



Memorandum

sender Secretary General
auteur G.J.A. Hamilton
telephone 070-312 92 32
e-mail griffier@eerstekamer.nl

Parliamentary diplomacy

date 17 November 2010

**Adopted by the Committee of Senior Members of the Senate of the States General
on 16 November 2010**

Contents

1. Introduction

2. Parliamentary diplomacy

Diplomacy in general

Parliamentary diplomacy

Function and purpose of diplomatic activities

3. Diplomatic activities of the Senate

Participation in interparliamentary assemblies and meetings

Reception of high-ranking foreign dignitaries and parliamentary delegations

Official visits abroad

Activities for the provision of (mutual or unilateral) technical assistance

4. Further development of parliamentary diplomacy by the Senate

Participation in interparliamentary assemblies and meetings

Reception of high-ranking foreign dignitaries and parliamentary delegations

Official visits abroad

Activities for the provision of (mutual or unilateral) technical assistance



datum 17 november 2010

oms kenmerk

page 2

1. Introduction

The Senate of the States General is very internationally oriented. Historically, the Netherlands has always looked outwards. In view of the country's open economy and consequent dependence on open borders, it is important for parliamentarians to really engage in international relations. Various members play an active role in the parliamentary assemblies of international organisations. The Senate has also always been closely involved in European integration. Moreover, it adjusted its procedures in good time to take account of the tasks assigned to national parliaments by the Treaty of Lisbon and its protocols. Members of the Senate take part in structured interparliamentary consultations in Europe, such as the EU Speakers' Conference of national parliaments, COSAC (the Conference of Community and European Affairs Committees of Parliaments of the European Union), COFACC (the Conference of Foreign Affairs Committee Chairpersons) and CODAC (Conference of the Defence Affairs Committees). The President of the Senate and delegations from the Senate regularly receive foreign visitors. Senate delegations also pay visits abroad at the invitation of parliaments of other countries.

Some time ago the Committee of Senior Members of the Senate felt it would be desirable to examine what activities are and should be undertaken by the Senate through its committees, members and President in the context of parliamentary diplomacy and what the priorities should be. The aim of this memorandum is to outline the diplomatic activities of the Senate and indicate how the effectiveness of the Senate's work can be enhanced still further through parliamentary diplomacy. It will examine what criteria can be applied in order to choose from the various ways in parliamentary diplomacy can be practised (by reference to what criteria are international forums, visits and invitations selected?).

First, the memorandum considers the concept of parliamentary diplomacy. It then goes on to outline the diplomatic activities of the Senate and the basic principles hitherto applied by it in the context of parliamentary diplomacy. Afterwards it sets out some proposals for improving the organisation of the interparliamentary and international (diplomatic) activities of the Senate, making them more coherent and clarifying the priorities.

2. Parliamentary diplomacy

Diplomacy in general

Diplomacy can be defined as the art and practice of conducting negotiations between two or more groups in order to achieve a particular goal. More specifically, the term is used to describe the formalised relations between what are usually independent political entities, generally states. In this sense diplomacy means the system of methods, rules, customs and privileges connected with the conduct of negotiations and the maintenance of relations between national governments or their representatives for the purpose of achieving mutually satisfactory relations.



datum 17 november 2010

oms kenmerk

page 3

States use diplomatic consultation to resolve differences of opinion between them (e.g. peace making or disarmament talks) or to try to establish some form of cooperation (e.g. a trade agreement). The term diplomacy is therefore generally used within the context of interstate /international cooperation. In common parlance, the expression 'acting diplomatically' means acting tactfully and cautiously.

In diplomatic intercourse governments traditionally act on behalf of their states. A distinction must be made between the foreign policy of a country and its diplomatic activities. Foreign policy consists of the objectives which a state wishes to achieve through its international relations. Diplomatic activities are a means of attaining strategic goals.

Traditionally, governments have taken the lead in developing international policy. In parliamentary democracies such as the Netherlands, parliament has traditionally played a scrutinising role. This has included scrutiny of the government's foreign policy. Within a democratic system, foreign policy cannot be excluded from parliamentary scrutiny. In relation to parliament the government too has responsibility for taking initiatives in the foreign policy field.

The Dutch government has a worldwide network through which to carry out its diplomatic activities. This network is also available to the States General for its diplomatic activities. The Treaty of Lisbon provides that the European Union has its own diplomatic service. Its official name is the European External Action Service (EEAS). It is staffed by officials of the European Commission, the Council of Ministers and the member states of the EU. The EEAS must also cooperate with the embassies and consulates of the member states.

