II. National Declarations: *The Senates' Contribution towards Grass-Roots Politics***

**Minister-President Peter Harry Carstensen,  
President of the Bundesrat of the  
Federal Republic of Germany**

I would first like to thank you very much, President Büttiker, for your cordial invitation to Berne. Last evening already not only gave me a taste of Swiss hospitality – it also showed that the organization of your house is as finely tuned as a Swiss watch. Colleague Büttiker, you can be proud of your house and its staff.

Ladies and Gentlemen, the topic we are discussing today is of tremendous importance. The failed referendums on the Treaty establishing a Constitution for Europe have once again reminded us in no uncertain terms that the political challenges of the future cannot be mastered without the strong support of our citizens.

We must make the institutional framework of the EU more efficient, more democratic and more transparent. And we must highlight the values that unite us within the EU. We therefore should not slacken our efforts to convince our citizens of the worth of the great European idea!

The role of the second chambers in this context should not be underestimated. They often represent the interests of regions and political subdivisions and thus of a level that is generally closer to the citizens than the Federation or the state as a whole.

The situation is much the same with the Bundesrat as well, which represents the interests of Germany's 16 constituent states, the Länder, at federal level.

According to the Basic Law, the German constitution, the exercise of state authority is in principle reserved to the Länder. Only where authority has been specifically allocated to the Federation does the latter have competence.

In the area of legislation, a distinction must be made between the exclusive legislative powers

of the Federation and concurrent legislative powers. On matters subject to concurrent legislation, the Basic Law in principle confers legislative power on the Länder. The Federation may, however, exercise this power to the extent that federal regulation is necessary in order to maintain unity, i.e. the legal, economic or social unity of the state as a whole. Where this is the case, however, the Länder still have a strong say via the Bundesrat, which as a rule must give its consent to such legislation.

The Bundesrat thus serves as a hinge between the Federation and the Länder, a vehicle through which the political and administrative experience of the Länder and the specific regional needs and concerns of the citizenry can be brought to bear on the legislative process.

The advantages of the German federal system are obvious:

The execution of state tasks predominantly within smaller or subordinate units, in other words, at the level of the Länder or the municipalities, conforms to the subsidiarity principle, affords scope for creative action and guarantees a high degree of proximity to issues and the individuals involved.

State authority and citizens can more easily find common ground, acceptance of political decisions is enhanced, and the democratic system is thus strengthened. This is all the more true in light of the fact that Germany's citizens identify themselves very strongly with their given Land or region.

This concept of the federal state has been seriously undermined in Germany over the course of the decades, however. Starting in the very first years after the founding of the Federal Republic

a shift in the distribution of power already became discernible – in favour of the Federation.

This went hand in hand with an erosion of the powers of the Länder, especially to the detriment of the Land parliaments, the Landtage. In addition, the autonomy of the Länder was weakened by the increasing transfer of competences to the European Union.

As a result, there has been – and still is – much talk of a „unitarian federal state” in which the Länder are merely accorded the possibility of participation but are no longer endowed with the power to independently shape state decisions.

The participation of the Länder takes place through the Bundesrat. And the Bundesrat – as compensation, so to speak, for the loss of competences by the Länder – has experienced a corresponding increase in power through the increase in the laws requiring its consent. While the experience of the Länder can admittedly be brought to bear on federal legislation through the Bundesrat, the loss of proximity to the citizenry that has gone hand in hand with the progressive loss of power of the Länder can hardly be offset by these participatory rights. Moreover, as a result of the strong interlockage of the Federation and the Länder, the political decision-making process is becoming less and less transparent and virtually impossible for citizens to understand. More and more often, the intertwinement of the Länder, the Federation and the EU that has evolved over the decades harbours the risk that the various levels will not always sensibly complement one another.

People in Germany want politics to be transparent and effective again. Above all, however, they want decisions to be taken as closely as possible to the grass-roots level.

The aim of the reform of the federal system, which was explained in detail at the last meeting, is therefore disentanglement, in other words, a clear separation of powers between the Federation and the Länder. The Länder, and above all the Land parliaments, are to regain competences in this context. In a return to an emphasis on the principle of subsidiarity, their autonomy and free-

dom to shape policy are to be strengthened. As a logical consequence, this also means that the number of federal laws subject to the consent of the Bundesrat – and hence the influence of the Bundesrat itself – will decline.

In addition to its function within the federal system, the Bundesrat also contributes towards grass-roots politics through its internal organization and *modus operandi*.

There is admittedly no institutionalized form of popular participation in the Bundesrat; in principle – contrary to the situation at Land and local level – no elements of direct democracy exist at federal level. Nor are the members of the Bundesrat directly elected by the citizens of their given Land. Because they must always be members of their Land governments, however, members of the Bundesrat can be influenced at least indirectly by the citizenry, namely through the elections to the Land parliaments: The results of these elections determine the composition of the given Land government – and hence the composition of the Bundesrat. Thus the members of the Bundesrat are also ultimately accountable to the citizens of their Land.

Incidentally, the plenary sessions of the Bundesrat are of course public; they are also broadcasted on TV. In addition, the decisions of the Bundesrat are posted on its Internet site, where they are accessible to everyone.

Particularly noteworthy is the right of every citizen to address petitions and submissions to the Bundesrat. In contrast to the Bundestag, the Bundesrat has no Petitions Committee of its own. Instead, the petitions are processed by a central office in the Secretariat of the Bundesrat and forwarded to the competent committees for further attention. In the case of particularly important bills, the Bundesrat often receives mass petitions as well, in other words, coordinated submissions with the same wording and the same objective.

Another interface between citizens and the Bundesrat has emerged indirectly through the increased incidence in recent years of public hearings involving representatives of civil soci-

ety. In contrast to the situation in the Bundestag, however, hearings are the exception rather than the rule in the Bundesrat. This is due not least to the fact that the Bundesrat is composed of members of the Land governments, and issues requiring expert input are hence generally clarified in the specialist ministries of the Länder.

Nevertheless, in the years 2000 and 2002, for instance, two joint public hearings were held by the EU committees of the Bundestag and the Bundesrat concerning the Charter of Fundamental Rights of the European Union and the constitutional convention. Representatives from all areas of civil society were invited to these hearings.

Another joint public hearing of the Bundestag and the Bundesrat is scheduled for May 2006 on the topic of reform of the federal system. While such hearings are not held often, they nevertheless indicate a changing awareness of the importance of attention to citizens' concerns in the political decision-making process.

This awareness manifests itself in yet another area: the Bundesrat's strong commitment to public relations work. Public response to its activities has been very positive. Let me cite just a few figures:

More than 15 000 visitors came to our Open House in the year 2005. And our visitor service guides more than 60 000 guests through the Bundesrat each year.

Alongside its general public relations work, the Bundesrat has also emphasized political education for young people in recent years. The primary motive behind this focus on the younger generation – the first in the history of the post-war era to no longer profit from unabated growth – is to enlist their active support for democratic ideas and principles as early as possible. This is also intended as a preventive measure enabling timely action to counter potentially anti-democratic currents in the future.

All in all, Ladies and Gentlemen, the promotion of grass-roots politics will be one of the key challenges facing national representative bodies – and thus also the second chambers – in the

years to come. We should therefore redouble our efforts to not only further transparency, information and communication but also – and especially – to strengthen the subsidiarity principle at both European and national level.

I am convinced that only in this way will we be able to master the pressing political problems of the future and, even more importantly, ensure the long-term active support of our citizens for democracy and the rule of law.

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**Sissy Roth-Halvax,  
President of the Bundesrat of the  
Republic of Austria**

What is in my opinion the most important event in the calendar of the Austrian EU Presidency took place at the beginning of the week in Lower Austria, which is where I come from, namely the subsidiarity conference. It was held in the provincial capital of St. Pölten under the motto „Europe begins at home“.

The conference focused on the principle of subsidiarity which has formed an integral part of European basic law since the Maastricht Treaty. On this occasion, representatives of the EU member states and EU institutions, together with a number of specialists, discussed ways and means of more effectively applying the principle of subsidiarity in the European legislative process and thus helping to get closer to the man in the street.

Subsidiarity is a principle that is widely recognised in social and national politics today. It can bring politics closer to the people and address their daily concerns, as well as saving money. It originates in Catholic social doctrine. Pope Pius XI defined it for the first time in his social encyclical „Quadragesimo anno“ in 1931.

Subsidiarity is a political and social maxim which puts forward two dictates. Firstly, that individual freedom and responsibility have priority over state intervention and action. And secondly that,

in relation to state decisions, responsibility should be assumed to lie with the smaller rather than the larger body, insofar as the smaller one is in a position to solve the problem independently. At the same time, in the case of problems which are beyond the power of the smaller body to solve, the larger body should be brought into action in a supportive role.

In other words, legislation should be kept at grass-roots level wherever possible. This means that legislation which provides a general framework for citizens to live peaceably together should as far as possible address the daily concerns of the man in the street. In this way, the principle of subsidiarity also guarantees that national and regional identity, culture and independence is maintained.

This is precisely what federalism has always been about. Federalism has created the state and state institutions in the form of concentric circles and allotted these institutions different levels of legislative responsibility. In this way it ensures that the state's objectives do not diverge too much from what the people want. This follows the principle of subsidiarity – implicitly or explicitly – and allots responsibility for the legislation that is necessary for overall legal harmonisation to the higher level of state objectives.

Ladies and gentlemen, within the European integration process, for the first time supranational objectives have priority over national objectives. The aim that the new EU has set itself is an ambitious one: to create long-term peace through a harmonised economic order. And after the two terrible world wars that started in Europe, we urgently need peace ... and long-term peace!

Developments in Europe over the past 50 years have indeed justified the chosen path of European integration. Never before have the countries involved in this integration experienced so long a period of peace. The mechanisms for resolving conflict and settling disputes that have been created in the new Europe have proved their worth. The power of their attraction is felt in those European countries which, like our host today, are not members of the EU but are an

autonomous part of the convergence of European legal systems.

These European mechanisms for settling differences are still criticised, however. People often can't understand the decisions taken in Brussels. Often they feel that these decisions have nothing to do with or are way beyond what the people need. In reply to this criticism, the EU should remember the principle of subsidiarity. After it was included in the Maastricht Treaty it was expressed in even more concrete terms in the Amsterdam Treaty, namely in the two protocols concerning the role of national parliaments and the application of the basic principles of subsidiarity and proportionality.

For the first time, the parliaments of individual countries were allotted the special role of ensuring that the principle of subsidiarity was respected.

At all stages of the European legislative process both European and national players must ensure that the principles of subsidiarity and proportionality are respected. In individual cases a court of law may be called in to monitor compliance with the basic tenets of subsidiarity.

The principle of subsidiarity is an important basic tool for the European Union by which the legislative role played by the EU bodies can be kept under control and national, regional and local freedom of action and identity can be protected. It is an important concept of federal state systems such as Austria's.

The regional and local governments share the responsibility for ensuring grass-roots politics in Europe. They have direct contact with the population and are therefore in a position to ensure that the public's wishes and concerns are taken into account in the European legislative process. While the Amsterdam Treaty basically defined this approach, the procedure for implementing it was set out for the first time in the draft constitution. The procedure for monitoring subsidiarity would provide national parliaments with a concrete tool for applying the principle of subsidiarity and thus ensuring grass-roots politics under European legislation. The design of this tool has

taken special account of the two-chamber system.

We need to think about the role of the second chambers in monitoring subsidiarity. According to the text of the EU constitution, it has the second voice in its parliament. In Austria the internal arrangement is not yet clear, in particular with regard to coordination with the provinces.

How will tasks be divided between the Senates and the provinces or regions? Should each province or region review all feasible proposals? In this respect, in Austria we are already considering the division of tasks and the function of the federal council as a clearing office. It would be important to set up a legislative mechanism that is as simple as possible whereby interests could be properly voiced. We need to sort out how the second chambers will coordinate with the provincial or regional governments in relation to the early-warning system. A new and promising task for the second chambers could and should, in my opinion, be to collate the points of view in the provinces.

The question of coordination between the Senates still remains to be answered, partly because of the differences between the systems and responsibilities.

Monitoring subsidiarity helps to prevent an undesirable degree of centralisation at a European and national level. The national parliaments have various different ways and means of monitoring subsidiarity that are provided by their constitutions and parliamentary rules of procedure.

Nevertheless, it is extremely important to exchange ideas and seek best practices together. European integration also brings new challenges to members of national parliaments. The more national parliaments deal with European policy and the more closely they are involved in the European legislative procedure, the stronger the European element in our work in national parliaments.

With the closer involvement of national parliaments and politicians it can be clearly demonstrated that Europe doesn't happen only in Brussels but that Europe is what we make of it.

The members of parliament are the representatives of local politics. With increasing Europeanization they are at the same time the representatives of EU politics, which we can no longer separate from national politics. The Member of Parliament therefore plays an important role as the link between the man in the street and European politics.

The closer inclusion of national parliaments – and here I mean both chambers – in the decision-making process at a European level will bring politics in the EU closer to the people. We must make sure that the Senates continue to contribute towards grass-roots politics.

Today, 12 of the 25 member states of the European Union, which is about half, have two-chamber parliaments. The two-chamber principle has become an essential element in political theory as well as political practice. The second chamber fulfils firstly the function of improving the results of parliamentary procedure, in other words the legislative process. And secondly, the role of representing certain interests, which is the older role.

Behind this role as representing certain interests is the theory that a political system needs certain checks and balances, as set out in the Federalist Papers dating from the 18<sup>th</sup> century. In other words, the principle that the sovereignty of the people does not mean unchecked government by the majority of the moment.

