

Toespraak van de Voorzitter van de Eerste Kamer, P.R.H.M. (René) Van der Linden, over het thema 'The Evolution of Parliamentary Diplomacy in the 21st Century', tijdens de jaarlijkse conferentie van de Association of European Senates (AES) op 16 april 2010 te Rome

Mr. Chairman,
Dear Colleagues,
Ladies en Gentleman,

Today we are discussing a topic of great importance: parliamentary diplomacy and the role of Senates therein. For those of you who know me from my past and present activities, both as a President of the Senate of the Netherlands and as former President of the Parliamentary Assembly of the Council of Europe, it will be no surprise that today's topic goes straight to my heart. I am convinced that Senates do have to play a role in diplomacy and that it is up to each and every Member of the Senate to be actively involved in parliamentary diplomacy.

Since the midst of the 20th century, the nature of diplomacy has changed profoundly. Firstly, the number of sovereign states has increased rapidly after World War II. Secondly, there is simply more diplomacy, because political issues that were previously considered to be of a domestic nature, increasingly have an international dimension. This has led to an increased awareness that many national issues in fact are of a transnational, international or global and non-territorial nature. This dimension should be dealt with on the floor of Parliament and requires a regional, European or even global mindset from all Senators. Thirdly, there are growing economic and other forms of interdependence, usually summarised under the heading 'globalisation'. It seems that there is a tendency in recent years that national politicians in Europe have become more inward looking again. Such in a timeframe that the business communities and the younger generations have become more and more part of a globalized world.

In general the practice of diplomacy has changed tremendously since the middle of the 20th century. Diplomacy is no longer the prerogative of the Executive. Nowadays, it is obvious that the definition of diplomacy as the conduct of relations between sovereign states through the medium of accredited members, falls short. Besides ambassadors and official diplomats, we encounter in our time numerous non-official actors in diplomacy, like international corporate businesses and NGO's, as well as transnational and multinational organizations. Even sub-national organizations involve in diplomacy. These different actors are dealing with all kinds of diplomatic activities.

Though still an indispensable instrument of foreign policy of sovereign states, diplomacy has become much more than that. It goes beyond negotiations in situations of political crisis and deadlock. Broadly speaking, diplomacy is the communications system of international society. It is the mechanism of representation, communication, information gathering, reporting and negotiation through which people, be it states and other international actors, relate to each other and form an international society. Without diplomacy there would be no international system and certainly not the integrated and organised version of it: the international society. At the very heart of international society lays a set of shared standards and values and our mutual relations are bound by common rules, habits and the working institutions. The Council of Europe, for instance, has been standard setting in the domain of rule of law and human rights through binding treaties, conventions and through the jurisdiction of the Court of Human Rights.

From what I said so far, it will be clear that Senates do have to play a role in diplomacy. First of all due to the internationalisation of domestic policies, our Senators should engage in parliamentary diplomacy in order to better scrutinise their governments at home. Thus, cooperation between parliaments is a condition sine qua non for

parliamentary democracy at the national level. At the same time, parliamentary assemblies like that of the Council of Europe, NATO or the OSCE provide for democratic checks and balances at the international level.

Secondly, our institutions function as the guardians of parliamentary democracy and the rule of law. The Senates should protect and highlight them whenever and wherever they are poorly safeguarded or fragile. The safeguarding of fair elections, the good functioning parliamentary institutions in new democracies, the state of law and of human rights, oblige Senates to give presence at the international stage and to involve in parliamentary diplomacy.

Thirdly, our presence as Senates in international diplomacy is required, in order to be able to bypass other diplomatic channels in case of deadlock and political crisis.

Parliamentary diplomacy in my view implies:

- investment in international relationships;
- promoting and defending values on democracy, human rights, rule of law and cultural diversity (these are the domains for Senates in particular);
- building bridges and contributing to mutual understanding.

Thus, Senates have a role to play in diplomacy complementary to that of e.g. governments or the Lower Houses. Finally, it is also through representation, contacts and diplomacy that Senates are visible and transparent to the outside world. Parliamentary diplomacy can contribute to breaking deadlocks, because as representatives of both ruling parties and opposition parties, parliamentary 'diplomats' are not bound by strict instructions.

Colleagues,

Having said this, how should we ensure that parliamentary diplomacy remains not an activity of the happy few, those Senators specialised in foreign and international affairs? Parliamentary diplomacy should be a mainstream activity of the Senate. Rightly, the Italian Presidency of this AES-meeting raised the question of how parliaments ensure that the appropriate parliamentary committees and the full house actually consider the resolutions and documents adopted in international fora.