Parliamentary diplomacy

Diplomacy and international relations are no longer the exclusive preserve of governments. Members of parliament are undertaking more and more diplomatic activities, which thus supplement the efforts of the government within the context of 'traditional' diplomacy. The Inter-Parliamentary Union (IPU) regards parliamentary diplomacy as an element of parliamentary cooperation. The IPU defines parliamentary cooperation as parliamentary diplomacy, interparliamentary cooperation and technical cooperation (provision of financial and material resources and expertise).

Parliamentary diplomacy is, however, defined as 'the full range of international activities undertaken by parliamentarians in order to increase mutual understanding between countries, to assist each other in improving the control of governments and the representation of a people and to increase the democratic legitimacy of inter-governmental institutions.'¹ All members of parliament have their own political affiliation, which may or may not correspond with the government's position. The IPU writes as follows about parliamentarians: 'They tend to bring a moral dimension to international politics that transcends narrow definitions of the national interest, particularly in their principled support

¹ F.W. Weisglas and G. de Boer, *Parliamentary Diplomacy*, The Hague Journal of Diplomacy 2 (2007), p. 94.



datum 17 november 2010

ons kenmerk

page 4

for democracy and human rights. Time and again we have seen that this flexibility allows parliamentarians to debate more openly with their counterparts from other countries and to advance innovative solutions to what may seem to be intractable problems.' In other words, parliamentary diplomacy can supplement government diplomacy because members of parliament can be more flexible when engaging in diplomatic activities. They are not, after all, bound by the positions taken by the government and can transcend their own government's interests by providing principled support for democracy and human rights. Another consideration is that greater participation by members of parliament in the diplomatic field represents an element of democratisation.²

One of the first organisations to engage in parliamentary democracy on a thematic and structured basis was the Council of Europe, which was founded on 5 May 1949. The aim of the Council of Europe is to achieve greater European unity through shared respect for the shared values of pluralist democracy, the rule of law and human rights. The Council also promotes the economy and social progress. One third of the conventions of the Council of Europe have been initiated by and from within the Parliamentary Assembly of the Council of Europe (PACE). The Parliamentary Assembly has carried out and commissioned studies designed to identify violations of human rights and human dignity, such as the investigations into alleged secret detentions in Council of Europe member states.

The importance of parliamentary diplomacy in complementing governmental diplomacy (in this case through structured interparliamentary cooperation within the Council of Europe) was described in the following terms by the current president of the Senate when he was still President of the Parliamentary Assembly of the Council of Europe: 'The diplomatic instrument provided by our Assembly neither duplicates nor replaces traditional governmental diplomacy. On the contrary, it is complementary, enriching and stimulating traditional forms of diplomacy. Ownership of the democratic process must remain with the people. Political developments in our continent clearly demonstrate this. We parliamentarians, as the peoples' democratically elected representatives, have the duty and responsibility to ensure that the peoples' choices are respected and that their will is accomplished. Only the credibility and legitimacy of parliamentarians, and their action on the European political and diplomatic stage as representatives of democracy, could help move forward the major objectives of Europe.'³

Within Europe parliamentary diplomacy and interparliamentary cooperation other than through the Council of Europe have been greatly boosted by the growth of the European Union. Not only has there been a substantial enlargement of the EU (to the point where it now has 27 member states) but efforts have also been made to deepen European cooperation, particularly by strengthening support for such cooperation among citizens and other actors. Since the Treaty of Nice (2000) deliberate measures have been taken to strengthen the role of the national parliaments in European cooperation. The impact of these measures, which has been enhanced partly by parliamentary diplomacy practised by parliamentarians from the Netherlands and other member states in the context of the

² Stelios Stavridis, *Parliamentary diplomacy: any lessons for regional parliaments?* 2006, p. 25.

³ Speech by Mr René van der Linden on the occasion of the European Conference of Presidents of Parliaments, Council of Europa, Tallinn, Estonia, 30 May 2006, theme: Parliamentary diplomacy.



datum 17 november 2010

ons kenmerk

page 5

Convention on the Future of Europe, can be seen in the draft Treaty establishing a Constitution for Europe (TCE) and the related protocols, which elaborated the role of the national parliaments in the European legislative process. The influence exerted by national parliaments on the Convention is an excellent illustration of how significant parliamentary diplomacy can be. Enhancement of the role of the national parliaments has been continued in the Treaty of Lisbon, which has now been ratified and entered into force. As will be explained below, the Senate anticipated at an early stage the new role which the national parliaments would be assigned within the context of the European Union.