The restriction of the theoretical concepts of power-sharing and federalism can be seen particularly well in the two-chamber system that dominated theoretical discussion and practical politics in the 20<sup>th</sup> century, namely in the senate chambers whose role in a federalist system is to guarantee the regional freedom of each corner of the country in the face of the abstract national majority. This means that in many countries which do not have a federal structure in the constitutional sense, such as Italy, France or Spain, one of the main roles of the second chamber is to represent regional interests.

Both functions of second chambers – representing specific, especially regional interests and

ensuring and improving the quality of the legislative process – mean that to a certain extent they are predestined for a role as an advocate of grass-roots legislation. Since they keep a close eye on the national legislative process to ensure that there is a balance between harmonisation and diversification in the legal system, this experience will stand them in good stead at a European level! And since they are used to a method of legislative consideration at a national level, it is natural for them to apply this work method in the European legislative process, applying it at an early stage of a future formal process of monitoring subsidiarity to ensure that the legislative process continually remains close to the people.

Ladies and gentlemen, it is one of the particular tasks of the Austrian Bundesrat, as the house of provincial representatives and which I have the honour to represent, to ensure that regional points of view are included in the national legislative process, and beyond that in the European legislative process. In the Austrian parliament we have already thought long and hard about how we can make an efficient contribution towards monitoring subsidiarity, alongside other European parliaments, in the future.

Communicative networking which includes a second chamber such as the Austrian Bundesrat will thus become more all-embracing. Firstly, networking with the man in the street through individual communication as well as regular contact with organised interest groups, is an important way of ensuring that political objectives remain down-to-earth. Secondly, networking with other public departments at a federal and provincial level.

Since Austria joined the European Union, networking with EU departments has become essential. And now networking with other national parliaments has taken on a new role as a prerequisite for contributing towards the effort to ensure that grass-roots considerations are taken into account in the legislative process.

Structures such as the Association of European Senates are therefore more justified and more

important than ever. Let's take time to consider how, as part of the community of democratic European countries – within the European Union structures or outside them – we can help to ensure that legal regulations can be drawn up which take into account the needs of the population, needs which are common to everyone as well as the needs which illustrate the regional variety of Europe! Let's work together to ensure that European legislation remains close to the people!

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**Francis Delpérée,  
Senator, Vice-President of the Committee  
for Institutional Affairs of the Senate of the  
Kingdom of Belgium**

Is or should the Senate be an assembly close to the people? The question may seem paradoxical and even misplaced.

One could be tempted to answer this question with a resolute „No“. At the heart of the state, there are other assemblies close to the people. They are in a better position than the Senate to get close to the power of the people or the policy of the citizens.

There are municipal assemblies – which work, as they should do, in direct contact with the population. There are regional assemblies which, especially in a federal country, focus on the concerns on the social sections in a particular territory. There is the first assembly – the chamber of representatives – whose task it is to represent the citizens directly and without intermediaries.

So what does the Senate do in this context? Should it not stay in its natural role, that of serving as an upper house, a chamber of reflection and an assembly of wise men? Should it not carry on its work, its reflections and its votes at a proper distance from the concerns of the country's citizens?

The Belgian Senate gives a nuanced response to these questions. On the one hand, it does

keep its distance. It is not really a chamber close to the people. On the other hand, the Senate does establish direct contact with the population as part of the official procedures in place. It is convinced that democracy is based on a permanent exchange between the citizens and those elected by them. It establishes a dialogue of closeness.

The Belgian Senate is not a chamber close to the people. The background to this situation is both structural and functional.

#### A. Structural reasons:

1. Most Belgian senators – 40 out of 74 – are designated through direct elections. They are elected within a constituency which coincides with a community (Article 2 of the Constitution), i.e. virtually half of the country.

There is no need to stress that the large number of senators thus constituted is not conducive to bringing the citizens closer to the people they have thus elected.

2. Of the remaining 34 senators, 21 are indirectly elected (through the parliaments of the communities and the regions), 10 are co-opted by their colleagues and the last three, the King's children, are senators by right. It is clear, therefore, that the Constitution in this way establishes a veritable filter between the voters and a not insignificant number of members of the Senate. The role of this filter could become even more important if, in accordance with current proposals, the Senate would in the future be composed only of deputies emanating from the parliaments of the communities and the regions.

#### B. Functional reasons:

Since 1993, the Senate has been deprived of most of its tasks of political supervision. Its activity is now confined to its constituent and legislative functions. In these two domains, and in the context of the unequal bicameral system, the Senate must play its role as a "chamber of reflection". What does this mean? The expression is more political than legal. It implies that the Senate has an interest in working „at a distance" and „with detachment".

1. The Senate ought to work „at a distance". What this means is that it should take a step back from events, avoid an immediate emotional and spontaneous response, consider what is at stake for the community, view issues in their political, technical and financial setting, and then take its decisions on a solid foundation.

2. The Senate ought to work „with detachment". What this means is that it should give priority to focusing on legislative work for the long term, in a broad context and with a general scope. This includes in particular work on the codification or consolidation of existing legislation. One example is working out a code of penal procedure, known as the „grand Franchimont" named after one of its editors, and another example is the extensive task of cleaning up existing legislation. These tasks occupy a large part of the Senate's activities, both acting in committee and in plenary session.

The Belgian Senate establishes a dialogue of closeness to the people. Nevertheless, the Senate cannot cut itself off from the concerns of the people. It takes the initiative of addressing the people. It lends its ear to the people's concerns and initiatives. This is a two-way dialogue, as it should be.

1. The Senate may assign itself the task of „educating the people" as its first priority. Performing its work in public, both in plenary session and in committee, may help to initiate the people to a better understanding of the workings of parliamentary democracy (Constitution, Article 47(1)). Some 30 000 people, mostly secondary school pupils and students, visit the „Palais de la Nation" each year. Each visit lasts an average of an hour and a half. The group may be accompanied by a Senator who then conducts a discussion on the workings of the parliamentary institutions. Open house initiatives, for example on Belgium's National Holiday, have also been a great success.

The Senate has been working with youth associations and movements with which it has organised important events. Examples are the „journée citoyenne" (citizens' day: see below), „place aux

enfants“ (children’s day), „What do you think?“ (in collaboration with Unicef), „kinderrechtencoalitie“ (children’s rights coalition), „scholierenparlement“ (mock parliaments for secondary schools) and „Marche des enfants“ (march of the children).

It is also possible to pay a virtual visit to the Senate ([www.senat.be](http://www.senat.be)), where videos can be viewed. Among other things, they show debates that were held in the parliamentary chamber during „Europe Week“.

2. The Senate may also contribute to opening the „citizens’ debate“, which focuses on a controversial issue which the Senate puts up for discussion within a forum which greatly exceeds its 74 members. It thereby enhances the political debate with positions and options that may well be controversial.

This is what the Senate did in the preparatory stages of the treaty establishing „a constitution for Europe“. A Europe Week was held from 6 to 10 December 2004 and more than 1 500 people took part in the discussions which were conducted in thirteen discussion groups. The work done enjoyed wide publicity in the press and on radio and television. They enhanced senatorial debate, e.g. on the subject of subsidiarity.

In 2005 three „citizens’ days“ were held from 8 to 10 May. At the start of this event, marking the 60<sup>th</sup> anniversary Belgium’s liberation, the Senate received, in the presence of King Albert II, three hundred veterans, prisoners of war and concentration camp survivors together with three hundred young adults. On 7 February 2006, on the occasion of the 175<sup>th</sup> anniversary of the adoption of the Belgian Constitution, the Senate also held an academic session during which rights and freedoms and the development of the parliamentary system were highlighted. This meeting was preceded by a three-day event for children during which the focus was on the work of the National Congress. More than a thousand children took part.

3. The Senate may encourage participation of the people. In this context, it holds hearings in committee with well-known figures, experts,

leaders of associations and special interest groups. It may also invite leading figures from abroad to lend their support. In this way the Senate may help to bridge the gap between civil society and politicians. These outside events do not exonerate the Senate from assuming its responsibilities proper and eventually focusing on the legislative text it should draw up. But they do enable the Senate to involve a number of prominent figures that may throw light on particular aspects of political activity.

4. The Senate may take steps that are conducive to ensuring monitoring by the people. Article 28 of the Constitution enshrines the right of petition and Article 75 of the Senate’s rules of procedure provides for its exercise. Petitions are lodged with the petitions committee or with the committee responsible for examining projects to which the petitions relate.

However, it should be noted that for the past ten years petitions have been addressed to the Chamber of Representatives rather than the Senate because the Chamber carries out most political supervision of the government’s work, administration and departments.

5. A federal Senate may help to reconcile the individual concerns of the people and the more collective concerns of the communities and the regions. The mixed composition of the Senate prepares it for the pursuit of this mission. It enables it to arbitrate between these different interests. A political assembly derives its legitimacy from the organisation of the electoral process through which its members are chosen. So much is clear. But in a modern state the legitimacy of a political assembly depends less on what it is than on what it does.

The Belgian Senate is elected in a number of different ways. This would not suffice by itself to establish its legitimacy. The Senate has understood that it can be useful only if, without engaging in absurd competition with other parliamentary assemblies at federal or federate level, it can pursue long-term goals that are in tune with the people’s basic concerns. This approach may be decisive. It serves the cause of democracy.

**Mustafa Pamuk**  
**President of the House of Peoples**  
**of the Parliamentary Assembly of**  
**Bosnia-Herzegovina**

It is my pleasure to have the opportunity to salute you in the name of the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina. I am honoured to take part in this important meeting, and be among such distinguished guests.

The House of Peoples is one of the two Houses of the Parliamentary Assembly of Bosnia and Herzegovina, the other being the House of Representatives. The House of Peoples has virtually equal power to make laws with the other House of Representatives. It also makes continuous efforts to provide information about its activities to the public at large.

Every eight months the position of President of the House of Peoples alternates among the three chosen Members during the elected period of four years. At the end of the each eighth month, but also more frequently, a summary report about the activities of the House of Peoples, the type and number of enacted laws and other decisions are published in the „Public Service Gazette“ at the disposal to the general public.

It is interesting to note that journalists in Bosnia and Herzegovina in addition to office phone numbers are also granted access to the delegates' personal phone numbers. This method ensures an easy transition of information necessary for the daily works of the media. On the whole, we can say that we have a good collaboration with mass media and that until now, media has not been deprived of any information irrespective of the subject matter and its specific weight. Most delegates of the House of Peoples are personally acquainted with the journalists responsible for regular reporting of the activities of the Parliamentary Assembly and the House of Peoples and communicate with them without any restrictions. Such practice has contributed to the fact that parliamentary reporters are very well informed. Thus the quality of those reports to the

general public depends mainly on the journalists' own professional skills.

Unfortunately due to the lack of administrative staff of the Secretariat of the Parliamentary Assembly of Bosnia and Herzegovina there are obstacles to the continuous production and the systematic publication of the „Public Service Gazette“. This is one of the areas of improvement for us. However, there is an up-to-date website of the Parliament describing important activities, information about current events, as well as public calls to citizens for participation in the law enacting procedure through public debates or making comments or suggestions. Through such methods in addition to the provision of information by other means as paid advertisement or direct public addresses through mass media or press conferences, the community is informed about ways of voicing and expressing their opinions. Thus, taking a part in the process of creating their own future through contribution to the activities of the Parliament.

A good example of the community participation is the recent public debate on the amendments to the Constitution of Bosnia and Herzegovina. Almost 500 citizens from all spheres of the Bosnian-Herzegovinian society participated in this public debate in addition to the high level of political and legal discussions about the main constitutional act of the Bosnian-Herzegovinian state.

Some 12 months ago, after the renovation of the premises of the Parliamentary Assembly, all conditions have been met for initiating a project called „Open Parliament“. The project allowed almost two thousand citizens, mainly young people and students, to gain access to the buildings of the Parliamentary Assembly. Meanwhile, the said project has been extended and developed into an hour-long television program broadcasted in primetime on Sundays. The show addresses current topics and debates from the parliamentary life. The program includes an open confrontation of members of parliament with the general public regarding the hot social topics in Bosnia-

Herzegovina and the fact that its popularity is at a constant rise is certainly encouraging.

Finally, the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina strongly encourages a thorough implementation of the „Act on the freedom of access to information in Bosnia and Herzegovina”. The Act stipulates that documents and the information available to the Parliamentary Assembly and other government institutions at all hierarchy levels in Bosnia and Herzegovina, as well as public corporations, represent a public good. In accordance with this fact, any person may, at his or her request, gain access to this information which according to the law has to be provided by the public authority. At present, no request transmitted to the House of Peoples has failed to be answered in a definite, timely and comprehensive manner. Furthermore, the House of Peoples will make every effort to maintain and improve these work ethics in the future.

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**Juan José Lucas,  
Vice-President of the Senate of the  
Kingdom of Spain**

May I firstly say how grateful and pleased I am to participate once again in a meeting of the Association of European Senates, having had the honour of organising an earlier meeting of our Association in Spain when I was President of the Spanish Senate. Today I am here in an extremely attractive and welcoming country, namely Switzerland, in the company of so many friends who for many years have been involved in politics in the broadest sense: politics within our own countries and politics in close collaboration with the general public.

I should like to talk to you briefly but also pass on greetings from the rest of the Spanish Senate, who also recognise and are committed to the main theme of this meeting, namely grass-roots politics.

In Spain the future of the senate is being debated at present. When he took up office two years ago, the President of the Spanish government declared that one of the main aspects of his agenda would be to modify responsibilities and reform the senate. The reform of the Spanish Senate is one of the main aims of both the senate itself and the Spanish population. Few people are more aware of this than myself, since as Vice-President I was actively involved in the founding of the European Regional Committee. A central issue was the question of what should become of the European Senate, which is a timid advisor to the European Union but has produced nothing concrete so far.