Let me, by giving you some examples, explain how the Senate in the Netherlands aims to strengthen and develop the international mindset of *all* its Members.

First of all the procedures by which the Senate of the Netherlands deals with European affairs. These procedures have been recently adapted in order to be better prepared for working under the provisions of the Lisbon Treaty. In the past decade it was the Senate's standing committees on European Affairs (ESO) and on the Justice and Home Affairs Council (JBZ-Raad) that primarily dealt with European draft legislation and policy documents. Especially, the former committee functioned as a kind of "gatekeeper" of parliamentary scrutiny of draft legislation from Europe. This committee referred only those drafts to the other standing committees, that the members of this committee deemed necessary.

In 2009 the decision on whether or not to scrutinise specific European draft legislation was transferred from this committee to each of the 16 standing committees of the Senate. The guiding idea behind this is that the Senate seeks to scrutinise European draft legislation as much as possible in the same way as it does national bills: starting with parliamentary scrutiny in the standing committees. This should have important consequences for the orientation, the mindset and activities of the members of these standing committees.

These members should become more actively involved in bilateral and multilateral contacts, in order to better perform their scrutiny. Parliamentary diplomacy is needed in order to bring about concerted actions for checks at the transnational level. Whereas in

the past this kind of parliamentary diplomacy was more or less the prerogative of the European Affairs committee and the standing committee on the Justice and Home Affairs Council, nowadays other standing committees and their members are encouraged to look beyond the boundaries of the nation state and interact independently at the international stage of their policy areas.

Let me give you a second illustration of how the Dutch Senate seeks to encourage the international mindset of all its Members. I would like to stress that as President of the Senate I intend to lead by example. I was elected last October. On several occasions ever since, I made brief statements to the plenary of the Senate concerning international affairs in order to underline the importance of the outside world for our work in the Senate, e.g. on the occasion the 20th anniversary of the Berlin Wall and the coming into force of the Lisbon Treaty. I also made working visits to Poland, South Africa, Germany and Turkey, discussing current affairs and strengthening mutual relations between our countries, and especially between our Parliaments. I also had the privilege to receive distinguished guests, like e.g. the President of the European Council, Mr. Van Rompuy.

The Senate over which I have the privilege to preside, is not a self-absorbed institution, but has an open eye and mind to the outside world. I take some pride in telling you that about a third of all 75 Senators is a delegate or alternate delegate to the parliamentary assemblies we participate in, like those of the Council of Europe, NATO etc. Once back home, they report in the standing committees and the reports are regularly printed as public parliamentary papers. To underpin their activities the Senate has provoked important reports from high advisory committees on various international issues, such as the growing role of often not sufficiently democratically legitimised European agencies, the relations between the EU and Russia, the role of the Council of Europe and the relationship between the EU and the Council of Europe, the role of NATO. Discussion on these topics has been widened through conferences, expert meetings and symposia. The distribution of information and communication with citizens, NGO's and local levels of government has become more sophisticated through the use of websites. Next week we launch a fully renewed website on the European activities of the Senate. Citizens can follow day by day how the Senates is dealing with European dossiers (legislative and policy proposals).

Mr. Chairman , Colleagues,

The appeal I want to make is threefold.

- As national politicians let us stop being inward looking. We must convince our citizens of the necessity of international cooperation. In a world where power relations are rapidly changing, Europeans should realise that economic recovery and progress on a national level is highly dependent on international developments. National parliamentarians have a role to play in international work.

- (Secondly) Let us revise the role of interparliamentary assembly's and institutions. We should delegate the best national parliamentarians to our international parliamentary assembly's. We should not tolerate a deterioration in the quality of international representation of our national parliamentary institutions.

- (Thirdly) International work should be an integrated part of our national work. International experience strengthens and deepens the debates we have in our Senates and their impact on legislation and policy development.

Let me conclude. The Senate of the Netherlands has always been strongly internationally oriented. We have always been privileged of having highly qualified representatives with a double mandate: as national senators and as delegates to international parliamentary assemblies. In this context we actively involve in parliamentary diplomacy and we strive to better adapt our parliamentary procedures to the European and international context in which we operate. Diplomacy, however, is work in progress and the national and international political context is constantly changing. Therefore I am eager to learn from parliamentary practices in the other European Senates and the ways they manage to mainstream parliamentary diplomacy.

Thank you.