The other major factor impacting parliamentary diplomacy is globalisation. The rapid pace of technological advance has extended and accelerated our means of communication to a staggering extent. This has had a huge influence on global economic development, world trade and the scope for the trade in services. At the same time, more and more problems are of such complexity that solutions can really be found only on a global scale. Efforts to find solutions are not confined to governments and international organisations. Citizens, civil society organisations, NGOs and the private sector tend to be increasingly involved in the search for solutions, for example for reasons of effectiveness. Indeed, it is precisely in order to maximise effectiveness that these actors are increasingly calling on parliaments and parliamentarians to involve themselves in what occurs in this multilateral administrative tier (for example the UN, the IMF, the World Bank and the WTO). There is growing awareness worldwide that if a multilateral approach is to gain support and be successful, for example as a link to citizens, the parliamentary dimension is essential.

Function and purpose of diplomatic activities

Diplomatic activities may take the form of interparliamentary cooperation, but they may also take on a more 'traditional' guise.

Interparliamentary cooperation has various functions or aims:

- exercising democratic control and scrutiny over governments at international level;
- initiating activities aimed at peace, security and strengthening democracy and human rights, economic development, improving education and social conditions;
- helping to solve worldwide crises: the financial crisis, the energy crisis and climate change;
- disseminating and safeguarding democratic values (both generally and as a safeguard for the enforcement of human rights and the principles of the rule of law) nationally and internationally;
- monitoring conventions of international organisations and (other) international agreements of states and governments aimed at strengthening democracy, the rule of law and the implementation of human rights;
- investing in personal relations and international contacts (networking);
- involving non-governmental organisations (NGOs) in the development and implementation of policy;
- improving the functioning of parliamentary mechanisms at national level through the exchange of knowledge and experience and political, intercultural and interreligious dialogue.



datum 17 november 2010

oms kenmerk

page 6

According to the IPU, states have lost power to global forces and institutions through the process of globalisation, which has thus restricted the autonomy of governments in a number of ways. In its words 'This gap between the national level where democratic institutions have historically been located, and the global or regional levels where so many decisions are now taken is a major source of what is termed the international 'democracy deficit'. [...] Parliaments must therefore step beyond the traditional Executive prerogative in international affairs, and subject governments to the same degree of oversight as in the domestic policy arena.'⁴ Interparliamentary structures have been established to facilitate the process of subjecting governments to democratic scrutiny at the international level as well.

In addition to exercising democratic control of government at the international level and monitoring international developments, safeguarding democratic values in both one's own country and other countries is also an aim in its own right. On this point Weisglas and De Boer write as follows: 'Parliamentarians also meet quite regularly with colleagues from many different countries to discuss current affairs and their own institutions' working methods, for democracy is not a static condition – there is no real "end state" that can be achieved. Parliamentary diplomacy therefore, is also of great importance to provide periodically both developing as well as developed countries with a mirror to examine their own virtues and faults.'⁵

Finally, the information which members of parliament gather and the foreign colleagues with whom they become acquainted in the context of interparliamentary cooperation enable them to discharge their duties better in their national Senate. The interparliamentary cooperation creates closer links between their national and international work as they have the possibility of raising international subjects at national level and putting them in a broader context, and vice versa. As Van der Linden commented in 2006: 'We can bring our national matters to the international level, we can bring international matters to the national level and more importantly, we are in the position to involve our citizens in both national and international matters.'⁶ In fact, members of parliamentary assemblies have a dual mandate. They are elected nationally and function in their national parliament. They are then delegated by their national parliament to take part in the parliamentary assembly of an international organisation. Their contribution at the international level is shaped in part by the debates which these members conduct in their own national parliament. Conversely, they can enrich the debates in the national parliament (at both plenary and committee level) through the knowledge and experience they have gained at the international level.

In addition to interparliamentary cooperation, national parliaments also undertake activities that can be classified as 'traditional' diplomacy. This traditional diplomacy can serve a wide variety of purposes such as conflict prevention and resolution, solving or preventing conflicts and tensions, forcing breakthroughs in cases where diplomacy at governmental level has

⁴ *Parliament and democracy in the twenty-first century, A guide to good practice*, Interparliamentary Union, 2006, pp. 156-7.