Going back to the subject of Spain, however, the constitution of 1978, which was adopted after forty years of dictatorship, does not grant the Spanish senate the responsibilities it should have. It is a second chamber, a chamber controlled by the government. It is a chamber which examines proposed new laws that are then passed on to the House of Representatives but it does not take any decisions. When the Spanish Senate rejects or vetoes a bill proposed by the House of Representatives it returns to the first chamber, which can fix its own criterion again. In other words, the Spanish Senate does not therefore have the same responsibilities as other European senates, as for example in Germany where the Bundesrat can veto a proposal and oblige the Bundestag to revise it and submit it again.

As I have already mentioned, the Spanish Senate is at present undergoing a radical reform and we are not entirely sure what the end result will be. In this more or less federal system – we call it an autonomous system – we Spanish senators want and indeed must have more power in order to be more in touch with the population. At the moment we have a very special relationship with the public. What do I mean by that? First of all, we are in touch with our citizens because the vast majority of senators in Spain are elected in direct and secret ballots from open lists of candidates in each province. Four senators are

elected per province. A limited number, namely 51 out of a total of 259 senators, are elected by the regional parliaments. But the majority (208 senators) are elected directly by the provinces, with the result that there is a direct and immediate connection between the citizens who vote and the people they vote for. From a political point of view, the fact that each senator is „re-assessed” every four years is extremely important: this is politics in the real sense, extreme grass-root politics. As a senator, I have to account to my province for my political activities during those four years.

The specific link between us and the population also includes the Senate’s organising an annual political debate between the head of the government and the presidents of all the autonomous areas to discuss the central government’s policy of autonomy. This political debate, which took place a few months ago with the participation of the head of government, Rodríguez Zapatero, is extremely important for the population of the whole country because it enables them to assess the central government’s interest in its regional governments. There is no direct general speech but a debate on autonomy with the heads of the individual autonomous areas. The head of government also has a special tool through which he is assured of direct contact with the autonomous areas, namely the fact that he can call the conference in the senate. Here the central government can set out its ideas and intentions before the autonomous areas in more detail.

Moreover, the Spanish political system includes an institution called the CARCE, which is a conference for affairs concerning the autonomous areas. The central government uses this conference to directly consult the autonomous areas before setting its own criteria vis-à-vis the European Union. The policy adopted by the central government concerning the European Union obliges it to establish direct contact with the autonomous areas and the regional governments.

All these special aspects of the Spanish system explain the current set-up of links and a close relationship between the central government and the autonomous areas and between them and the senators. So here we have a senate which, according to the constitution of 1978, is defined as a house of regional representation, but when the constitution of 1978 was drawn up we didn’t actually know how many autonomous areas there would be – 14, 15 or 19? It must be said that the constitution was drawn up against a background of uncertainty because no-one knew exactly what lay ahead for the autonomous areas.

More than 25 years later and Spain is proud of its autonomous areas and the political system of autonomous areas works. I’m sure you are thinking, yes but some of these autonomous areas have problems, for example Catalonia or the Basque country! To which I reply, yes, there are problems, but we hope that the negotiating skills of the politicians in the senate will produce solutions.

To wind up, ladies and gentlemen, I should like to present your senates with my best wishes and those of my colleagues. I should also like to announce that Spain is hoping to be able to solve some of the problems relating to its autonomous areas, namely with regard to the changes in the statutes of autonomy or the new responsibilities that will be allotted to the areas. This should all be achieved within a constitutional system that we consider to be the right one today; it was set up through the constitution of 1978 and allows and encourages the central authorities to delegate power according to the principles of subsidiarity, as already mentioned.

We are going through a period when countries have certain problems to solve but are too small to solve them and we sometimes need to organise meetings on a larger scale. Or, on the contrary, there are other issues for which countries are too large and where we need to reinforce the regional governments, constantly being aware of such values as tolerance, respect and mutual understanding, within a political framework

based on freedom, democracy and peaceful cohabitation.

Finally, Spain is looking to the future of the senate – which has so far given satisfaction – with hope. But we are aware of the fact that the present Spanish constitutional system is not entirely what the senators want. They don't want the senate simply to become a second chamber, but for it to be allotted more political power so that it can take decisions on proposed new laws.

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

It is especially fitting that grass-roots politics was chosen for the central theme of our meeting this year. As far as France is concerned, there are two recent examples that I can quote which demonstrate the importance of this issue.

In 2002 France started to emerge from five years of „cohabitation” between a President of the Republic and a parliamentary majority in opposition. Many citizens felt that those in power were predominantly interested in putting a spanner in the other camp's works and that the public's main concerns were taking a back seat. The result was a marked protest vote: almost 30 per cent of the votes went to extremist parties and one candidate from the extreme right was still running in the second round.

The second example was that, in 2005, the French electorate was asked to vote on the treaty to establish a European constitution. I believe that the vast majority of my compatriots support the European project. But many thought that the aim of this new treaty was to settle institutional questions which were hardly relevant to them personally; on the contrary, the proposed constitution did not provide answers to their overriding concerns, which related to job protection and maintaining public services. The end result was negative.

These two examples show what is at stake with “grass-roots politics”. If politics becomes too distant in the eyes of the citizen the number of protest votes will rise, or else the result will be a lack of interest and abstention, which is hardly better. And finally, it compromises the ability of those in power to pursue large-scale projects, since nothing long-term can be constructed without the backing of the population.

But the principle of grass-roots politics, which is often mooted, would appear to be a relatively straightforward idea. On the contrary, it has several aspects which directly concern parliaments and notably senates.

First of all, grass-roots politics means politics that addresses the concerns of the man in the street in more detail. This means that the principal expectations of the population must be at the centre of politics.

Secondly, grass-roots politics means politics organised in such a way that decisions are taken at a level as close to the citizen as possible. Decisions should only be taken at a national level if the local level is not adequate, and decisions should only be taken at a European level if the national level is not adequate.

Finally, grass-roots politics means politics that can be better understood by the man in the street, because a lack of information, transparency and education will only distance people from politics.

The French senate can contribute something with regard to all three aspects. Firstly, how can the concerns of the general public be better taken into account? In theory, in a democracy those in power are naturally very attentive to these concerns because they are afraid of being punished by the voters at the next opportunity if they appear to be unable to provide answers.

Of course, this doesn't mean that those who govern us should blindly follow the whims of public opinion. On the contrary, politicians can risk going against the grain in the belief that they will be proved right later, or that the degree of unpopularity that they risk is inevitable. But, whatever happens, in principle, the fact that the

voters will be judging them encourages those they elect to listen to the public's concerns.

The difficulty is to know the real priorities among the problems of the population.

In this respect, it is well known that surveys are only of a limited value. Not only do the replies of those questioned depend very much on the way in which the questions are asked, but surveys do not really show the strength of the convictions expressed by those questioned. For example, a few months before the referendum on the European constitution treaty, the vast majority of French voters were in favour of the European Union having a constitution, according to the surveys. When it came to the vote, they had other priorities, however. The question of the EU having a constitution or not was of secondary importance; the critical issues were how the European structure was functioning economically and the expansion of the European Union.

So what can our parliaments do to ensure that the population's main expectations are addressed promptly?

Firstly, there is of course the personal contact that every politician can have in the field with his or her voters. In France the parliamentary week was instituted precisely to enable politicians to spend time in their constituencies: in principle, with the exception of the budget period, parliament sits from Tuesday to Thursday, so that its members can spend the rest of the time in their constituencies.

You might be thinking that since the members of the French senate are elected indirectly, they are not in a good position to have direct contact with the electorate. In reality, most of them are at the same time local representatives of a town, a département or a region. Furthermore, contrary to popular thinking, indirect election does not mean that senators are not aware of the population's concerns, since the people who elect the senators have in turn been elected by their local constituency and are therefore in touch with the population and are especially well placed to understand what their priorities are.

The quality of the consultations carried out by parliament is extremely important. The consultations connected with a proposed new law enable social partners, associations or qualified individuals to put their point of view. The typical parliamentary interviews, the round-table discussions and the launching of forums on the internet are all valuable tools in this necessary dialogue.

I readily admit that the second chambers are especially well placed to carry out these consultation procedures. In general they normally play a secondary role in the legislative procedure, which means that they have more time and a better perspective. The to-ing and fro-ing between the two chambers is an ideal opportunity to „adjust the sights” by taking the concerns of public opinion better into account.

But grass-roots politics also assumes that decisions are taken at a level which is as close as possible to the population. If the population is particularly concerned by a given issue it does not mean that a reaction has to be forthcoming at every level. On the contrary, the level that is closest to the general public should be favoured as much as possible.

It is a question of effectiveness: the further the level is from the general public, the greater the risk that the action taken will be inappropriate or badly implemented or will lead to cheating. It is also a question of democracy: the closer the level of decision-taking is to the people, the more control they have and the more they can bring their responsibility into play.

Grass-roots politics must therefore be based on the principle of subsidiarity. This is true for relations between the European Union and its member states, and it is also true within each member state, where the central authorities should carry out only those tasks that the regional or local authorities cannot fulfil.

France has evolved considerably in this respect over the past few years, and the senate has played an important role in the evolutionary process.

We have revised our constitution with the result that decentralisation is now a constitutional prin-

principle. We have also recognised the principle of subsidiarity in our constitution, which now stipulates that the regional authorities should take decisions regarding all the areas of responsibility where decisions are best taken at that level.

In general, I believe that second chambers, which are normally founded on local power, can do a lot to encourage grass-roots politics by promoting decentralisation and adherence to the principle of subsidiarity.

Finally, grass-roots politics means politics that the man in the street can understand. This means that some effort needs to be made in various areas.

More simplicity, firstly, in the texts of our laws. The administration tends to produce texts that are incredibly convoluted with the result that the authors themselves are the only people who understand them – if indeed they do! We need fewer laws and laws that are easier to understand.

Last December, for the first time, the French Constitutional Committee censured certain tax regulations because it thought that they were so complicated as to constitute a breach of human rights. I hope that this decision will be the starting point of a reverse trend! I think that, in view of their role in the legislative process, the second chambers should be able to help satisfy this demand for quality with regard to legislation.

And secondly, more information and transparency. For its part, the French senate ensures that its actions fulfil this demand. Minutes are taken of all our meetings, be they plenary or committee meetings, and are then posted on the internet. As a rule, the population can access a large range of information on the workings of parliament through the senate's website.

Incidentally, television viewers can see our main discussions, interviews with members of parliament, debates and programmes on the latest international issues on the Public Sénat channel, which is accessible almost everywhere today. Finally, the senate publishes its own magazine, *Le Journal du Sénat*, which enjoys a large circulation among locally elected representatives.

Of course, demands for simplification, more information and transparency concern not only parliaments! They are also applicable to governments, the press, associations, etc. But the second chambers can and should help to ensure that this demand is met.

In conclusion, I should like to say that in a country such as France, if we are not careful and despite the safeguard in the form of risking punishment at the hands of the voters, politics may easily become cut off from the concerns of the general public.

No doubt things are different in a country such as Switzerland where direct democracy plays a major role, as we are well aware. In France, it is interesting that we often talk about the „political class” or the „microcosmos” to mean the world of politics. This clearly shows that people feel that a chasm exists between politics and the population, and that there is a strong desire for politics at a more grass-roots level. This demand concerns us all, but I feel that, in view of its local roots, the senate is in a particularly good position to help fulfil this demand.

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**Franco Moro,  
Vice-President of the Senate of the  
Italian Republic**

In my opinion, the theme that was chosen for this year's meeting of the Association is especially appropriate. The challenge facing representative democracy is precisely that of enabling the man on the street to play an active role in institutional life. We are here in Switzerland, a country where democracy goes back a long way and which has always been an exceptional model for us Europeans. A model that has managed in a unique way to reconcile and combine the tools of direct democracy, namely referendums, with those of representative democracy. A model of which the Italian constituents are aware and which we also took into account in the revision of the second

part of the Constitution, as I mentioned at our last meeting in Berlin. The Italian electorate will be able to vote on this revised constitution in the near future in a confirmative referendum similar to those held in Switzerland.

As you already know, in Italy elections were held for both chambers a few days ago. This was a passionate competition which saw an enormous turn out, namely 83.6 per cent of the electorate. A fact which contrasts strongly with the progressive decline in the number of voters during the last few elections and which reveals that the Italian voters are well aware of and have passionate feelings about their country's parliamentary institutions.

In Italy the first chamber and the Senate are both elected through a system of proportional representation with a majority bonus. As far as concerns the Senate, in order to respect the fact that it represents the different geographical areas of the country, competition is regional and the bonus has always been allotted on a regional basis. This has resulted in a difference in the political composition of the two chambers.

This may be a valuable opportunity for anchoring the Senate's activities more firmly and for reconciling it more closely with local interests in line with its purpose and in view of future constitutional reform.

I am convinced that the new senators, many of whom hold or have held important positions in local and regional government, could actively make a decisive contribution towards reconciling politics with the concerns of the general public in Italy as well as in other countries, thereby giving a visible and living illustration of the principle of subsidiarity.

Our electoral campaign revealed the limitations of opinion polls in relation to reality, limitations that were also referred to by Mr Poncelet.

The members of the Senate must therefore be the real and principal interpreters of the needs and interests of the man in the street. Apart from their traditional tools, the senators of the XV<sup>th</sup> republican legislature, who will sit for the first time on 28 April next, will be able to take advan-

tage of a whole new range of information tools that will enable them to better fulfil their public duties: the legislative, monitoring and guiding tasks that, under the Italian system, the Senate fulfils in its position of integral equality with the House of Representatives.