⁵ F.W. Weisglas and G. de Boer, *Parliamentary Diplomacy*, *The Hague Journal of Diplomacy* 2 (2007), p. 96.

⁶ *Idem*.



datum 17 november 2010

oms kenmerk

page 7

become bogged down, representing national interests, strengthening the focus on the value of democracy and human rights and on better (interparliamentary) cooperation.⁷ In conflict zones interparliamentary diplomacy can fulfil a bridging function. Herman de Croo adds, 'These meetings often provide an opportunity to establish lasting contacts with or strengthen links between the countries concerned.'⁸

In summary, parliamentary diplomacy implies the use and deployment of parliamentary contacts to promote the international democratic legal order and in particular serve national interests, based on the notion that parliamentarians (from both government and opposition parliamentary parties) are ideally placed to build bridges between conflicting parties, unshackled by instructions from governments, and to put across views which the official government representatives are not able (or not yet able) to convey.

3. Diplomatic activities of the Senate

The Senate's diplomatic activities take the form of both interparliamentary cooperation and traditional diplomacy. This distinction is mainly of a theoretical nature as, in practice, these fields overlap. The following classifications are used below for diplomatic activities:

- participation in interparliamentary assemblies and meetings;
- reception of high-ranking foreign officials and parliamentary delegations;
- official visits abroad;
- activities for the provision of (mutual or unilateral) technical assistance.

Participation in interparliamentary assemblies and meetings

Members of the Senate form part of delegations sent to parliamentary assemblies. The assemblies in which the Netherlands participates are:

- the Parliamentary Assembly of the Council of Europe (PACE)
- the NATO Parliamentary Assembly
- the OSCE Parliamentary Assembly
- the Assembly of the WEU (it is proposed to 'close down' the WEU and the bill of approval is currently being drafted)
- the Inter-Parliamentary Union (IPU)
- the Interparliamentary Consultative Benelux Council
- the Euro-Mediterranean Parliamentary Assembly (EMPA)
- the Interparliamentary Committee of the Dutch Language Union

In addition, the members of the Senate take part in conferences in the context of the EU Presidency such as COSAC (European Affairs Committees), COFACC (Foreign Affairs Committees) and conferences organised by other specialist committees. Interparliamentary meetings are also organised by the European Parliament in response to topical themes.

⁷ F.W. Weisglas and G. de Boer, *The Hague Journal of Diplomacy* 2 (2007), pp. 95-96 and Stelios Stavridis, *Parliamentary diplomacy: any lessons for regional parliaments?*, 2006, p. 27.

⁸ Herman de Croo, *Bridge-building through parliamentary diplomacy*, 2006, chapter 4, paragraph 4.



datum 17 november 2010

oms kenmerk

page 8

Moreover, it should be noted that committees of the Senate regularly pay working visits to Brussels. These visits may also involve meetings with European Commissioners, MEPs, staff of the Permanent Representation of the Netherlands to the EU and other officials. The visits are well prepared and often serve in their turn as preparation for a debate on European affairs or a plenary debate on some other topic. In addition to the assemblies, conferences and meetings in which the members of the Senate take part, mention should be made of their role as election observers in strengthening the democratic process in countries with a less strong democratic tradition.

A special role in the diplomatic field is fulfilled by the President of the Senate. He has many bilateral contacts, receives guests in the Senate and is invited abroad (see section below). As a rule, the President also takes part in the following annual meetings:

- the EU Speaker's Conference
- the Association of European Senates
- the European Conference of Presidents of Parliaments (Council of Europe).

Once every three years the World Conference of Speakers of Parliaments is held in the context of the Inter-Parliamentary Union. In 2010 the Canadian Senate took the initiative of convening a G-20 Speakers' Consultation, to which the President of the Dutch Senate was also invited.

Mention should be made here of the Senate's annual debate with the government on the subject of Europe. The issues raised relate not only to the European Union but also to matters affecting the larger Europe. The debate is generally held after the debate in the House of Representatives on the government's policy memorandum (known as 'the State of the Union') on European topics, shortly after budget day in September. The topics dealt with in the Senate's debate concern matters which the Senate expressly wishes to draw to the attention of the government. Members of the Senate base their contributions on information they have acquired in the course of their activities in European and international forums. Positions argued in a debate on Europe are also argued in the international forums in which the members participate.

Each year the Ministry of Affairs gives two members of the Senate (and four members of the House of Representatives) the opportunity to attend the opening session of the General Assembly of the United Nations in New York. The aim of the visit is to acquaint them as fully as possible with the work and workings of the United Nations.

Reception of high-ranking foreign dignitaries and parliamentary delegations

Parliamentary delegations and government ministers from other countries regularly visit the Senate, usually as part of a visit to The Hague lasting a number of days. When requests for visits are received by the Senate, they are generally first discussed in the Standing Committee for Foreign Affairs, Defence and Development Cooperation to determine whether they are opportune, and, if so, which members are available to receive the visitors and what topics the Senate would like to raise. During its current session, the Senate has received various delegations, for example from the Russian Federation, China, Georgia and New Zealand.



datum 17 november 2010

oms kenmerk

page 9

The Senate may also deliberately choose to invite a parliamentary delegation from a particular country. In such cases the Senate is responsible for the entire organisation of the visit. Recently, for example, the Senate devoted much effort to organising the reception of an Australian parliamentary delegation and the reception of the Mr Vacaroiu, President of the Romanian Senate, together with a delegation of senators. These were official return visits to the Netherlands. The Romanian delegation were received for three days by the Senate. One of the topics discussed during this visit was the role of the senates in the European cooperation process. Among those whom Mr Vacaroiu met were the Dutch prime minister, other members of the Dutch government and representatives of umbrella organisations in trade and industry. As a rule, the President of the Bundesrat (the German Senate) visits the Senate once a year. The presidency of the Bundesrat passes by rotation each year to the premier of a different German state. On 23 June 2010 the Presidents of the Senate and the House of Representatives received Jens Böhrnsen, the current President of the Bundestag. Owing to the resignation of President Köhler, Jens Böhrnsen was also acting President of the Federal Republic of Germany at the time of his official visit to the Netherlands. Before visiting the Dutch Senate, he was received by Her Majesty Queen Beatrix and met Mr Balkenende, the caretaker prime minister of the Netherlands. The Presidents of the Dutch Senate and House of Representatives met their German counterpart in the building of the Senate to discuss bilateral topics and current developments in Europe.

Visits to the Netherlands by heads of state and heads of government at the invitation of the Dutch government require special attention. A reception by the States General generally forms part of any official visit. The agreement with the House of Representatives is that the Senate plays the leading role in organising the reception for heads of state. By the same token, the House of Representatives takes the initiative when visits are paid by heads of government who are not also head of state (i.e. prime ministers).

In the case of state visits the visiting head of state generally has a brief meeting with the Presidents of the two houses of parliament before meeting the members. The two Presidents are also generally responsible for opening and closing the exchange of views with the members.

A very special meeting took place on 6 January 2010. At the invitation of Mr Van der Linden, President of the Senate, Mr Van Rompuy, the President of the European Council, visited the Netherlands. This was his first visit to a parliament of an EU member state since taking up office as the first permanent president of the European Council on 1 January 2010. During his visit Mr Van Rompuy first met the two Presidents of the Senate and the House of Representatives. In a subsequent press conference he explained aspects of the new 'Europe 2020' strategy. Before their meeting the President of the European Council and the Presidents of the two houses of the Dutch parliament hoisted the European flag together for the first time on the buildings of the States General (the Maurits Tower of the Senate).



datum 17 november 2010

ons kenmerk

page 10

Official visits abroad

Most foreign trips by members of the Senate involve attendance at meetings of parliamentary assemblies and EU committees. As mentioned previously, they also pay working visits and act as election observers.

In keeping with the procedure based on article 100 of the Dutch constitution, the Senate is involved in decisions on the deployment of Dutch military personnel abroad. In the spring of 2008 it held debates on the subjects of 'the present and future position of the armed forces, including the broader framework of NATO' and 'the 3D approach' (i.e. defence, diplomacy and development). When the government was considering deploying Dutch military personnel abroad the Senate requested that it should use the 3-D approach in its assessment. This request was fulfilled in the government's revised review framework, which was sent to the Senate for consideration in July 2009.