The constitutional principle which applies to the functioning of parliament, namely that it shall not be concealed from the public, is put into practice today in a more comprehensive and stringent manner. The workings of parliament are made public through full analytical reports, to which has been added recently a degree of publicity based on more modern and specific tools.

The Senate's website, which is regularly updated, has become an easy-to-use and reliable guide to all parliamentary activity. With links that are updated daily, the site is now the general public's principal source of information and a popular platform for direct dialogue with senators. Each senator has an electronic address and a page providing biographical information and a summary of his or her political activity.

In a sector of the website entitled precisely „Relations with the general public", it is possible to make a virtual visit to the building where the Senate sits as well as navigating to the heart of parliamentary activity and thus seeing how a law comes into being.

Anyone can follow parliamentary debates in real time through a video link and the immediate publication of full analytical reports and the texts of all the documents addressed.

As soon as a parliamentary session finishes a summary of the debates is posted on the internet. Today it is seen as a sort of compass which many players use to identify as quickly as possible the latest news item among many. It is planned to introduce the translation of this communiqué into the principal foreign languages during the next legislative period.

The final aspect of the Senate's website is the databases and sectors whereby a visitor to the site can follow the progress of a bill from its conception until it becomes law. Today the website is an extremely detailed image as well as a sym-

bol of a Senate which profits from the coexistence of modernism and tradition.

During the legislative period which has just finished a satellite channel was opened which at present is used mainly to transmit parliamentary sessions. The plan is to transmit real information pages as well, as is done by parliaments in other countries, based on an appropriate software programme.

It is not only on the web that the general public can meet the Senate, however.

Researchers have unlimited access to the new central office of the Senate library, „Giovanni Spadolini“. With 600 000 books, 3 000 magazines and 500 newspapers, this library is also a model of technological and electronic achievement.

An information office has been opened at a site on a busy intersection in the centre of Rome which sells the Senate's publications as well as offering guided tours of the activities and the premises of the Senate.

The ancient buildings can be visited at certain times and parliamentary sessions can be followed from the public gallery by arrangement.

For many school groups and members of the general public, following a Senate debate live is an essential way of getting to know the workings of public institutions. I feel that this deserves more attention. We need to take this opportunity to exchange experience, including practical experience, which can help us achieve our aim of bringing the general public closer to the institutions that we represent.

The media play an essential role in this respect. We should take special care to address the type of journalists and all the other players to enable them to explain clearly to the general public the purpose and results of our activities, which often appear confusing thanks to the fact that they are camouflaged in journalistic jargon.

As the guardian of traditions and customs, the Italian Senate goes to great lengths to examine itself and its activities from the public's point of view. It is increasingly keen to make itself more accessible to the outside world and have more

frequent direct communication with the general public. This is an essential commitment for the citizen and for democratic institutions, but a commitment that needs to be tended on a daily basis.

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**Yvonne E. M. A. Timmerman-Buck,  
President of the First Chamber of the States  
General of the Kingdom of the Netherlands**

As president of the Senate of the Netherlands, I am very pleased to be here among you for the second time, particularly since I was unfortunately unable to attend the previous meeting of our association in Berlin. I would like to take this opportunity to thank you, president Büttiker, very cordially for the exceptionally hospitable reception we have received here in Bern and to congratulate you on the excellent organisation of this conference.

In the Netherlands we are engaged in a permanent debate on how not only the government but also parliament fulfils its duties. This debate is conducted on all kinds of fronts and is particularly fierce as regards the gap between electors and elected. This is due first of all to the emergence and subsequent murder of Pim Fortuyn and, second, to the result of the referendum on the constitutional treaty, in which 63 per cent of the electorate voted differently on the European Union than a large majority in Parliament had been expected to do. Solutions are often sought in the procedural, organisational and institutional sphere. However, the problem of the relationship between electors and elected is complex. Here I should just like to emphasise that the positions of the senates in Europe differ widely. This concerns differences in their powers which have an impact on today's topic, namely grassroots politics.

Mr President, you have asked us a number of specific questions for this meeting. This is why I will try to be as specific as possible in answering

them. The questions can in my view be seen from three angles, namely: 1) representing the concerns of electors, 2) influencing the elected, 3) communicating with electors.

#### 1. Representing the concerns of electors:

First of all, how are the concerns of the population represented in the Senate? The Senate and the House of Representatives in the Netherlands are equal under the Constitution, but for the purpose of today's debate it is important to know that the Senate plays a less prominent political role in the Netherlands than the House of Representatives. I will illustrate this first of all by reference to its powers as co-legislator. The Dutch Senate, unlike the House of Representatives and in contrast to some other senates in Europe, does not have a right of amendment. We do, however, have a right of veto. This is a very blunt instrument, because we do not have a right to return a bill for further consideration. It follows that if a bill is defeated in the Senate it is completely removed from the parliamentary agenda. This is why the right of veto is not often exercised. This fact, combined with the absence of a right of amendment, means that the Senate operates at some distance from day-to-day politics. Second, senators are elected not directly but indirectly, namely by the members of the Provincial Council. In electoral terms, therefore, there is no direct connection between individual citizens and senators. It should be noted, however, that the members of the Senate are deemed to represent all Dutch citizens.

Third, Dutch senators are part-time politicians. We usually meet one day a week. This is directly connected with the fact that our Senate concentrates mainly on its role as co-legislator and generally adopts a low profile when it comes to scrutinising government policy. This is mainly a duty of the House of Representatives. It is there that the daily politics and daily scrutiny of government policy takes place. The Senate focuses mainly on checking the quality of the legislation: is a statute legally sound, capable of implementation and enforceable? Once a year we hold policy debates (which coincide with the budget de-

bates). In these debates we try to achieve the value-added which distinguishes us from the House of Representatives by conducting the debates with the government on a different basis: we put greater emphasis on the long term and try to establish cross-links between themes and government ministries. An example of this was the debate on the spatial and economic development of the Netherlands, the purpose of which was to determine the position of the Netherlands in about 20 years' time. As a result of the debate six government ministers were obliged to acknowledge that there were inconsistencies and gaps in the policy proposals in their totality. These are not debates that attract newspaper headlines or hold any great appeal for individual electors, but this deliberate aloofness from daily politics is no less necessary for all that. This is why the Dutch Senate is traditionally known as the „chambre de réflexion“ and provides a counterweight for the „whim-of-the-day“ approach in the House of Representatives.

A long-term vision and a certain level of abstraction do not mean that the members of the Dutch Senate are unaware of what is going on in society or of what matters are of importance to citizens. On the contrary, many of our senators hold one or more positions in society in addition to their membership of the Senate. As a result, they can bring a wealth of social experience and knowledge to bear on the debates with the government. At various places in our society they experience on a day-to-day basis what topics are important to people, what government measures work or do not work and what developments are taking place in certain fields. Policy debates are also often prepared by Senate committees by means of expert meetings, in other words meetings at which experts in specific policy fields are invited to provide information and answer questions.

In dealing with the policy proposals of the European Commission the Dutch Senate uses its website for European topics (Europapoort at [www.europapoort.nl](http://www.europapoort.nl)) to call on interested citi-

zens, businesses and institutions to make known their views on the proposals.

## 2. Influencing the elected:

Mr President, the second angle from which today's topic can be viewed is the influencing of the elected. Individual citizens, institutions, businesses and pressure groups are increasingly informing the Senate of their positions either by using our website or by sending us e-mails, letters and petitions. They often base their hopes on the critical scrutiny to which our Senate subjects the bills presented to it. As I have already stated, the right of veto is not often used, but the fact that the Senate can express a veto induces the government to give all kinds of undertakings every week. These undertakings vary from promises of extra financial resources to re-evaluation of certain aspects of the legislation. These undertakings are placed on our website weekly.

The Senate is the last body which considers a bill in the Netherlands. As the Senate is at the end of the parliamentary chain, it is often regarded by citizens and other interested parties as a „chamber of last instance“, as a kind of appeal chamber or, possibly, a last straw that can be clutched at in the hope of staving off unwelcome decisions. This notion of the Senate as an appeal chamber is unfortunate. Although we are admittedly a political body, we do not exist to redo the work already done by the House of Representatives. Only if the House of Representatives has overlooked certain aspects or not taken sufficient account of them, if amendments accepted in the heat of the political battle are an obstacle to implementation of the law or have unjust consequences or if other new facts or circumstances have occurred since the House of Representatives spoke is the Senate really the right body for citizens to contact.

## 3. Communicating with electors:

Mr President, the third and last angle relates to communication with electors. We are trying to use active, proactive and interactive means of communication to provide transparency about what we are doing and thus allow scrutiny of our work. We have expressly decided against inviting

in the press in a literal sense, and have instead chosen to address ourselves directly to citizens and their organisations.

To be specific, we have adopted the following instruments:

- In the 4-year term of office of our Senate, we receive all members of our 12 Provincial Councils (who are, as I have already explained, our electors) and discuss with them the topics they raise.

- On our website we provide information about bills with which the Senate is dealing and other relevant topics. This website is updated daily. Our website, including the „Europapoort“ section to which I have already referred, has been nominated this year for the second time as one of the 10 best websites of government, administrative and parliamentary bodies in the Netherlands.

- Since 2005 we have published an annual report that is widely distributed among individuals, institutions, bodies, government agencies and businesses. It is also published on the website. Unlike the annual reports of other bodies, it does not deal with operational matters. However, we do show by reference to specific examples how we fulfil our duties, how and why we debate with the government and what this actually produces in practice.

- The plenary meetings of our Senate can be watched on the Internet.

- In cooperation with the House of Representatives the Senate has compiled an information package about the functioning of parliamentary democracy in the Netherlands for the highest classes of our primary schools.

Final remarks:

Mr President, this brings me to my final remarks. The answers that we will all give to your questions are bound to be extremely varied. It is certainly a good thing to discuss specific instruments that contribute to grassroots politics. However, the more fundamental question is how we wish the relationship between electors and elected to be and what role we believe politicians should play in this respect. Naturally, as your questions to the participants in this meeting indi-

cate, politicians must know what is going on in society and must be able to treat the concerns of citizens as their own. But I wish to emphasise here that politicians are more than just a conduit for passing on the wishes of their electors: they must also make decisions in the public interest and sometimes even dare to disagree with their electors. It is their expertise, empathy and power of persuasion in doing so that gives them authority. Without authoritative politicians confidence in politics will remain at low ebb. It is this point that I wish to emphasise at the end of my contribution.

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**Marek Ziolkowski,  
Vice-President of the Senate of the  
Republic of Poland**

It is a truism that politics and politicians must be close to the people. In democracy, being in close contact with citizens and paying heed to vox populi is self-evident. We all know it – we the politicians know it and our voters know it too. Also the Senate, which – as Juergen Habermas would say – is a part of the „system”, must remain in close contact with the society, incessantly develop new forms of that contact and, in particular, support all forms of grass roots political activity by individual citizens and their various associations. Therefore, the topic of our meeting today is extremely relevant indeed.

I would like to start with a few observations of a general nature. The collective life of a society (especially in democracy and market economy) is a field of activities conducted at a junction of the public and private sphere. A description of the interaction between these spheres must take two elements into account. Firstly, resources – which can be private or public, and, secondly, objectives and interests - which can be also private or public. When we juxtapose these two elements we can say - at a risk of simplifying the matter a bit - that when private resources are used to further private objectives and interests,

we deal with free-market economy and lobbying. When public resources are used to further public objectives and interests, we deal with parliament (and, therefore, also with the Senate), state or local administration (or with economic activities carried out by state or local authorities). When public resources are used to further private objectives, we deal with corruption. And, finally, when private resources (sometimes jointly with public resources) are used to further public objectives, we deal with a civic society.

As we look at this table we can see that one of the principal tasks of the parliament should be to ensure the best possible connection between particular resources and interests on one hand, and an authentic involvement in collective interests and values on the other. In this context, a good cooperation between the parliament and institutions of the civic society is paramount, but the parliament's skilful response to the expectations of the business sector and lobbyists who represent it is also key. Let us note while we are discussing this subject that, in practice, it is often difficult to distinguish between activities carried out by civic society organizations and lobby groups. Some civic society institutions often strive to promote the interests of more or less particular groups – interest or pressure groups – rather than the entire community. At times they even strive to promote individual interests. For example, it has happened in Poland in the past years that an environmental organization would withdraw its opposition to a commercial development after the developer deposited a certain amount of money in its account to help it with its statutory objectives.

Nevertheless, the parliament, including the Senate, should definitely support grass roots politics. Grass roots politics (1) legitimizes various groups – pressure groups, but also groups struggling for power; brings about recognition of groups struggling for their rights, hence also for the right to be in opposition, to differ and differentiate. Precisely because grass roots politics allows the expression of differences, it creates a certain normative consensus – acquiescence to and habit of see-

ing various groups in opposition to one another, recognition that, in democracy, disputes, rivalries, competition, bias and conflicts are natural. (2) Grass roots politics softens the opposition to unexpected change and prevents isolation of political institutions from the society by mobilizing its representatives and drawing them into the process of reforms and transformations. (3) Grass roots politics teaches and accustoms to innovative and creative behaviours, and (4) contributes to the development of public trust (in other words, to a greater „social capital“).

In the remaining part of my pronouncement I would like to respond to organizers' questions and focus on Polish solutions in each of the interest areas.

How are people's problems presented in the Senate? The Senate as the higher chamber of parliament is an active participant in the Polish legislative process. In a democratic state, initiating legislation should serve the cause of solving citizens' problems. The number of legislative amendments and initiatives generated by the Senate is increasing from one term in office to the next. Various outlooks are presented during Senate debates - not only opinions based on senators' convictions but also views developed as a result of contacts with experts and voters.

Senators develop their outlook at issues with assistance of the Senate Chancellery. Communication with citizens is a statutory task of its relevant organizational units. Information concerning the functioning of the Senate and its bodies is provided by telephone, post, electronic mail or in face-to-face contacts. The Chancellery also responds to queries associated with legislative matters and collects citizens' opinions on the consequences of introduced legislative amendments. It also extends a helping hand to citizens who need to solve their legal problems. Senate committees receive regular reports on the content of correspondence addressed to the Senate, and special attention is paid to letters suggesting legislative changes.

Senators are vested with the right to make senator's queries, in which they address questions,

desiderata or appeals to the government or state institutions on behalf of citizen groups or even particular individuals. Senator's queries should be recognized as an important tool in solving voters' problems as their addressees are under obligation to act upon them.

The Senate is a meeting place for various non-governmental organizations and professional associations. Senators initiate and participate in sittings of Senate committees, seminars and conferences devoted to a range of social, ethical or economic issues. Such meetings between representatives of the Senate, the government, and the scientific and expert community are very popular.

For example, on January 17<sup>th</sup>, 2006, the Senate held a conference on the Agricultural Programme for 2007–2013 and methods of utilizing European assistance funds in rural areas, which attracted a large group of territorial administration officials, farmers, scholars and experts.

I myself was a co-organizer of a conference held last April 12<sup>th</sup>, devoted to the Senate's cooperation with territorial administration bodies and organizations.

How do senators maintain contact with voters? Citizens have easy contact with senators via the coordinates of their offices provided on the Senate's website, including their e-mail and website address. This allows voters to contact senators quickly and also to obtain information on who they are, what their views are and what they have achieved to date.

Voters can also contact senators through senatorial offices. They can write there, phone in with their problem, or – most importantly – meet the parliamentarian in person. Indeed, Senate politicians have firmly adopted the good custom of keeping duty hours in their parliamentary office. For the purpose of helping citizens solve their daily problems, senators are vested with the right to intervene on their behalf before appropriate organs and institutions.

Senators participate actively in the life of local communities. They take part in meetings and conferences organized by territorial administra-

tion and non-governmental organizations; often themselves initiate encounters with voters away from their office.

Upper House parliamentarians participate in radio and television shows. Their presence in programmes broadcast by local stations is particularly significant as that is where discussions of issues important to local communities take place. Senate politicians also give interviews and publish in national and regional newspapers. They can get feedback on their activities and statements by logging into the E-PRASA electronic database administered by the Senate Chancellery. The database contains every press report on the Senate and each of its members.

In certain special cases, for example when a Senate committee discusses a topic that requires a reaction or opinion of local communities, the committee may decide to hold a session away from the Senate. That gives senators the opportunity to get first-hand knowledge of issues important to smaller communities.

And so, for example, during the previous term of the Senate, the committee responsible for agriculture and rural issues visited local administration officials and farmers to review how European assistance funds were spent in the field, „at the source” – so to speak.

Members of the Senate culture committee and national heritage protection officials discussed the practical aspects of safeguarding the post-industrial cultural heritage in the historical and world-unique Wieliczka Salt Mine. Senators went to Zamojszczyzna, a beautiful but long-neglected region of eastern Poland, to discuss educational opportunities for rural and small-town youth with local teachers.

Senators from the Legislation and the Rule of Law Committee went to Siedlce, a town in eastern Poland, to find out from local lawyers, prison officials, NGO representatives and residents about the consequences of the introduction of new – alternative – probation means and crime prevention programmes. Senators discussed aviation industry development prospects with engineers and managers at an aircraft factory.

Members of the Senate travelled to the region of Poland located along the German border to hear reports by local government officials on the course of trans-border cooperation and establishment of Euro-regions.

How does the society influence Senate decisions? Owing to the Polish electoral system, senators chosen in majority elections from relatively large districts are natural region or sub-region representatives. When casting a ballot, voters elect a particular candidate rather than a political party - as is the case in elections to the Sejm. A candidate's popularity and competence are measured by the number of votes cast in his support. One may even go as far as to say that the relationship existing between senators and voters best reflects the need to build the senator-citizen relationship. In my own district – Metropolitan Area of the City of Poznan – there are two senators elected, before all else, on the merits of their individual achievements, and 10 deputies to the Sejm, selected from political-party lists in accordance with the proportionality principle.

The Polish constitution gives citizens the direct right to create laws. After collecting 100 000 signatures in support of a public legislative initiative, they can submit it to parliament, where it will be subjected to the standard legislative procedure.

This is not just theory: during the current term of Polish parliament, which is only six months old, the Sejm speaker has received six legislative proposals from the public. They dealt with the Criminal Code, amendments to the Act on Nurses and Midwives, financing social assistance benefits, Child Support Fund, etc.

Of course, the society also influences decisions made in the Senate by grass roots demonstrations and public pronouncements that express societal mood and attitudes.

When discussing societal influence on Senate decisions one must not forget lobbying activities. In today's world, pressure exerted by various interest groups is unavoidable and the parliament's task is to find compromise solutions that will serve the good of individual groups but, particularly, the common good. Everyone is aware

of how thin is the line between lobbying and unlawful – not to say corruptive – pressures and propositions. In Poland, defining admissible forms of lobbying has been a long-standing problem. The Act on Lobbying Activities which came into force in March and which provides a legal framework for lobbying in the Polish parliament is an attempt at cleaning up that sphere. But the Polish system is only at the stage of learning and acquiring experience.

How is the society informed of decisions made by the Senate? The freedom of access to information about the performance of the branches of power, including the legislative branch, is a principle inscribed in the Polish constitution and elaborated in the Access to Public Information Act.

In contrast to Sejm plenary sessions, those of the Senate are not as a rule broadcast live on radio or television. It was a conscious decision made by senators in an effort to curb oratory displays in favour of an honest and substantive discussion. But that principle does not limit citizens' access to information about Senate performance: complete stenographic records of Upper House sittings are accessible on the Senate's website and it is possible to enter the Senate plenary hall and watch the deliberations.

In Poland, journalists have unlimited access to the parliament. They can witness every activity that takes place therein and be in direct contact with parliamentarians. Their accounts and commentaries published in the press are also a source of information about the legislator's performance.

Press conferences give journalists an opportunity to collect information about special events (vide the press conference on the occasion of the Polish Language Day established by a Senate resolution) and current activities of the Upper House. The Senate website gives an account of the past and present legislative and non-legislative performance of the Senate and its bodies.

Senate Regulations contain the requirement to regularly publish the Polish Senate Diary – a biweekly general-access account of all aspects

of Senate performance. It is made available to interested citizens and distributed to university and provincial libraries. Its electronic version can be accessed on the Senate website.

Anyone interested can be present at a plenary session of the Senate or at a meeting of a Senate committee without the need to meet any particular conditions – except for the need to comply with parliamentary security regulations, of course.

The Senate Chancellery has the important task of promoting the Upper Chamber and educating the public. It publishes information materials addressed to various reader groups, particularly high school students. It organizes competitions about the contemporary and historical aspects of Polish parliamentarism. About 50 000 people visit the parliament every year. All these activities provide opportunities for dissemination of the knowledge of parliamentary democracy and Senate performance, and for meeting and discussions with senators.

How can the Senate and senators bring politics closer to citizens? Finally, I would like to draw attention to the Senate patronage of non-government organizations, senator's queries or legal assistance provided to citizens by the Senate Chancellery as factors contributory to bringing the sphere of politics, often so distant from the society, closer to citizens.

The Sixth Term Senate places a great importance in its collaboration with non-governmental organizations. As Senate Speaker Bogdan Borusewicz said at a meeting with several dozen NGOs, organized in the Senate last January, the Senate wants to have patronage over civic organizations in addition to conducting legislative activities and caring for Poles living abroad. The Senate is to become a place where non-governmental organizations can submit their opinions and have them subsequently taken into account during the legislative process. The Upper House plans to support NGO activities by patronizing their campaigns. That support manifests itself already today in the form of Senate rooms being made available to NGOs for meet-

ings and conferences. Provided that the Senate patronage of non-governmental organizations translates into genuine working collaboration, it may become a way of bringing both politics and politicians closer to the people, and foster Senate participation in the construction of a civic society.

The Senate Speaker has been a patron of several seminars and meetings that took place in the Senate building recently. One of them was a conference initiated by the Local Self-Government Women's Forum in the Foundation in Support of Local Democracy on the topic „Women Activate Local Communities – Ideas, Projects, Achievements”.

Jointly with the Freedom and Democracy Foundation, the Senate organized a conference devoted to the situation in Belarus after presidential elections, featuring the candidate of the Belarusian opposition Aleksandr Milinkevich.

In its campaign to familiarize the youth with the issues of united Europe, the Robert Schuman Foundation conducted a simulation of European Parliament deliberations at the Senate.

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**Nicolae Vacaroiu,  
President of the Senate of Romania**

It is a great pleasure for me to pass on greetings from the other members of the Rumanian senate and to thank our hosts most sincerely for their hospitality and for organising this meeting.

At the same time I should like to congratulate the organisers for taking the initiative to concentrate our discussions on a highly pertinent topic in relation to politics within Europe. Discussing the contribution of senates to grass-roots politics is indeed especially relevant for the functioning of a two-chamber system in Rumania, in view of the fact that we shall be joining the European Union in the near future.

As an expression of the will of the people, parliaments are the focal point of political debate. Nevertheless, the general public by and large

knows little or has an inaccurate conception of their work and activities, despite the fact that they can attend parliamentary debates. There appears to be a growing need for representative democracy to be reinforced by the presence of the public, citizens who – in line with the new concept of good governance – play an active role in the decision-making process with regard to politics, the economy and society. The fact that members of the public help to monitor or even put pressure on state institutions is part of what constitutes democracy.

Incidentally, the question of bringing the political decision-making process closer to the man in the street is appearing more and more frequently on the European agenda. Time and again public opinion has pointed out a lack of democracy in the way European Union institutions function, the public getting the impression that their influence on political decisions is decreasing. They are demanding that the EU be less bureaucratic, more transparent and more in touch with the people and their concerns.

The convening of the Convention on the Future of Europe is an example of the evidence of the chasm between the traditional institutions and the population, who can no longer follow the complicated debate on the future of the EU and are lost in their own daily problems. To a certain extent, the activities of the Convention have made it possible for representatives of the population to play a more direct role in drawing up the European constitution, which they have made more comprehensible for the man in the street. Moreover, the draft constitution gives the population, either directly or through representatives, the possibility of playing a greater role in how the EU functions.

In addition to strengthening the role of the European parliament, I feel it is important to note the increasing importance of national parliaments in building Europe, which makes a real contribution towards expanding the citizen's role and involving him or her more in the decision-making process. The constitution allots a new task to national parliaments, namely to ensure that the principle

of subsidiarity is respected. The protocol on the implementation of the principle of subsidiarity and proportionality stipulates that each national parliament or each chamber may, within six weeks of a bill being submitted, send the president of the European parliament, the Council or the Commission an objection, outlining the reasons why it is thought that the bill in question does not comply with the principle of subsidiarity. Furthermore, the draft constitution underlines the fact that the decisions taken within the EU must be taken „in as transparent a way as possible and at the closest possible level to the population”.

In Rumania, it is essential that a constructive dialogue be established between the main state institutions, including the senate, and the population if democracy is going to be consolidated. Rumanian basic law was revised in 2003 after a full consultation process between all the political parties and with the active participation of the population, and subsequently approved in a national referendum. It stipulates that „representatives and senators should serve the population in carrying out their mandate”. In order to do this the senate must be aware of the population’s concerns, consult them and involve them through various ways of implementing the legislation that is passed.

The constitution sets out the principal ways and means that citizens and civil society can use to promote their fundamental rights and freedom, among which one might mention legislative initiative, the right of petition and the right to attend parliamentary sessions.

The relationship between parliament and the population can be analysed firstly as a direct relationship, and subsequently from the point of view of the impact on that relationship of parliament’s relationship with government and other administrative organs through parliamentary control of the administration.

While a member of parliament carries out his or her mandate as an independent individual, this activity is indissolubly linked to familiarity with what is going on in the member’s constituency

and establishing contact with the different socio-professional classes, which enables the member to take certain really effective measures that correspond to the needs and requirements expressed by the voters at a given moment.

The Senate Regulations provide an adequate framework for ensuring real interaction between members of parliament and the population. In this connection it is important to mention, firstly, contact with representatives of the business and social sectors, trade unions, student organisations and the various non-governmental organisations, which all have the right to demand personal meetings with the leaders of the senate, and their memos, documents and proposals are passed on to the specialised committees for discussion.

Secondly, with regard to the specialised committees, representatives of certain social bodies are invited to meetings where their proposals are discussed and taken into consideration, with a view to establishing the necessary details regarding collaboration on drawing up certain bills or amendments.

Thirdly, given that parliament is the supreme legislative authority, it should be emphasised that the authorities have taken positive measures, especially over the past few years, demonstrating an increased interest in creating a functioning legal framework for the non-governmental sector. Accordingly, parliament has approved the Free Access to Information of Public Interest Act and the Transparency of Decision-Making Procedures Act. Moreover, although where I come from we do not yet have any legislation relating to lobbying; the demands of the various social groups who are interested in seeing certain stipulations reflected in normative activity have been and are still regularly taken into account.