Against this background the Standing Committee for Foreign Affairs, Defence and Development Cooperation considered it desirable for a delegation to visit the Dutch troops in Afghanistan. The visit was intended to enable the committee to form a more complete picture of the complex circumstances in which the Dutch military perform their duties and to see how the '3-D approach' works in practice. In early May 2009 a Senate delegation paid a four-day visit to Afghanistan, which included visits to the capital Kabul, to Kandahar Airfield and to the Dutch troops in Tarin Kowt (Camp Holland). The Senate subsequently requested the government to indicate how it proposed to enhance coordination at strategic level, specifically with regard to the balance between the military and civilian components of the Dutch mission in Afghanistan and how it proposed to consolidate after August 2010 the results achieved by the civilian component.

Senate delegations occasionally pay official visits to another country at the invitation of a foreign parliament. The last official visit jointly paid by a delegation composed of members of both houses of the State General was the visit to Australia at the invitation of the Australian Parliament and under the leadership of the previous President of the Senate, Yvonne Timmerman-Buck. The visit was organised to celebrate 400 years of friendship between the Netherlands and Australia. Topics discussed during the many meetings included not only the special historical ties, but also and above all the excellent economic, social and political relations between the Netherlands and Australia. Subjects that also received attention during the visit were the emigration of Dutch nationals to Australia in the 20th century and various aspects of the present relationship in such fields as art, culture, education, science, sport, foreign policy and trade.

The President of the Senate also regularly receive invitations to pay official visits to other countries, in particular to their parliament.

Activities for the provision of (mutual or unilateral) technical assistance

The Secretary General of the Senate is a member of the Association of Secretary Generals of Parliaments (ASGP), which is an organisation affiliated to the IPU. The organisation facilitates



datum 17 november 2010

oms kenmerk

page 11

the exchange of information about best practices relating to customs within parliamentary institutions and their organisation and management. The know-how available within the ASGP is of particular use to young democracies in developing their parliamentary organisation. At the request of the Ministry of Foreign Affairs or NGOs such as the Netherlands Institute for Multiparty Democracy, the Secretary General fairly regularly receives delegations of foreign parliaments that are visiting The Hague in the context of a study trip. Recently, the Secretary General has received delegations from Turkey, the Russian Federation, Poland and Nigeria.

4. Further development of parliamentary diplomacy by the Senate

General

It should be noted at the outset that participating in interparliamentary activities is an integral part of parliamentary work. Parliamentary diplomacy deserves full recognition as an important part of the foreign political activities of the Netherlands. And participation in parliamentary assemblies and interparliamentary EU meetings deserves full recognition as an integral part of parliamentary work. Dutch interests are so closely interwoven with those of other countries and of international organisations of which the Netherlands is part that parliamentarians may be expected to permanently monitor international developments and seek interparliamentary cooperation in fields where national developments are to a large extent determined by international developments. Government ministries may be expected to recognise and facilitate the important role played by members of the States General in the diplomatic field. In addition, where the government includes parliamentarians in Dutch delegations taking part in international conferences or trade missions abroad or gives parliamentarians the opportunity to attend an international conference (e.g. the opening session of the General Assembly of the United Nations or an international climate conference) it may be expected to extend the invitation both to the House of Representatives and to the Senate. In such cases the ratio of the places made available should be based on the relative size of the two houses (i.e. 2:1). In the case of a trade mission, parliamentarians may, where appropriate, take part in a worthwhile parallel programme by visiting companies and infrastructure projects and holding meetings with business people and representatives of civil society.

Two basic preferences determine how the Senate plans and carries out its parliamentary diplomatic activities. First of all, the Senate is not in favour of creating more international (parliamentary) forums. If more new interparliamentary bodies were to be established, there would be a danger of overlap with the work of existing institutions and bodies. Decisions to abolish or scale back existing institutions that have ceased to have any independent function should not be shirked. Second, the Senate is in favour of rationalisation. For this purpose, rationalisation means organising production as favourably as possible in order to enhance performance and save effort, time and money. In terms of parliamentary cooperation this can be translated into:

- integrating national and international parliamentary activities in order to enhance their effectiveness;
- promoting the efficiency and decisiveness of the existing parliamentary assemblies, and



datum 17 november 2010

oms kenmerk

page 12

- strengthening cooperation between the existing assemblies in order to enhance the effectiveness of parliamentary scrutiny of government policy in different forums.

Rationalisation and focus therefore enhance diplomatic activities, help to produce more tangible results and ensure that these activities make fewer demands on the time and resources available.