In compliance with the constitution, relations between parliament and the general public, based on the relationship between the two chambers and the government and other administrative bodies, can be seen in the parliamentary control of these institutions that is carried out firstly through the fact of keeping parliament in-

formed, the government being obliged to provide the information and documents requested by the two chambers, just as the participation of its members in the work carried out by parliament is compulsory if so requested, and secondly through questions and simple motions, the government being obliged to reply to questions put by members of parliament. Similarly, parliament may approve a simple motion whereby it expresses its opinion on an internal or external political problem or, depending on the circumstances, concerning an issue which is the subject of a question.

At the same time, the relationship between the senate and the population is ensured through:

- the Public Relations Office, which is responsible principally for ensuring good relations between the senate and the population or the different non-governmental associations or organisations; receiving petitions or other documents addressed to the senate, passing them on to the committee that examines abuse of the system, to the relevant standing committees or the senators and explaining to the petitioners how the petition will be dealt with; informing the public about the legislative process in the senate, providing the public with data and information concerning the senate as an institution; serving as an ombudsman and helping the relevant people to get easier access to senior people in the senate services, the committees and the senators; organising access for Rumanian citizens and foreigners, individually or in groups, to plenary session debates or to visit the senate chamber;
- the Senate Press and Image Office, which edits its own web page every day, which provides the public and the media with all unclassified information relating to the senate's daily activities, the agendas for the senate's management structures, the agendas for meetings of the standing committees and plenary sessions, replies to articles published in the media; in addition it organises contact with the media and press conferences for members of the Permanent Office, standing committees, parliamentary groups, all the members of the senate, and the

Secretary General; it also helps to organise international and national meetings and to make programmes about parliament;

- the Parliamentary IT Department, which has developed an IT system for parliamentary activities (based on internet/intranet technology) intended for circulating information within parliament and outside, and ensuring that the information provided is correct and transparent.

The senate's website ensures that the public have direct, rapid and easy access to political processes, to the different stages a bill goes through involving the committees and the plenary session. The public and the media can access information concerning the stage a bill has reached and the relevant background material, providing them with an additional chain of information and communication via e-mail; verbatim reports of the plenary sessions of the senate; legislative documents concerning legislative initiatives, management of questions. The public has the possibility of submitting a petition and monitoring how it is processed, starting with initial discussions relating to problems raised within the committee dealing with it right up to the final report.

It is clear that the future of representative democracy and even the reputation and standing of the senate lie basically in the ability of parliament to promote more direct forms of communication with public opinion.

Policy on parliamentary communication needs to be modernised in particular through offensive and creative action at the same time by the senate's specialised organs and on the initiative of members of parliament who, through periodical meetings with voters, can identify problems of communication at source and propose suitable solutions.

I should like to express my conviction that in the 21<sup>st</sup> century, the century of economic and social progress but also of integration and globalisation, the status of civil society will be reassessed, its importance and its role will be reconsidered and the population will play a more active role in poli-

tics and decision-making at both a national and an international level.

Finally, on behalf of the Romanian senate, I should like to remind you that our Association will be meeting in Bucharest in 2007 and that we shall be honoured to welcome you all there.

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

I am glad to meet you again. I see familiar faces in the hall. On behalf of the Council of the Federation of the Federal Assembly of the Russian Federation I would like to extend warm greetings to all of you.

The theme of today's meeting is very relevant, and I am willing to share with you my considerations on how the interests of the grass-roots are being taken into account in the work of our Chamber.

First of all, I would like to note that the Russian Parliament was initially oriented at taking into account the interests of various layers of Russia's public.

An outstanding landmark in our history - the centenary of Russian Parliamentarism - will be celebrated in a few days in Saint Petersburg. The very first Russian Parliament already consisted of two Chambers - the State Council and the State Duma, with the State Council vested with authority generally corresponding to traditional senate's functions.

Nowadays, the function of representing the interests of Russia's regions is fulfilled by the Council of the Federation. From the moment it was first established in 1993, it has developed through three methods of the formation of its composition: inter alia, from heads of the constituent entities of the Russian Federation and through electing delegates from the constituent entities by direct ballot. Presently, our Chamber is being formed on the basis of representation from the

executive and legislative branches of Russia's regions.

The change in the procedure of its formation resulted actually from the search for interaction with the electorate, with the executive and legislative branches at the local level. Today's order of forming the Chamber provides basis for an efficient solution of the tasks at hand while taking into account political and socio-economic realities.

However, such model of formation is not the only possible option. Events can overtake us. I believe it necessary to revert to the procedure of electing members of the Council of the Federation based on keeping pace with the elections of deputies of local legislative authorities in the regions.

In this context, I would like to emphasize that I consider interaction with Russia's citizens, not limited to the electorate alone, to be extremely important for our Chamber. The issues of respect for human and citizen's rights have always been a priority in the activities of the Council of the Federation. The Council of the Federation views its main objective in ensuring that the adopted laws facilitate the implementation and promotion of these rights to the fullest extent possible.

In order to evaluate the efficiency of applicable laws in implementing the above tasks, the Council of the Federation prepares annual reports „On a state of legislation in the Russian Federation“.

An important advantage of the Council of the Federation is its political neutrality. The lack of factions of political parties in the Council of the Federation allows us to focus on public and national priorities and tasks as well as to take better account of interests of different strata of society.

Maintaining interethnic and inter-confessional agreement in society represents one of such priorities. I believe that recent events in Europe have demonstrated that this task is gaining priority in all our countries, and we, senators, must contribute in every possible way to the development of inter-civilizational, inter-confessional and interethnic dialogue.

Different mechanisms operating under the Council of the Federation ensure closer ties between the Chamber on the one hand and population and civil institutions - on the other. Specifically, upon our initiative supported by President Vladimir Putin a Joint Commission for National Policy and Relationship between the State and Religious Associations has recently been established.

The Commission consists both of members of the Council of the Federation and the Council of Legislators. Let me note that this body is an association of Russia's regional parliaments. The Commission is composed of representatives of different nationalities and confessions.

The Joint Commission is called upon to elaborate proposals on legal regulation of national policy of the Russian Federation and relationship between the state and religious associations.

One of the Commission's priorities is to contribute to the improvement of legal guarantees of freedom of conscience and freedom of religion in the Russian Federation, national and cultural development of peoples of Russia including ethnic minorities, protection of their native habitat and traditional way of life, activities of public associations, and prevention of discrimination, as well as national, racial and religious intolerance or animosity.

The fact that such a Commission was established under the Council of the Federation highlights the important role played by our Chamber in sustaining national stability. This role of the Council of the Federation is determined by the Chamber's status in accordance to which it is not subject to dissolution on whatever grounds, unlike the State Duma.

From this rostrum I would like to suggest devoting one of our future meetings to the issue of multinational and inter-confessional interaction.

The Council of the Federation attaches great importance to the issues of interaction with non-governmental organizations. The first Congress of the CIS and Baltic States' Non-Governmental Organizations on cooperation in the field of science, culture and education, was held last No-

vember in Saint-Petersburg under the aegis of the Council of the Federation. The participants of the Congress underlined in their Declaration „the importance of strengthening civil society institutions and establishing regular contacts, dialogue and interaction between non-governmental organizations”. The Congress generated extraordinary interest. We are looking forward to further dialogue with non-governmental organizations. A major part in this dialogue belongs to the Public Chamber established last year in Russia.

With a view to enhancing cooperation with the NGOs special Council on non-governmental organizations was recently created under the Council of the Federation. We believe that non-governmental organizations will form a solid basis for the civil society in Russia.

The Council of the Federation, justifiably called „the chamber of Russian regions”, pays special attention to the regional problems and concerns. One of its main functions is consolidation of regional and federal interests to strengthen Russian statehood. Our relationship with the regions is based not on administration but on the elaboration of common understanding of the purposes of social development and lawmaking.

A prominent part in achieving common understanding is played by the above-mentioned Council of Legislators. Its routine work provides for elaborating and advancing the regions' consolidated position in the federal legislation.

The Council of the Federation pays priority attention to promoting direct public relations. It is through such permanent contacts with the Russian citizens that the genuine democracy evolves in our country.

Leadership of the Chamber, as well as members of the Council of the Federation meet with citizens on a regular basis and consider their complaints and proposals. Thus, the Council of the Federation received approximately 17 thousand (the exact number is 16 686) of written and oral appeals from the Russian citizens over the course of last year.

A large number of these appeals (36 per cent) go directly to the members of the Council of the

Federation, 16 per cent to the Secretariat of the Chairman of the Council of the Federation. The Council of the Federation Committees, mainly the Social Policy Committee, receive many appeals from citizens.

The main subjects of these appeals are noteworthy. Many of them concern national policy (17 per cent), followed by a number of complaints about law enforcement (15 per cent) or social protection issues (15 per cent), general humanitarian problems related to culture, science, information and religion (9 per cent).

The Council of the Federation considered all appeals, complaints and suggestions it received. The Council adjusted its work on the basis of many of these messages.

Various interactive activities involving members of the Council of the Federation are used to broaden close constant contacts with the population, namely online Interviews and online Conferences. The Press-Service of the Chamber has launched the Direct Dialogue Internet-project to get feedback from the public and mass media in the regions.

Members of the Council of the Federation actively use the mass media to explain the main elements of the Council's activities to the readers, viewers and listeners.

National newspapers and magazines alone publish an average of more than 300 articles about the Council of the Federation a month and about 500 reports are transmitted monthly by the leading news agencies and Internet media.

The Chamber is open to the public. For instance, last year around five thousand people from every social stratum visited the Council of the Federation building and learned about its proceedings during guided tours. Some of them attended plenary meetings.

Finally, I would like to touch upon the following point. Nowadays, there are lots of speculations that freedoms are being curtailed in Russia and even that the country has turned away from democracy. I would like to make a responsible statement: under no circumstances Russia is going to deviate from the key principle of nation

building, that is democratic development of civil society. Practical deeds of the Council of the Federation serve as vivid evidence to that.

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

I would first like to thank Mister President for the invitation to the VIII<sup>th</sup> Meeting of the Association of European Senates. I would like to congratulate you on the excellent organization of the conference and the hospitality we are enjoying.

The National Council of the Republic of Slovenia as the upper chamber that is not on equal footing with the first chamber, the National Assembly of the Republic of Slovenia, performs its role of cooperation in the legislative field, determined by the Constitution of the Republic of Slovenia. It uses all its competences in practice though these are not, to a great extent, very powerful, so that it only acquires information, gives opinions, requires the calling of a referendum or the initiation of a parliamentary inquiry or can withhold decisions taken by the National Assembly. It is greatly due to weak competences that the National Council implemented in practice various relations with citizens and civil society which form the basis of a representative democracy.

The National Council has in its ten-year functioning established various forms of cooperation with citizens and civil society. On the one hand these relations are demonstrated through the publicity of the activities of the National Council and on the other hand through certain activities of the National Council such as organisation of numerous consultations, lectures, various forms of public debates and other activities of the National Council.

The sessions of the National Council and its commissions are open to the public which is characteristic of modern representative bodies. The publicity of work is demonstrated through

the opportunity for the citizens to be present at the sessions, through the information that the National Council gives about its work and its decisions either directly or through the mass media. The acts and other materials discussed by the National Council are published in the entirety or as summaries in the National Council Bulletin. However, the public may be limited or excluded from the work of the National Council only exceptionally if it is decided so by the National Council for the common benefit.

The publicity of the National Council is exercised also through the organization of press conferences. These are convened in the first place by the president of the National Council, and according to the Rules of Procedure also by the chairpersons of the Commissions and by the leaders of interest groups. Press conferences are convened on the occasion of important events or after the sessions where important issues had been discussed.

The councillors of the National Council and the representatives of local interests use councillors' offices for the establishment of direct relations with citizens. Their aim is to enable the transfer of propositions, opinions, issues and initiatives of the individuals and organizations concerned to the National Council which on the legislative level endeavours to shape appropriate solutions to the burning problems and to incorporate them into the legislation under discussion.

The National Council exercises the relations with citizens and civil society not only by assuring the public the presence at the sessions and press conferences but also by the organization of various forms of consultations, lectures, different forms of public debates in which the public can actively participate.

Since its beginning the National Council has organized hundreds of consultations, lectures, round tables and public debates (henceforth: consultations). Their aim is to present to the public concerned the regulation, functioning and problems in a particular field of social life. The consultations deal with topical, interesting subjects predominantly from the field of economy,

European Union, environment, finance and regionalism.

Slightly different in content are the consultations with the electoral base in which the National Councillors - as representatives of individual interests in the National Council, address their voters and present to them their work as well as their future guidelines and exchange opinions with them. The maintenance of contacts with the electoral base throughout the whole term of office is a characteristic feature of the National Council's work.

The National Council invites Slovene and foreign experts to take part in the consultations as well as the members of the public interested in getting acquainted with the discussed issues or eager to present their opinion. The aim of inviting so many people is to acquire as many as possible various and significant opinions. In the organization of consultations the National Council has cooperated with more than one hundred civil associations, professional societies, organizations and institutes. In this way the National Council focuses its endeavours to attract a wide cross-section of civil society to debates on various issues of social life. The purpose of the consultations is not only to raise public awareness but also to obtain feedback and opinions from civil society. All the materials and the minutes of the debates are usually published in an independent publication by the National Council.

The National Council receives many new ideas through these activities. It frequently incorporates the opinions presented at the consultations and in the framework of its competences communicates them within the legislative process. Considering the fact that also the members of the executive branch of power attend the consultations, they very often directly incorporate the ideas and opinions into the government acts and draft laws.