As membership of the Senate is part time and the level of civil service support is only modest by international standards, there are limits on what is feasible. Rational choices will therefore always have to be made from the virtually unlimited range of possibilities when deciding on how to be active internationally. It is necessary to be selective. For this reason the Senate has always chosen not to take up invitations to establish structured bilateral friendship groups with other senates or parliaments. It takes the view that bilateral parliamentary contacts should preferably take place as far as possible in conjunction with international meetings. Experience shows that it is perfectly possible to plan such contacts in advance.

A considerable part of the diplomatic activities focus on the European Union. National policy and European policy are closely interwoven. Within the European Union the role of the national parliaments has been strengthened, partly as a result of diplomatic efforts by members of the Senate. Following an extensive review, the Senate has adjusted its procedures in relation to European affairs to take account of the important role which parliaments can now play in the European legislative and policy process. The new European procedure is now being implemented. The procedures enable interparliamentary coordination to take place in respect of vital files. For the most part digital channels such as IPEX are used for this purpose. Together with the House of Representatives, the Senate wishes to develop the possibility of videoconferencing as quickly as possible in order to enable specialist committees to coordinate their activities and avoid time-consuming travel. The first findings of the new procedure will be evaluated later this year. This evaluation will also take account of the initial experience of international contacts in the context of the new powers of the national parliaments.

Following the recent constitutional reforms affecting the countries that form the Kingdom of the Netherlands, an efficient and worthwhile new form of parliamentary cooperation must be created between the different countries. The Standing Committee for Kingdom Relations of the Senate is closely involved in this process.

Below are various proposals designed to improve the interparliamentary activities of the Senate and its members in keeping with the classification used in section 3.

Participation in interparliamentary assemblies and meetings

The contribution made by members of the Senate to the work of the interparliamentary assemblies and meetings is much appreciated internationally. Nonetheless, the impact of their work in these forums could be enhanced still further by the consistent application of a number of measures. The following proposals are made for this purpose:



datum 17 november 2010

oms kenmerk

page 13

- a) adequate preparation and determination of the contributions to be made to meetings of assemblies/European meetings (COSAC/COFACC/CODAC) in the appropriate committees of the Senate would enable them to decide whether the Netherlands can put forward a common position;
- b) adequate (oral) feedback to the committees after the close of the interparliamentary activities to be achieved by putting on the agenda documents (such as resolutions, reports and recommendations) adopted in an assembly and/or conference;
- c) the relevant outcomes of interparliamentary activities to be included in debates with the government (for example, in the parliamentary debate on the 'Speech from the Throne' and the general debate on European affairs);
- d) where interest is shown in topics on the agenda of the Cabinet, ministers could be invited to report on progress in decision-making in the international organisations concerned, taking account of how the decision-making bodies of these organisations deal with reports and recommendations of parliamentary assemblies;
- e) before the annual ministerial conference of the Council of Europe the Minister of Foreign Affairs and/or the Minister of Justice could be invited for consultations on the position to be taken by the Netherlands during the conference;
- f) as the Speakers' Conferences of the EU have gained in importance since the entry into force of the Treaty of Lisbon, the agendas of these conferences and the main items for advice should be listed on the agenda of the Committee for European Cooperation Organisations (ESO); this would ensure that the work carried out by the Netherlands within the Speakers' Conference and COSAC is properly coordinated;
- g) more light could be shed on the work carried out in the interparliamentary assemblies/meetings through consistent reporting on the website of the Senate about the contributions made by the Senate and about the decisions taken by the Assembly or the interparliamentary EU committee. For this purpose the Interparliamentary Relations secretariat could be asked to prepare brief reports of meetings held in the course of the parliamentary assemblies and the Senate secretariat should continue to produce brief reports of interparliamentary meetings in the EU.

Reception of high-ranking foreign dignitaries and parliamentary delegations

Invitations for state visits are issued on the initiative of the government. Government invitations are not issued lightly, and are instead the outcome of careful assessment of how the visit will affect bilateral relations between the country concerned and the Netherlands, including the international context. A visit to the States General in the course of a state visit should be regarded not as merely fulfilling a protocol requirement but as a real political highlight of the visit.

Various state visits have passed off to the satisfaction of the Senate. However, on a few occasions (for example, the visit of the President of Chile) the time available for the States General was so limited that it was scarcely possible to engage in a meaningful exchange of views. The Presidents of the two Houses of Parliament have therefore recommended to the Ministry of Foreign Affairs and the Queen's Secretariat that the time allocated for visits to the States General should reflect the importance of Parliament. The place and involvement of the States General in a state visit should be clear. The substantive preparations for a visit to the



datum 17 november 2010

oms kenmerk

page 14

States General can be made through the foreign affairs committees of the two Houses, as has been customary in the past.