Such a manner of acting of the National Council strengthens its role. The National Council endeavours to actively participate in monitoring and development of the Slovene and European society in the economic, cultural, political, health and

social spheres. And not lastly, the National Council advocates for a good and just organization of individual legal fields. The result of such activities is considerable interest of people to attend lectures and consultations, greater recognition and better image of the National Council in the public.

The National Council also carries out activities involving young people. The project „The National Council and Youth” involves young people getting to know the functioning of the Parliament in general. The young people can present their own issues. Due to the problematic and demanding lifestyles, ever more young people are facing problems connected to drugs, alcohol, criminal, problems in schools and domestic conflicts. First young people are informed of the opportunities available to express their opinions, later they also have the opportunity to cooperate in the formation of different ideas and decisions. The goal of this project is to transfer young people’s ideas into the legislative process.

The National Council endorsed another important project. It is called „The Growing Book” (Rastoča knjiga). It is a project providing financial support for and promoting the role of Slovenian books. Books have been an essential partner of the Slovenes for over a thousand years. The project is a tribute to all those Slovenes throughout history who have creatively contributed to the Slovene culture. Through projects such as „The Growing Book” the National Council shows its support for ideas relating to Slovenia’s national awareness. It is a step in the search for Slovene culture, identity and self-confidence which are ever more important in today’s climate of globalisation and with Europe and the whole world being ever more integrated. This is the first project of its kind in the world. It is a way in which we can present ourselves to the world as a nation wanting to offer its culture to the world’s heritage. This is a noble and well-intended idea that is open to each and everyone and to us all.

The presented manner of functioning of the National Council arises from its composition. The National Council represents social, economic,

professional and local interests. These interests cover practically all the main segments of the society. Among the forty members of the National Council four are the representatives of employers, four representatives of employees, two representatives of farmers, one representative of craftsmen, one representative of independent professions, six representatives of non-commercial activities and twenty-two representatives of local interests. So, the National Council consists of two fundamental parts: of the representatives of functional interests and of the representatives of local and territorial interests. The National Council is a legitimate representative of social interests and it can, with the already stated five interest groups, establish relations with civil society.

Since the National Council is very active in the field of organization of consultations it has legally regulated this activity also in its Rules of Procedure. In the new chapter on acquiring information on the National Council, it has regulated the activity it has been exercising since the very beginning.

And, finally it has to be emphasised that the National Council is affirming itself as an institution, cooperating and encouraging the cooperation with civil society regardless of the fact that the National Assembly, the Government and other administrative bodies are doing the same. Namely, the National Council is not an institution that takes final decisions on important state affairs and is as such not burdened with the discussions and decision-making on all the matters that have to be settled for the normal functioning of the state. It is up to the National Council to decide what matters it will discuss according to the importance from the point of view of the interests represented in the National Council. In this way it can focus on a more detailed discussion on individual subject matters with the help of the professional public – the civil society.

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**Rolf Büttiker,  
President of the Council of States of the  
Swiss Confederation**

European citizens rightly expect their parliaments to be involved at grass-roots level, and this means at a level that the general public can understand a level which serves their interests, a level at where they have some influence.

The two questions I ask myself are, firstly, in what way does the Council of States contribute towards grass-roots politics? And secondly, what aspects of the Swiss constitution encourage grass-roots politics?

The members of the Council of States are elected by the voters in each canton. Members are elected for a fixed period of office. Every four years the electorate can decide whether it wants to re-elect one or both of its representatives or to choose two new ones. This means that the members of the Council of States are responsible to the public for their decisions and have to represent the interests of those who voted for them.

Naturally, in a pluralistic society, the interests of the citizens will vary. Sometimes they are even contradictory, for example when parliament demands that the cost of the health service be kept in check and at the same time more and more is demanded of doctors and hospitals. In addition, there are demands that are expressed loud and clear by those directly concerned and others that don't find any obvious backing. All this means that the members of parliament don't have an easy task.

The Council of States represents the cantons. Each canton has two representatives in the Council of States, regardless of whether it is only a small canton, such as Uri with a population of 35 000 or a large canton such as Zurich with a population of 1.25 million. This means that the small, mainly rural cantons are privileged. This system balances out the political influence of the economically stronger cantons and urban areas. It is clear that the Council of States ensures that the minorities in Switzerland can have their say

and effectively defend their political interests. A good example of this is regional policy.

According to Article 161 of the Swiss constitution, the members of the Council of States vote according to their own opinions. Grass-roots politics therefore doesn't mean that members have to vote according to what they are told by interest groups, parties or cantonal authorities, even if these represent a large number of citizens. Before taking each decision, members have to ask themselves what, in their own opinion, will best serve the interests of the population and the country.

And this means not only short-term but also long-term interests. Adolescents can't vote. Nevertheless, a politician must bear in mind the interests of future generations, for example with regard to legislation concerning the environment. As a former President of the Committee for the Environment, Spatial Development and Energy, and a member of the Transport Committee, I often had to consider such decisions. An example is reducing the level of CO<sub>2</sub> in the air.

An important prerequisite for grass-roots politics is transparency. The sessions in the Council of States are open to the public. Any citizen can follow the debates from the public gallery. The debates are also broadcast online. All discussions are minuted and can be analysed after the event. The committee meetings are not open to the public but the media are informed about the outcome of committee meetings immediately they finish. The media report on decisions taken by the Council of States and include commentaries and criticism, which leads to public discussion.

According to the Swiss constitution and Swiss legislation, the principle of transparency obliges members of the Council to reveal any business or other interests they may have. A list is published on the internet giving all the direct connections between members of the Council and commercial companies and organisations.

Grass-roots politics is only possible if there is direct contact between politicians and the people they represent. Politicians need to be aware of

the concerns of the population and, in turn, they should also explain certain things to the public. As a member of the Council of States I am often invited to public functions, where I explain the decisions taken by the Council, discuss with other politicians, listen to opinions voiced by the public and try to convince them. And often I come home with suggestions that I then pass on to the committee to address.

Citizens also write to members of the Council and submit petitions, and of course nowadays they communicate by e-mail too. I receive a lot of post, and as President of the Council, even more. As a rule, every letter and e-mail is answered. Petitions are dealt with by the corresponding committee and by the Council.

Grass-roots politics also means that citizens can lodge a complaint with an international body, and Switzerland has therefore recognised the individual right of appeal in the European Convention on Human Rights. Switzerland's application to join the recently created UN Commission on Human Rights also goes in this direction. I hope that our candidature will be well supported.

The members of the Council of States are not full-time politicians. After they have been elected they continue to pursue their careers outside parliament, although they naturally have to reduce the hours they can devote to them. This system has advantages and disadvantages.

The advantages include the fact that members of our parliament continue to be aware of the problems that arise in their field of work. A lawyer has to deal with his clients' concerns, a trade unionist knows all about working conditions in his or her field. As for myself, I'm a business consultant and come into contact with various firms each week. This system means that our parliament will never constitute a „political class” of its own which is cut off from the general public.

In Switzerland the man in the street can have a direct influence on political decisions through popular initiatives and referendums. We vote on federal issues three or four times a year, and cantonal and local issues even more frequently. On 21 May 2006, in just a month's time, the

Swiss electorate will be voting on cooperation between the federal and cantonal authorities with regard to education.

Referendums are not only a tool which the voters can use to directly influence the course of politics. They also have a preventive influence on parliament. In the Council of States we know that most decisions we take may well be put to the electorate, which is why we try to take the interests of the man in the street into account in our parliamentary debates.

The Council of States represents the population of the different cantons and its task is to ensure that the varying interests of the population are taken into account in political procedures. At the same time, it has to work with the National Council and the Federal Council to find solutions for current political problems. The solutions we come up with don't always correspond to what the voters have in mind, however. And this is another reason why it is important that there is continual and intensive dialogue between parliament and the population.

I am looking forward to hearing this morning what the leaders or deputy leaders of the European Senates have to say about how their parliament is going about getting closer to the people. And I'm especially pleased that we shall have the opportunity to discuss between ourselves and with two young Swiss people this afternoon. I have no doubt that we can all learn a lot from each other.

To conclude, may I just say that, whatever the differences between our various Senates, only grass-roots politics guarantees that progress will be made in democracy.

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**Přemysl Sobotka,  
President of the Senate of the  
Czech Republic**

We have met here as representatives of European senates conscious of the fact that a bi-cameral parliamentary system is a self-evident part of the democratic system of many European countries. And in spite of that, three things – our historic experience, some systemic differences and also the present political situation of our countries, differentiate us. As a representative of the Czech Republic I would like to inform you at least briefly about the specific features typical for our Senate, whose activity we strive to unfold precisely based on the analysis of our own history, the study of experiences of the work of other European Senates and as a sensitive reaction to the present development in our country. Czech statehood has been renewed in our modern history towards the close of WWI in October 1918. At this time our country has formulated its Constitution inspired above all by France and the USA. These States were rooted in a bi-cameral Parliament. This fact and the conviction of these days, that a second chamber of the Parliament is an indication of the level of evolution of a country, contributed to the creation of the Senate, the first election for it taking place in May 1920. With the Nazi occupation in March 1939 the Senate was abolished and after 1945 it had not been renewed due to the major influence of communists on the future system of the country. In simple terms, but quite tellingly, it may be said that with the passing of the Senate came one cruel dictatorship and its renewal was prevented by another one.

The pre-war Czechoslovak Senate due to its linkage on the parallel dissolution of both chambers was not a sufficient safeguard for the protection of democracy and was to some extent a mere copy of the chamber of deputies, making the resolutions of both chambers often identical. We have learned this lesson after 1989 and it may be said that the Czech Senate renewed 10 years ago is a true safeguard of democracy be-

cause it is indissoluble and is renewed regularly every two years by an electoral exchange of one third of the senatorial seats. Our Constitution is protecting in such a way citizens from sudden changes that may happen after elections to the Chamber of Deputies. This protection may seem to some costly and superfluous. History has nevertheless taught us that democracy has to be protected by all available constitutional means.

The Senate is today electing justices of the Constitutional Court, the ombudsman, together with the Chamber of Deputies the President and without the consent of the Senate no changes of the Constitution and of electoral acts are possible. This may be as well the reason why there are political and social forces in our country that are disturbed by the Senate.

Since the times of the existence of bi-cameral parliaments debates on the usefulness or lack of it of the upper chamber are taking place.

The discussion is more or less earnest, but it always has certain efforts and goals in the background. One day the Senate is disturbing those who were unsuccessful in the elections, on another one those who wish to gain some media visibility at any price, and also those who still invoke a slightly different political culture than the one that is common in the majority of European countries.

Somebody is disturbed as well by the Senate because of the questions it unpleasantly puts. I shall mention an example speaking for all. In June 2005 a public hearing took place in the Senate on the day of the anniversary of the execution of the former deputy Milada Horáková, and it has set for itself one single goal: answer the question whether for a democratic Czechia, integrated into Euro-Atlantic structures, the threat of communism still lasts and whether communism is still a threatening ideology? This was not a cheap and empty gesture, because we have to realize that in spite of all the successes of the rebirth of democracy in our country we remain to some extent a post-communist country where the fight for political culture and against the remnants of the past remain a topical subject.

However, let us now devote some attention to the work of our Senate in itself mentioning some of the evident positive features in recent times. Among those and not as the least important, the growing capacity of senators to assess in a qualified way the bills submitted for consideration, because the majority of them are coming with a rich experience from local and municipal politics. This means they are more closely tied with ordinary issues, and not only in „their” regions. Besides that they know how to take effectively decisions fully conscious of direct consequences and direct responsibility. This factor cannot be omitted also in view of the reality when on the other hand in the Chamber of Deputies „professional politicians” are becoming more numerous, penetrating the mysteries of high-level politics, and on the other hand, with all due respect, this has to be compensated by people who remain closer to everyday issues and local level contacts.

I am getting there to one of the fundamental issues – the balancing of political forces. All this is indicating that the second parliamentary chamber has the prerequisites to fulfil what has been devoted to the Senate, as the Constitution stately describes it. The higher the tension in the political situation is building, the more the Chamber of Deputies acts on purpose, the more it falls into internal political fights, and this is influencing the shape of the adopted legislation. The composition of the Senate is different and less dependent on the present situation.

It goes without saying that in parliamentary democracies the willingness of the ruling parties to spend State means and adopt populist laws that may be appreciated by the public increases especially in pre-electoral times.

I dare to claim now, in the beginning of our own election campaign, that the feature of a certain Senate „timelessness” and some „distance” from executive decisions give to the Senate an ever-greater meaning. It has been verified that work on legislation in the Senate takes place without topical political pressures, with a long-term perspective, and thus in a systematic way.

The legislation in the making of our country is open in the Senate to close examination, legal expertise and detailed debate at the plenary meetings. So, our Senate has in recent days returned to the Chamber through amendments one half of the bills it has received from the Chamber and the Chamber then adopted 60 per cent of those.

It is obvious we do as well defend the interests of our political parties, of our ideas. But this does not happen under an immediate pressure, it is not taking place within a fierce political battle. It happens in the spirit of a long-term political competition, thus in the interest of the quality of the approved legal norms.

In such a way, the Senate may proudly present many examples when it confirmed its role derived from the Constitution of the Czech Republic. Besides the protection of the quality of constitutional acts it is the ever-greater task of integrating European legislation into national law. In the past the Senate played a positive role in solving the governmental crisis in 1997 and in some cases when considering major strategic arms procurements it saved to the State Treasury sums corresponding to billions.

I like to say that the Senate is a signal post. It signals politics without great emotions, and therefore I remain convinced that the Czech Senate has also for the future the opportunity to keep its capacity to be a good partner of the citizen for the sake of the improvement of the quality of his life and of the overall political culture in the country. I am also convinced it shall be a good partner for other European parliaments, regardless if they have one or, as in our case, two chambers.

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**Lord Julian Pascoe Francis Grenfell,  
Deputy Speaker of the House of Lords of the  
United Kingdom of Great Britain and  
Northern Ireland**

The House of Lords is not elected. Most of its members are nominated. It is therefore not directly representative of the people. Members of the House of Lords have no constituents. They represent no-one but themselves.

But the concerns of the population are reflected in the House in a different way. Members of the House do not lead their lives in isolation. They are representative of public opinion indirectly. They are politicians first and foremost. Most of the members are also members of political parties, and many have direct experience of political activity as from Members of the House of Commons; or in local government; or through other forms of political service.

Members of the House of Lords are often appointed in mid- to late- career. Many have done other things. While the House of Commons (like one suspects all directly elected chambers) is increasingly composed of people who have little experience outside political life, members of the House of Lords are still active in, or have just retired from, a wide range of professional activities – the media, banking and finance, agriculture, law, the public service, health and social care. They do not represent these sectors in a formal sense, but they are often representative of their views.

So indirectly, public opinion influences proceedings of the House:

- as a legislature (interest groups, charities, professional associations and lobbyists often draft amendments and prepare briefing and/or speaking notes for members of the House).
- as a forum of debate (members initiate debates for answer by the government on areas of public concern).
- as a chamber of scrutiny of the executive (members ask questions at question time or in select committees which reflect wider sectoral or public opinion).

But in one area of scrutiny – that of select committees – the concerns of the population can be directly expressed in the form of evidence to the committee. Invitations to submit written evidence in respect of a particular inquiry are usually sent direct to individuals and organisations who are known to be knowledgeable about the subject matter. But they are also issued publicly through a press notice and on the internet. In matters of great public concern the response can be enormous. A recent committee on euthanasia received over 14 000 communications, mostly expressions of opinion rather than evidence.

What more can we do to bring politics closer to the public?

For the House of Lords, we think that for the moment the chief remedies are to be found in electronic communication. This is very much in conformity with a recent and very critical study by a committee of the Hansard Society (a political think-tank). The study was chaired by Lord Puttnam, the film director and called „Members Only? Parliament in the Public Eye”. The steps we are taking include:

- use of public e-consultation by select committees. The responses are moderated by a third party organisation and are particularly useful on issues where public opinion is central to the success or failure of a policy.
- interactive sites for members. The proposed re-design of the House of Lords website will allow for individual members to engage interactively if they wish with members of the public.
- a redesigned and more easily navigable website for the House of Lords.
- increasing the amount of information about the House which is available electronically – all versions of bills, amendments, and published reports of committees are on the internet. Oral and written evidence received by committees is now also posted as quickly as practicable.

We are also trying to engage better with visitors. Although planning in its early stages, the House of Lords and House of Commons intend to build a Visitor Centre on a site opposite the Houses of Parliament. Meanwhile, we try to ensure that

considerations of heightened security do not prevent the usual visits to parliament by members of the public and especially schoolchildren. Representing the public mood is one thing. But persuading the public that the Upper House is performing that function, and performing it quite well, is another thing entirely. I look forward to hearing from other colleagues how they approach this question.

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### III. Round Table Discussion

The round table discussion gave Carine Fleury and Philip Gasser – two young Swiss people who are actively involved in politics – the opportunity to present their point of view concerning the topic chosen for the meeting, namely „The Senates’ contribution towards grass-roots politics”, and to discuss it with the leaders of the European senates.

The round table was chaired by Alain Berset, a member of the Council of States.

The transcripts on the round table discussion can be found on *pages 145 – 157*.

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## **IV. Announcement of the Extraordinary Meeting 2006 in Prague**

**Přemysl Sobotka,  
President of the Senate of the  
Czech Republic**

Ten years shall elapse in 2006 since the renewal of the Czech Senate, and therefore several events shall take place to honour this event that has undoubtedly strengthened the course of the re-establishment of democracy in our country. They should remind us not only of the evident successes of the upper chamber of our Parliament, but they should not hide either the sometimes passionate political debates about its meaning as they have often negatively reflected and still reflect from time to time on the media image of the Senate.

It is understandable and logical, because in the European countries where totalitarian regimes were in power for decades, the struggle for political culture and the building up of respect and natural authority of democratic institutions are a long term endeavour.

As a part of the commemorations in Prague besides many other events aimed at our public, the publication shall take place of a collection of studies called „Parliaments and their functions at the threshold of the 21<sup>st</sup> century”, together with an enlarged commemorative session at the occasion of the 10<sup>th</sup> anniversary of the founding meeting of the Senate with the participation of all present and also past senators, but also of other guests – including both hitherto presidents of the Czech Republic Václav Havel and Václav Klaus.

I would like at this occasion to offer an invitation to Prague that I have mentioned to our dear friend Poncelet and to the president of the Council of States of Switzerland Rolf Büttiker.

Allow me to express here the wish to include as a part of these events as well an extraordinary meeting of the Association of European Senates on 28 – 29 September 2006. At this point I would like to mention I have been very pleased

by the positive response to this proposal indicated by some of you – above all by Mr Christian Poncelet, the president of the Senate of the French Republic.

In the event my proposal is accepted, I take the liberty to propose the main themes of our Prague meeting:

- the importance of upper chambers,
- the protection of human rights,
- bureaucracy and an effective administration of public matters,
- the free movement of services.

For me and for my colleagues among Czech senators your visit of Prague shall be another welcome occasion not only for a meeting among friends, but also to exchange experiences from the work of our upper chambers. We do have plenty of subjects we may and we wish to discuss. I will be glad if you accept my invitation and thank you in advance for your positive response.

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## V. Closing Address

**Rolf Büttiker,  
President of the Council of States of the  
Swiss Confederation**

For the VIII<sup>th</sup> Meeting of the Association of European Senates we decided to address the question of the senates' contribution towards grass-roots politics and to exchange views and experience relating to this issue.

At the close of the meeting we have seen that there is a unanimous desire among the senates to be of service to the population. There are various institutional principles that encourage close contact with the population and these principles are set out in the constitutions of most of the members of our association. This includes, for example, the public nature of the senates' debates. Moreover, modern methods of communication such as the internet help to make debates and decisions accessible to members of the public who are not able to attend in person. Electronic communication thus expands the opportunities for exchanges between the general public and their representatives in the senate. This type of communication is being used more and more and represents a real opportunity to ensure that politics includes the people.

The Presidents' speeches revealed institutional differences. The senates represent different territorial groups and different social groups, depending on the constitutional format of the country and its history. Some senates are totally or partly elected by the people while others are not. Their scope of responsibility also varies considerably. Nevertheless, there is one factor they all have in common: all the senates have a direct influence on the lives of the population and they should therefore act principally in the interests of the general public.

We were extremely interested to hear what our two young guests had to say on the following question: How can we interest young people in politics? The answer would appear to be by including them in political processes and letting them as well as youth movements have an opportunity to play an active and critical role. Young people's field of vision is not limited to national borders since it thrives on contact with people in other European countries and indeed outside our continent. In this connection, the principle of subsidiarity enables cross-border problems to be addressed through the European institutions, while other questions continue to be dealt with by national parliaments.

The round table discussions revealed that many senates make a point of seeking contact with the younger generation, either through training programmes or through discussions with young people and youth movements within the parliamentary committees. Furthermore, many presidents of senates welcome the principle of subsidiarity set out in the European constitution and already applied at a national level in many federal states. Through the responsibilities that have been allotted to them, the senates are precisely the right body for ensuring that European legislation complies with the principle of subsidiarity. This is how politics can remain close to the people.

The presidents of the senates have agreed that any opportunity to exchange views is of value and that we can all learn from each other. We were also pleased to accept the invitation of the president of the Czech senate to attend an extraordinary meeting in Prague this autumn, to mark the tenth anniversary of the creation of the

senate in the Czech Republic. Our next two regular meetings will be held in Romania (in 2007) and in Austria (in 2008).

We very much hope that, over the coming years, the people of Romania and of certain other countries will be spared from the terrible flooding they have experienced recently, and that our respective parliaments will take the necessary decisions to ensure that, as far as possible, such natural disasters do not happen again.

At the close of this VIII<sup>th</sup> meeting of the Association of European Senates, I should like to thank all the delegations for coming to Berne and contributing to our discussions. May we also thank our two young Swiss guests for their contributions, and Alain Berset from the Swiss Council of States for chairing the round table discussions this afternoon. All the delegations who are still in Berne tomorrow are cordially invited to join us for a little outing to the canton of Solothurn, which is where I come from. I should like to wish the other delegations „bon voyage” and, if they haven't already celebrated it, a Happy Easter.

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## VI. List of Participants

### **Bundesrat of the Federal Republic of Germany**

H.E. Mr. Minister-President Peter Harry Carstensen, President  
 Mr. Dirk Brouër, Secretary General  
 Mr. Wolfgang Fischer, Director General for Parliamentary Relations  
 Mrs. Brigitte Fischer, his wife  
 Dr. Stefanie Rothenberger, Assistant to the Director General of Parliamentary Relations

### **Bundesrat of the Republic of Austria**

H.E. Mrs. Sissy Roth-Halvax, President  
 Dr. Walter Labuda, Director  
 Mrs. Susanne Bachmann, designated Director

### **Senate of the Kingdom of Belgium**

Mr. Francis Delpérée, Vice-President of the Committee for Institutional Affairs  
 Mr. Georges Brion, Assistant Secretary General  
 Mrs. Rita Jansen, his wife

### **House of Peoples of the Parliamentary Assembly of Bosnia-Herzegovina**

H.E. Mr. Mustafa Pamuk, President  
 Mr. Goran Milojević, Vice-President  
 Mr. Samir Ćorović, Chief of Protocol  
 Mrs. Enra Soldin, Assistant in the Department of Public Relations  
 Mr. Tarik Kapić, interpreter

### **Senate of the Kingdom of Spain**

Mr. Juan José Lucas, Vice-President  
 Mr. Eugenio de Santos, Assistant in the Legal Affairs Department

### **Senate of the French Republic**

H.E. Mr. Christian Poncelet, President  
 Mr. Jean Cabannes, Head of the President's Office  
 Mr. Jérôme Cauchard, Diplomatic Adviser to the President  
 Mr. Jean Laporte, Head of the European Affairs Department  
 Mrs. Véronique Bocquet, International Relations Department

### **Senate of the Italian Republic**

Mr. Franco Moro, Vice-President  
 Mrs. Loredana Pitton, his wife  
 Mr. Nicola Benedizione, Deputy Secretary General  
 Mr. Luigi Gianniti, Head of the European Affairs Department  
 Mr. Francesco Gilioli, Chief of Protocol  
 Mrs. Sara Scrinzi, Protocol Secretary and interpreter

### **First Chamber of the States General of the Kingdom of the Netherlands**

H.E. Mrs. Yvonne E. M. A. Timmerman-Buck, President  
 Mr. Bas Nieuwenhuizen, Secretary General

### **Senate of the Republic of Poland**

Mr. Marek Ziolkowski, Vice-President  
 Mrs. Anna Szklennik, Head of the Office of International Affairs

### **Senate of Romania**

H.E. Mr. Nicolae Vacaroiu, President  
 Mr. Ghiorghi Prisacaru, Diplomatic Adviser to the President  
 Mrs. Adriana Pescaru, Adviser to the Dept. of International Parliamentary Organisations  
 Mrs. Ruxandra Nastase, Parliamentary Expert at the Dept. of Internat. Bilateral Relations  
 Mrs. Lilioara Popa, interpreter

**Federal Council of the Federal Assembly  
of the Russian Federation**

H.E. Mr. Sergey Michajlowitsch Mironov,  
President  
Mr. Walerij Parfenow, Secretary General  
Mr. Anatolij Woronin, Adviser to the President  
Mr. Wjatscheslaw Kolotwin, Assistant Director of  
the Office of International Affairs  
Mr. Sergej Gogin, interpreter  
Mr. Konstantin Saprykin, Master Warrant Officer

**National Council of the Republic of Slovenia**

H.E. Mr. Janez Sušnik, President  
Mrs. Lilijana Žurman, Assistant  
Mrs. Zdenka Simčič, interpreter and protocol  
Mrs. Damijana Zelnik, press secretary

**Council of States of the Swiss Confederation**

H.E. Mr. Rolf Büttiker, President  
Mr. Alain Berset, Member of the Council of  
States  
Mr. Christoph Lanz, Secretary General of the  
Council of States  
Mrs. Suzanne Stritt-Schwegler, Assistant in the  
Department for Foreign Relations  
Mr. Dieter Geering, Assistant in the Department  
for Foreign Relations  
Mrs. Carine Fleury, National Youth Council of  
Switzerland (CSAJ / SAJV)  
Mr. Philip Gasser, Young European Swiss (YES)

**Senate of the Czech Republic**

H.E. Mr. Přemysl Sobotka, President  
Mr. Frantisek Jakub, Secretary General  
Mr. Edvard Kožušník, Head of the President's  
Office  
Mrs. Valerie Ciprová, Chief of Protocol  
Mr. Petr Kostka, editor  
Mr. Tomáš Opočenský, interpreter  
Mr. Ondřej Staněk, interpreter

**House of Lords of the United Kingdom of  
Great Britain and Northern Ireland**

Lord Julian Grenfell, Deputy Speaker  
Mr. Rhodri Walters, Clerk of Committees and  
Overseas Office

*Observer:*

**Council of State of the Grand Duchy  
of Luxembourg**

H.E. Mr. Pierre Mores, President  
Mrs. Lucienne Mores-Schlechter, his wife  
Mr. Marc Besch, Secretary General