Important foreign dignitaries or parliamentary delegations can also be invited for a visit by the Senate itself. In the second half of 2010 official visits were made on the initiative of the President of the Senate and at the invitation of the two Presidents of the houses of parliament by Jerzy Buzek, President of the European Parliament, and Mevlüt Çavusoglu, President of the Parliamentary Assembly of the Council of Europe. Invitations were also sent on the initiative of the President of the Senate to the Speaker of the National Assembly of South Africa, the President of the Majelis Permusyawaratan Rakyat (People's Consultative Assembly) of Indonesia, the former premier of the German state of North Rhine-Westphalia, Jürgen Rüttgers, and various European Commissioners.

When the President intends to invite an important foreign dignitary or a delegation from abroad, he usually raises this subject in the Committee of Senior Members. To increase transparency this will be done in future by means of a brief memo (one A4 page) setting out by reference to the criteria in the following section why an invitation to the person concerned is deemed important for the Netherlands/the Senate. The policy on invitations will take account of the limits on the available time of members of the Senate. Requests by foreign parliamentary delegations to be received in the Senate are submitted by the Secretary General of the Senate to the Standing Committee for Foreign Affairs, Defence and Development Cooperation, together with a recommendation on how the request could be answered. Decisions involve balancing the purpose, value and rationale of visits against considerations of time and practical feasibility.

Official visits abroad

As is apparent from the above, the Senate is selective in accepting invitations for large delegations to visit other countries. Invitations of this kind are first carefully considered in the Committee of Senior Members. It is proposed that this practice should be continued. The basic principle could be that trips by delegations of mixed parliamentary composition should be made not more than twice in any parliamentary session. The possibility of an official visit to the Russian Federation is presently under consideration by the Senate (together with the House of Representatives). An invitation was received some time ago from the President of Russia's Federation Council.

The President of the Senate regularly receives invitations for visits abroad. Naturally, it is not possible to take up all invitations. Here too it is necessary to be selective.

A number of factors are considered when deciding whether or not to accept an invitation:

- whether a visit would be of direct importance to the Netherlands/the Senate or would make it possible to strengthen relations between the Netherlands and the country or enhance the reputation of the Netherlands;
- whether it is a country with which the Netherlands has historic ties;
- whether it is a country which plays a major role in the decision-making process globally or in Europe;



datum 17 november 2010

oms kenmerk

page 15

- whether it is a country with which the Netherlands has a special development cooperation relationship;
- whether the visit should be accorded special significance in the context of the current situation in or affecting the country concerned;
- whether a visit would make it possible to underscore the importance of democratic values and the rule of law;
- whether a visit would make it possible to emphasise the importance of safeguarding human rights;
- whether a visit would make it possible to achieve strategic foreign policy objectives that complement Dutch government policy.

The President proposes that he should submit a periodic programme for foreign visits to the Standing Committees for Foreign Affairs, Defence and Development Cooperation (BDO) and for European Cooperation Organisations (ESO). In preparing a visit, he will also consult the relevant committee on the themes to be raised. Notice of each visit should be posted on the Senate's website and, in so far as possible, a brief report made that can be published as a Parliamentary Paper.

When a delegation makes a foreign trip, it is desirable that the contribution to the meetings in the host country should be properly prepared in advance by the delegation, in the same way as participation in international meetings is prepared. Varying views can naturally be reflected, but constructive talks should be held in an effort to coordinate any common input and behaviour during the talks.

Activities for the provision of (mutual or unilateral) technical assistance

Owing to the limited staffing capacity of the Senate, the Secretary General is selective about the interparliamentary activities in which he or his staff take part and about the reception of foreign delegations. It is proposed that this policy should be continued. Nonetheless, participation in the interparliamentary networks of officials remains important in order to provide good support for the diplomatic activities of the President and members of the Senate. Experience shows that the procedures of the officials who staff the Senate sometimes serve as an example for foreign parliaments. Complying with requests for information about the organisation of parliamentary work and parliamentary procedure in connection with legislation and policy (including European legislation and policy) contributes to a positive image of the Senate in an international context.

* * *